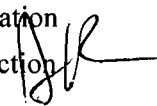


Florida Department of
Environmental Protection

Memorandum

To: Trina Vielhauer, Bureau of Air Regulation
From: Jeff Koerner, New Source Review Section 
Date: August 26, 2009
Subject: Exemption from Air Construction Permitting Requirements
Project No. 0510003-046-AC
United States Sugar Corporation, Clewiston Sugar Mill and Refinery
Temporary Trial Burn of Sweet Sorghum

Attached for your review is an exemption from the requirement to obtain an air construction permit to conduct a temporary trial burn of sweet sorghum in Boiler 8 at the existing Clewiston Sugar Mill and Refinery located in Hendry County, Florida. The attached Technical Evaluation provides a detailed description of the project and the rationale for the exemption. The project is not considered a new source review reform project. I recommend your approval of the attached exemption letter.

Attachments

TLV/jfk



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

August 27, 2009

Sent by Electronic Mail – Received Receipt Requested

Mr. Neil Smith, V.P. of Sugar Processing Operations
United States Sugar Corporation
111 Ponce DeLeon Avenue
Clewiston, FL 33440

Re: Exemption from the Requirement to Obtain an Air Construction Permit
United States Sugar Corporation, Clewiston Sugar Mill and Refinery
Facility ID No. 0510003
Project No. 0510003-046-AC
Temporary Trial Burn of Sweet Sorghum

Dear Mr. Smith:

On August 17, 2009, U.S. Sugar Corporation submitted a request to conduct a trial burn of sweet sorghum in existing Boiler 8 (EU-028) at the Clewiston Sugar Mill and Refinery. The existing mill is located in Hendry County at the intersection of W.C. Owens Avenue and State Road 832 in Clewiston, Florida. During the trial burn, up to 4000 tons of sweet sorghum will be fired to evaluate the capabilities of the existing equipment to handle, convey and fire the trial fuel. Boiler 8 includes the following air pollution control equipment: wet sand separators to remove sand and heavy particulates from the flue gas prior to the induced draft fan; an electrostatic precipitator (ESP) to remove fine particulate matter from the flue gas; and a selective non-catalytic reduction (SNCR) system to reduce nitrogen oxide emissions (NO_x). Boiler 8 also includes continuous emissions monitoring systems (CEMS) for carbon monoxide (CO) and NO_x emissions.

Determination: A complete review of this project is summarized in the attached Technical Evaluation. Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons stated in the Technical Evaluation, the Bureau of Air Regulation determines that the activity will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified." Therefore, the temporary project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

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-F.A.C. The Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. 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.

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

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 agency clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions must be filed within 21 days of receipt of this exemption from air permitting requirements. 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.

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 permitting action. 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.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/jfk

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Exemption from Air Construction Permitting was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 8/27/09 to the persons listed below.

- Mr. Neil Smith, U.S. Sugar (nsmith@ussugar.com)
- Mr. Keith Tingberg, U.S. Sugar (ktingberg@ussugar.com)
- Mr. David Buff, Golder Associates (dbuff@golder.com)
- Mr. Ajaya Satyal, SD Office (ajaya.satyal@dep.state.fl.us)
- Ms. Vickie Gibson, DEP BAR Reading File (victoria.gibson@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.

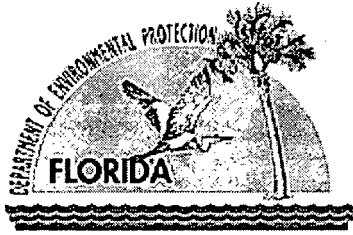

(Clerk)

8/27/09
(Date)

CONDITIONS OF EXEMPTION

Subject to the following provisions and restrictions, the United States Sugar Company (U.S. Sugar) is temporarily authorized to fire sweet sorghum in accordance with the following conditions.

1. U.S. Sugar shall conduct the trial burn between August 31, 2009 and October 1, 2009. U.S. Sugar may fire up to approximately 4000 tons of sweet sorghum during the temporary trial period.
2. U.S. Sugar shall record the approximate amount of sweet sorghum fired on an hourly basis.
3. U.S. Sugar shall use the existing CEMS to collect CO and NO_x emissions data during the trial burn.
4. U.S. Sugar shall collect a representative sample of sweet sorghum used during the test and determine the proximate, ultimate (including sulfur content) and heat content analyses.
5. No later than 60 days after completing the trial burn, U.S. Sugar shall submit a written report summarizing: the capabilities of the existing equipment to handle, store and fire sweet sorghum; problems encountered during the trial burn; the approximate amounts (tons/hour) of sweet sorghum fired during each day; results of the CO and NO_x emissions while firing sweet sorghum including the steam production rate; results of the proximate, ultimate and heat content analyses of the sweet sorghum sample; and estimated SO₂ emissions based on the actual fuel sulfur content in the sweet sorghum sample.
6. U.S. Sugar shall continue to comply with all existing permit conditions during the trial burn.



TECHNICAL EVALUATION

APPLICANT

United States Sugar Corporation
111 Ponce DeLeon Avenue
Clewiston, FL 33440

Clewiston Sugar Mill and Refinery
Facility ID No. 0510003

PROJECT

Project No. 0510003-046-AC
Exemption from Air Construction Permit
Temporary Trial Burn of Sweet Sorghum

COUNTY

Hendry County, Florida

PERMITTING AUTHORITY

Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
New Source Review Section
2600 Blair Stone Road, MS#5505
Tallahassee, Florida 32399-2400

August 27, 2009

1. GENERAL PROJECT INFORMATION

Air Pollution Regulations

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes 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 applicable 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). Specifically, air construction permits are required pursuant to Rules 62-4, 62-210 and 62-212, F.A.C.

In addition, the U. S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. 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.

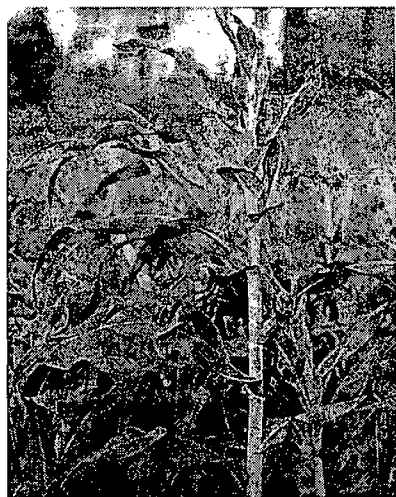
Facility Description and Location

The Clewiston Mill is an existing sugar mill and refinery, which is categorized under Standard Industrial Classification Code Nos. 2061 and 2062, respectively. The existing mill 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 East and 2956.9 North. This site is in an area that is in attainment (or designated as unclassifiable) for all air pollutants subject to state and federal Ambient Air Quality Standards (AAQS).

Facility Regulatory Categories

- The facility is a major source of hazardous air pollutants (HAP).
- The facility does not operate 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, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Project Description



On August 17, 2009, United States Sugar Corporation submitted a request to conduct a temporary trial burn of sweet sorghum in existing Boiler 8 (EU-028) at the Clewiston Sugar Mill and Refinery. During the trial burn, up to 4000 tons of sweet sorghum will be fired to evaluate the capabilities of the existing equipment to handle, convey and fire the trial fuel. Boiler 8 includes the following air pollution control equipment: wet sand separators to remove sand and heavy particulates from the flue gas prior to the induced draft fan; an electrostatic precipitator (ESP) to remove fine particulate matter from the flue gas; and a selective non-catalytic reduction (SNCR) system to reduce nitrogen oxide emissions (NO_x). Boiler 8 also includes continuous emissions monitoring systems (CEMS) for carbon monoxide (CO) and NO_x emissions.

In the off-season, Boiler 8 is used as the primary unit to provide steam to support the refinery operations. During this period, Boiler 8 fires bagasse remaining from the crop season as the primary fuel with wood chips used to

supplement bagasse. The applicant requests authorization to conduct the trial burn between August 31, 2009 and October 1, 2009, which is just before the 2009/2010 crop season. While firing sweet sorghum, the applicant expects to operate Boiler 8 at a steam production rate of approximately 250,000 lb/hour, which is approximately 43% of the 24-hour maximum steam production rate and representative of the typical maximum operating load for off-season support of the refinery.

Currently, Boiler 8 fires a fuel blend of approximately 75% bagasse with 25% wood chips during the refinery season. During the trial burn, Boiler 8 will fire a fuel blend of approximately 75% bagasse with 25% sweet sorghum, which is equivalent to approximately 53 tons/hour of bagasse with 17 tons/hour of sweet sorghum. CO and NO_x emissions will be continuously monitored with the existing CEMS during the trial burn. The characteristics of sweet sorghum are compared to bagasse and wood in Attachment A to this Technical Evaluation. Based on the expected characteristics, no increases in any regulated air pollutants are expected.

2. PSD APPLICABILITY

General PSD Applicability

For areas currently in attainment with the state and federal AAQS or areas otherwise designated as unclassifiable, 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. Under preconstruction review, the Department first must determine if a project is subject to the PSD requirements ("PSD applicability review") and, if so, must conduct a PSD preconstruction review. A PSD applicability review is required for projects at new and existing major stationary sources. In addition, proposed projects at existing minor sources are subject to a PSD applicability review to determine whether potential emissions *from the proposed project itself* will exceed the PSD major stationary source thresholds. A facility is considered a major stationary source with respect to PSD if it emits or has the potential to emit:

- 5 tons per year or more of lead;
- 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 following 28 PSD-major facility categories: fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), Kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants and charcoal production plants.

Once it is determined that a project is subject to PSD preconstruction review, the project emissions are compared to the "significant emission rates" defined in Rule 62-210.200, F.A.C. for the following pollutants: CO; NO_x; sulfur dioxide (SO₂); particulate matter (PM); particulate matter with a mean particle diameter of 10 microns or less (PM₁₀); volatile organic compounds (VOC); lead (Pb); fluorides (F); sulfuric acid mist (SAM); hydrogen sulfide (H₂S); total reduced sulfur (TRS), including H₂S; reduced sulfur compounds, including H₂S; municipal waste combustor organics measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans; municipal waste combustor metals measured as particulate matter; municipal waste combustor acid gases measured as SO₂ and hydrogen chloride (HCl); municipal solid waste landfills emissions measured as non-methane organic compounds (NMOC); and mercury (Hg). In addition, significant emissions rate also means any emissions rate or any net emissions increase associated with a major stationary source or major modification

which would construct within 10 kilometers of a Class I area and have an impact on such area equal to or greater than 1 microgram per cubic meter ($\mu\text{g}/\text{m}^3$), 24-hour average.

If the potential emission exceeds the defined significant emissions rate of a PSD pollutant, the project is considered "significant" for the pollutant and the applicant must employ the Best Available Control Technology (BACT) to minimize the emissions and evaluate the air quality impacts. Although a facility or project 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.

Department's PSD Applicability Review for Project

As shown in Attachment A, the characteristics of sweet sorghum are very similar to bagasse and wood.

- The moisture content of sweet sorghum (43%) is between bagasse (52%) and wood (33%).
- The heating value of sweet sorghum (7696 Btu/lb) is between bagasse (7920 Btu/lb) and wood (7074 Btu/lb).
- The ash content of sweet sorghum (5.4%) is between bagasse (4.5%) and wood (18.5%).
- Although the nitrogen content of sweet sorghum (1.37%) is higher than bagasse (0.35%) and wood (0.43%), the primary mechanism for generating NO_x emissions should remain thermal NO_x and not fuel NO_x . In addition, the boiler has an SNCR to control NO_x emissions.
- The sulfur content of sweet sorghum (0.13%) is greater than bagasse (0.06%) and wood (0.08%). It is equivalent to 0.36 lb SO_2 per million British Thermal Units (MMBtu) of heat input.
- The chlorine content of sweet sorghum (0.17%) is the same as for wood (0.17%).

Based on these characteristics, sweet sorghum is drier than bagasse/wood, has a heating value approximately 9% higher than wood and has an ash content similar to bagasse and much less than wood. Since CO, PM, PM_{10} and VOC emissions rely on efficient fuel combustion, it is reasonable to conclude that these pollutants will not increase with the firing of sweet sorghum because of the fuel characteristics. As discussed above, it is possible that firing sorghum may result in a slight increase in NO_x emissions; however, the existing SNCR system can mitigate the increase. Because the fuel sulfur content of sweet sorghum is slightly higher than bagasse and wood, the following calculation estimates the potential increase in SO_2 emissions:

$$\text{SO}_2 = (0.36 \text{ lb SO}_2/10^{+06} \text{ Btu})(\text{tons}/2000 \text{ lb})(7696 \text{ Btu/lb fuel})(2000 \text{ lb/ton})(4000 \text{ tons fuel/trial}) = 11.1 \text{ tons SO}_2/\text{trial}$$

This is well below the PSD significant emissions rate of 40 tons/year and does not account for:

- The amount of SO_2 emissions from firing wood that will be displaced by firing sweet sorghum; and
- The likelihood that perhaps 40% or more of the SO_2 emissions generated will be reduced by the alkaline fly ash generated during combustion.

Therefore, there is reasonable assurance that firing 4000 tons of sweet sorghum during the temporary trial period will not result in a PSD-significant increase in emissions of any PSD pollutant.

3. DEPARTMENT REVIEW

Assuming 24-hour operation, the firing of 4000 tons of sweet sorghum at 17 tons/hour will take approximately 235 hours or approximately 10 full days. Based on characteristics similar to bagasse and wood, this small amount of sweet sorghum is not likely to increase the emissions of any pollutant except for SO_2 . Therefore, the Department will exempt the trial burn of sweet sorghum from the requirement to obtain an air construction permit contingent on the following conditions:

- Conduct the trial burn between August 31, 2009 and October 1, 2009. Fire up to approximately 4000 tons of sweet sorghum during the temporary trial period.

TECHNICAL EVALUATION

- Record the approximate amount of sweet sorghum fired on an hourly basis.
- Using the existing CEMS, collect CO and NO_x emissions data during the trial burn.
- Collect a representative sample of sweet sorghum used during the test and determine the proximate, ultimate (including sulfur content) and heat content analyses.
- No later than November 1, 2009, submit a written report summarizing: the capabilities of the existing equipment to handle, store and fire sweet sorghum; problems encountered during the trial burn; the approximate amounts (tons/hour) of sweet sorghum fired during each day; results of the CO and NO_x emissions while firing sweet sorghum; results of the proximate, ultimate and heat content analyses of the sweet sorghum sample; and estimated SO₂ emissions based on the actual fuel sulfur content in the sweet sorghum sample.
- Continue to comply with all existing permit conditions during the trial burn.

4. DETERMINATION

Pursuant to Rule 62.4.040(1)(b), F.A.C. and for the reasons stated in this Technical Evaluation, the Bureau of Air Regulation determines that the temporary trial burn of sweet sorghum will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified." Therefore, the temporary project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. Contact Jeff Koerner, the project engineer, for additional details of this analysis at the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

TECHNICAL EVALUATION

Attachment A

**TABLE 1
FUEL ANALYSIS RESULTS FOR U.S. SUGAR, CLEWISTON MILL**

Parameter	Units	Bagasse (dry basis) ^a			Wood Chips (dry basis) ^b			Sweet Sorghum (dry basis)	
		Min	Max	Avg	Min	Max	Avg	Stalks	Biomass ^c
High Heating Value	Btu/lb	7,602	8,356	7,920	4,709	8,510	7,074	7,604	7,696
Moisture	%, as received	48.99	55.07	51.63	26.4	47.4	33.4	21.2	43
Ash	%	0.87	8.40	4.53	2.7	45.7	18.5	6.0	5.4
Carbon	%	46.11	50.94	48.10	46.8	48.8	47.7	47.2	45.7
Hydrogen	%	4.71	6.62	5.91	5.47	5.57	5.53	5.8	5.9
Nitrogen	%	0.25	0.41	0.35	0.31	0.51	0.43	0.51	1.37
Oxygen	%	37.05	43.37	40.86	28.4	36.9	33.0	40.4	41.5
Sulfur	%	0.03	0.09	0.06	0.07	0.09	0.08	0.11	0.13
Sulfur dioxide	lb/MMBtu	0.08	0.24	0.16	0.22	0.24	0.23	0.30	0.36
Chlorine	%	0.038	0.092	0.058	0.15	0.21	0.17	0.39	0.17

Note:

Btu/lb = British thermal units per pound.

lb/MMBtu = pounds per million British thermal units.

^a Proximate, Ultimate, and Heat Content Analyses Results for Bagasse for U.S. Sugar, Clewiston, 2002-2005.

^b Wood Chip Analysis Results, 2005-2007.

^c Includes stalks, leaves and grain.

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Thursday, August 27, 2009 2:14 PM
To: 'nsmith@ussugar.com'
Cc: 'ktingberg@ussugar.com'; 'dbuff@golder.com'; Satyal, Ajaya; Gibson, Victoria; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC
Attachments: 0530003-046-AC_Signatures.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Exemption from the Requirement to Obtain an Air Construction Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0510003.046.AC.F_pdf.zip

Owner/Company Name: U.S. SUGAR CORP. CLEWISTON MILL
Facility Name: U.S. SUGAR CLEWISTON MILL AND REFINERY
Project Number: 0510003-046-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION
Facility County: HENDRY
Processor: Jeff Koerner

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. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506
sylvia.livingston@dep.state.fl.us

Livingston, Sylvia

From: Neil Smith [nsmith@ussugar.com]
Sent: Thursday, August 27, 2009 2:17 PM
To: Livingston, Sylvia
Subject: RE: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Thursday, August 27, 2009 2:14 PM
To: Neil Smith
Cc: Keith Tingberg; dbuff@golder.com; Satyal, Ajaya; Gibson, Victoria; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

Dear Sir/ Madam:

Attached is the official **Notice of Exemption from the Requirement to Obtain an Air Construction Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: **We must receive verification that you are able to access the documents.** Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0510003.046.AC.F_pdf.zip

Owner/Company Name: U.S. SUGAR CORP. CLEWISTON MILL
Facility Name: U.S. SUGAR CLEWISTON MILL AND REFINERY
Project Number: 0510003-046-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION
Facility County: HENDRY
Processor: Jeff Koerner

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Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)

Livingston, Sylvia

From: Keith Tingberg [ktingberg@ussugar.com]
Sent: Thursday, August 27, 2009 2:41 PM
To: Livingston, Sylvia
Subject: RE: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

We received the documents. Thank You.

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: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Thursday, August 27, 2009 2:14 PM
To: Neil Smith
Cc: Keith Tingberg; dbuff@golder.com; Satyal, Ajaya; Gibson, Victoria; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

Dear Sir/ Madam:

Attached is the official **Notice of Exemption from the Requirement to Obtain an Air Construction Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0510003.046.AC.F_pdf.zip

Owner/Company Name: U.S. SUGAR CORP. CLEWISTON MILL
Facility Name: U.S. SUGAR CLEWISTON MILL AND REFINERY
Project Number: 0510003-046-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION
Facility County: HENDRY
Processor: Jeff Koerner

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. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Livingston, Sylvia

From: Satyal, Ajaya
Sent: Thursday, August 27, 2009 2:16 PM
To: Livingston, Sylvia
Subject: RE: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

Received it. Thanks Sylvia.

AJ Satyal

From: Livingston, Sylvia
Sent: Thursday, August 27, 2009 2:14 PM
To: 'nsmith@ussugar.com'
Cc: 'ktingberg@ussugar.com'; 'dbuff@golder.com'; Satyal, Ajaya; Gibson, Victoria; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

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Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston

Livingston, Sylvania

From: Buff, Dave [DBuff@GOLDER.com]
Sent: Sunday, August 30, 2009 3:28 PM
To: Livingston, Sylvania
Subject: RE: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

David A. Buff, P.E., Q.E.P. | Principal Engineer | Golder Associates Inc.
6026 NW 1st Place, Gainesville, Florida, USA 32607
Tel: +1 (352) 336-5600 ext. 21145 **Fax:** +1 (352) 336-6603 | **Cell:** +1 352 514-5600 |
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Please consider the environment before printing this email.

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Thursday, August 27, 2009 2:14 PM
To: nsmith@ussugar.com
Cc: ktingberg@ussugar.com; Buff, Dave; Satyal, Ajaya; Gibson, Victoria; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: U.S. SUGAR CLEWISTON MILL AND REFINERY; 0510003-046-AC

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