



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

June 18, 2007

(Sent by Electronic Mail – Received Receipt Requested)

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

Re: United States Sugar Corporation, Clewiston Sugar Mill and Refinery
Temporary Boiler for Refinery Operations
Exemption from the Requirement to Obtain an Air Construction Permit

Dear Mr. Smith:

On June 15, 2007, we received the attached letter from David Buff (Golder Associates Inc.) on your behalf requesting authorization to temporarily operate a small package boiler to support the refinery operations this summer. The purpose is to provide a minimal amount of steam to operate the sugar packaging operation while the permanent boilers are shut down this summer.

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 Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. 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.

Determination: The Department approves your request as conditioned by the provisions attached to this letter. Pursuant to Rule 62.4.040(1)(b), F.A.C., the Department exempts this temporary project 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.

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 other parties must be filed within 21 days of receipt of this Written Notice of Exemption. 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

CONDITIONAL EXEMPTION

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; (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.

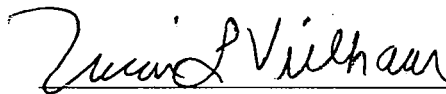
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Exemption. Persons whose substantial interests will be affected 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 Department 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 Department.

Appeal: 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.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

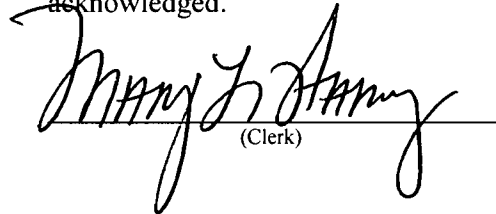
CONDITIONAL EXEMPTION

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Exemption was sent by electronic mail with received receipt requested before the close of business on 6/19/07 to the persons listed below.

- Mr. Neil Smith, U.S. Sugar (nsmith@ussugar.com)
- Mr. Peter Briggs, U.S. Sugar (pbriggs@ussugar.com)
- Mr. David Buff, Golder Associates (dbuff@golder.com)
- Mr. Ajaya Satyal, SD Office (ajaya.satyal@dep.state.fl.us)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



(Clerk)

6/19/07

(Date)

CONDITIONAL EXEMPTION

Subject to the following conditions, the U.S. Sugar Corporation is authorized to temporarily operate a rental package boiler.

1. The temporary boiler shall have a capacity of no more than 12 MMBtu per hour.
2. The temporary boiler shall fire only distillate oil with a maximum sulfur content of 0.05% by weight.
3. The temporary boiler shall not operate when other boilers are operating.
4. The temporary boiler shall not operate more than 744 hours.
5. This authorization expires on September 12, 2007.

Friday, Barbara

From: Harvey, Mary
Sent: Tuesday, June 19, 2007 1:24 PM
To: 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'David A. Buff.'; Satyal, Ajaya
Cc: Adams, Patty; Gibson, Victoria; Koerner, Jeff
Subject: USSC - Clewiston Sugar Mill and Refinery
Attachments: Exemption Letter - Neil Smith-USSC-Clewiston Sugar Mill and Refinery.pdf

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

6/25/2007

Friday, Barbara

From: Harvey, Mary
Sent: Wednesday, June 20, 2007 9:46 AM
To: Adams, Patty
Subject: FW: USSC - Clewiston Sugar Mill and Refinery

From: Neil Smith [mailto:nsmith@ussugar.com]
Sent: Tuesday, June 19, 2007 5:24 PM
To: Harvey, Mary
Subject: RE: USSC - Clewiston Sugar Mill and Refinery

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Tuesday, June 19, 2007 1:24 PM
To: Neil Smith; Peter Briggs; David A. Buff;; Satyal, Ajaya
Cc: Adams, Patty; Gibson, Victoria; Koerner, Jeff
Subject: USSC - Clewiston Sugar Mill and Refinery

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).

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<http://www.adobe.com/products/acrobat/readstep.html>.

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Thank you,

DEP, Bureau of Air Regulation

6/25/2007

Friday, Barbara

From: Harvey, Mary
Sent: Tuesday, June 19, 2007 1:57 PM
To: Adams, Patty
Subject: FW: USSC - Clewiston Sugar Mill and Refinery

From: Buff, Dave [<mailto:DBuff@GOLDER.com>]
Sent: Tuesday, June 19, 2007 1:55 PM
To: undisclosed-recipients
Subject: Read: USSC - Clewiston Sugar Mill and Refinery

Your message

To: DBuff@GOLDER.com
Subject:

was read on 6/19/2007 1:55 PM.

Friday, Barbara

From: Harvey, Mary
Sent: Tuesday, June 19, 2007 1:58 PM
To: Adams, Patty
Subject: FW: USSC - Clewiston Sugar Mill and Refinery

From: Satyal, Ajaya
Sent: Tuesday, June 19, 2007 1:43 PM
To: Harvey, Mary
Subject: Read: USSC - Clewiston Sugar Mill and Refinery

Your message

To: 'Mr. Neil Smith, U.S. Sugar'; 'Mr. Peter Briggs, U.S. Sugar'; 'David A. Buff:'; Satyal, Ajaya
Cc: Adams, Patty; Gibson, Victoria; Koerner, Jeff
Subject: USSC - Clewiston Sugar Mill and Refinery
Sent: 6/19/2007 1:24 PM

was read on 6/19/2007 1:43 PM.

Friday, Barbara

From: Harvey, Mary
Sent: Tuesday, June 19, 2007 3:53 PM
To: Adams, Patty
Subject: FW: USSC - Clewiston Sugar Mill and Refinery

From: Peter Briggs [<mailto:pbriggs@ussugar.com>]
Sent: Tuesday, June 19, 2007 2:36 PM
To: Harvey, Mary
Subject: Read: USSC - Clewiston Sugar Mill and Refinery

Your message

To: pbriggs@ussugar.com
Subject:

was read on 6/19/2007 2:36 PM.

Friday, Barbara

From: Harvey, Mary
Sent: Tuesday, June 19, 2007 4:13 PM
To: Adams, Patty
Subject: FW: USSC - Clewiston Sugar Mill and Refinery

From: Lisa Pickron [<mailto:lpickron@ussugar.com>]
Sent: Tuesday, June 19, 2007 4:12 PM
To: Harvey, Mary
Subject: Read: USSC - Clewiston Sugar Mill and Refinery

Your message

To: lpickron@ussugar.com
Subject:

was read on 6/19/2007 4:12 PM.

Florida Department of Environmental Protection

Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation
FROM: Jeff Koerner, Air Permitting North *JK*
DATE: June 18, 2007
SUBJECT: Exemption from Requirement to Obtain an Air Construction Permit
U.S. Sugar Corporation, Clewiston Sugar Mill and Refinery
Temporary Boiler for Refinery Operations

On June 15, 2007, U.S. Sugar submitted a written request for authorization to temporarily operate a small package boiler to support the refinery operations this summer. Beginning with the July 4th weekend, the plant plans to shut down all of the permanent boilers and a portion of the refinery equipment. The rental package boiler will be used to supply a small amount of steam to continue to operate the packaging operation. Pursuant to Rule 62-4.040(1)(b), F.A.C., U.S. Sugar requests an exemption from the requirement to obtain an air construction permit for this temporary unit.

The boiler under consideration is a 300 hp York Shipley Model No. 476SPHV-300-N/2, manufactured in 1984, that will fire distillate oil with a maximum fuel sulfur level of 0.05% by weight. The maximum fuel firing rate is approximately 85 gph (12 MMBtu per hour). Based on AP-42 emission factors and a maximum operation of 744 hours, the estimated emissions are summarized in the following table.

Pollutant	Emissions, Tons/Year	
	Boiler	PSD SER
CO	0.16	100
NO _x	0.64	40
PM/PM ₁₀	0.064	15/25
SAM	0.014	7
SO ₂	0.23	40
VOC	0.011	40

The estimated emissions are well below the PSD significant emissions rates. In addition, the proposed package boiler would only operate when all of the permanent boilers are shut down. Other important considerations are:

- The proposed unit was initially constructed prior to the applicability deadline of NSPS Subpart Dc for small boilers.
 - The proposed unit would be subject to the provisions for existing units in NESHAP Subpart DDDDD. However, the unit will not be operated after the compliance deadline for this regulation (September 13, 2007).
- The proposed unit would be subject to Rule 62-296.406, F.A.C. for small boilers (< 250 MMBtu per hour of heat input), which requires a BACT determination for PM and SO₂ emissions. For such small sources, BACT is the firing of a fuel with a maximum sulfur content of no more than 0.05% by weight.

Consistent with the categorical exemptions in Rule 62-210.300(3)(c), F.A.C., the conditional exemption does not specify an opacity limit due to the very restricted operation and fuel. I recommend your approval and signature of the attached letter of exemption.

Attachments

Golder Associates Inc.

6241 NW 23rd Street, Suite 500
Gainesville, FL USA 32653
Telephone (352) 336-5600
Fax (352) 336-6603
www.golder.com



RECEIVED

07387595

June 13, 2007

JUN 15 2007

Florida Department of Environmental Protection
Bureau of Air Quality
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

BUREAU OF AIR REGULATION

Attention: Jeff Koerner, P.E., Professional Engineer Administrator

**RE: UNITED STATES SUGAR CORPORATION – FACILITY ID NO. 0510003
AUTHORIZATION REQUEST FOR TEMPORARY BOILER OPERATION**

Dear Mr. Koerner:

United States Sugar Corporation (U.S. Sugar) owns and operates a sugar mill and refinery located in Clewiston, Florida. The Clewiston Mill consists of 21 regulated emissions units at the facility, including seven boilers fired primarily by bagasse; a carbon regeneration system, alcohol emissions, miscellaneous particulate matter sources associated with the sugar refinery; three fuel oil storage tanks; and other equipment to manufacture raw and refined sugar from sugarcane. Additionally, there are two unregulated lime silos – a limestone silo and a salt silo.

Normally, steam from the existing boilers at the Mill is used to support sugar refining and sugar packaging operations at the facility. Although the existing Title V Air Operation Permit allows continuous operation of the existing boilers, only one or two boilers are typically operated during the off-season to support the refinery operations. However, beginning around July 1 of this year, all the Mill boilers will be shut down for the July 4th holiday. Although most of the refinery operations will also be shut down during this period, sugar packaging operations will continue. The sugar packaging operations require a small amount of steam. Since the Mill boilers will be shut down, U.S. Sugar is planning on renting a trailer-mounted, 300-horsepower boiler to provide the necessary steam for their packaging operations.

In accordance with the guidance you provided in your email dated June 7, 2007, U.S. Sugar is submitting the following information to the Department to request authorization to operate this boiler as a temporary emission source for no more than a total of 744 hours during July and August of this year:

Manufacturer: York Shipley
Model No.: 476SPHV-300-N/2
Serial No.: A53-283W
Year of Manufacture: 1984
Maximum Heat Input Rate: 12 million British thermal units per hour
Fuel Fired: No. 2 Fuel oil
Maximum Fuel Oil Sulfur Content: 0.05%
Maximum Fuel Oil Firing Rate: 85 gallons per hour

U.S. Sugar will only operate the rental boiler when all other boilers at the Mill are shut down.

Since this boiler was manufactured prior to June 9, 1989, Standards of Performance for New Sources (NSPS), Subpart Dc, is not applicable. Under the National Emissions Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories, Subpart DDDDD, the boiler would be classified as an existing liquid fuel-fired boiler. The compliance date for existing boilers under this rule is September 13, 2007.

Rule 62-296.406, Florida Administrative Code (F.A.C.), commonly referred to as the Small Boiler BACT is applicable to the proposed boiler. U.S. Sugar will comply with the visible emission limits specified in Rule 62-296.406(1) and comply with the particulate matter and sulfur dioxide control technology requirements in Rules 62-296.406(2) and 62-296.406(3), respectively, by firing only No. 2 fuel oil with a maximum sulfur content of 0.05% sulfur, which has been recently determined by the Department to be best available control technology.

Hourly and annual emissions rates, assuming the proposed limit of 744 hours of operation, are presented in Table 1. No vendor emission factors were available for the rental boiler; therefore, AP-42 emission factors were used to estimate emissions.

Based on the information provided in this letter, U.S. Sugar requests approval from the Department to operate the rental boiler described in this correspondence as a temporary source pursuant to Rule 62-4.040(1)(b), F.A.C.; during July and August of 2007. Since U.S. Sugar anticipates the need for steam during subsequent summers, a concurrent Air Construction/Title V Permit application will be submitted to the Department in the near future, requesting that use of a package boiler during the summer months be a permanent mode of operation. That application will address any applicable NESHAPs requirements or NSPS requirements.

If you have any questions concerning this correspondence please contact me at (352) 336-5600. Thank you for your prompt attention to this matter as U.S. Sugar desires to begin operation of this boiler by July 1, 2007.

Sincerely,

GOLDER ASSOCIATES INC.

David A. Buff

David A. Buff, P.E., Q.E.P.

Principal Engineer

Florida P.E. # 19011

SEAL

DB/nav

Enclosures

cc: P. Briggs
K. Tingberg
B. Nesbitt

TABLE 1
UNITED STATES SUGAR CORPORATION, CLEWISTON MILL
300 HP STEAM BOILER

Regulated Pollutant	Emission Factor (lb/MMBtu)	Ref.	Activity Factor ^a (MMBtu/hr)	Activity Factor ^b (MMBtu/yr)	Hourly Emissions (lb/hr)	Annual Emissions (TPY)
Particulate Matter (PM)	0.014	1	12	8,928	0.17	0.064
Particulate Matter (PM ₁₀)	0.014	1	12	8,928	0.17	0.064
Sulfur dioxide (SO ₂)	0.051	2	12	8,928	0.61	0.23
Nitrogen oxides (NO _x)	0.14	1	12	8,928	1.71	0.64
Carbon monoxide (CO)	0.036	3	12	8,928	0.43	0.16
Volatile Organic Compounds (VOC)	0.0024	3	12	8,928	0.029	0.011
Sulfuric acid mist (SAM)	0.0031	4	12	8,928	0.04	0.014
Lead (Pb)	9.00E-06	3	12	8,928	1.08E-04	4.02E-05
Mercury (Hg)	3.00E-06	3	12	8,928	3.60E-05	1.34E-05

References:

1. Based on AP-42, Chapter 1.3, *Fuel Oil Combustion*, Table 1.3-2, for No. 2 fuel oil.
2. Based on a requested maximum sulfur content of the No. 2 fuel oil fired in the boiler of 0.05%.
 $[(7.2 \text{ lb/gal}) \times (0.05 \text{ lb S}/100 \text{ lb oil}) \times (2 \text{ lb SO}_2/\text{lb S}) \times (\text{gal}/140,000 \text{ Btu}) \times (1\text{E}6 \text{ Btu/MMBtu}) = 0.051 \text{ lb/MMBtu}]$
3. Based on AP-42, Chapter 1.3, *Fuel Oil Combustion*, Tables 1.3-1, 1.3-3, and 1.3-10.
4. Based on derivation of sulfuric acid mist from AP-42 for fuel oil.

Footnotes:

- ^a The maximum heat input rate is 12 MMBtu/hr for No. 2 fuel oil calculated using the manufacturer's reported fuel usage rate of 85 gallons per hour. Heating value for No. 2 fuel oil was assumed to be 140,000 Btu/gal.
 $85 \text{ gallons/hour} \times 140,000 \text{ Btu/gal} \times (\text{MMBtu}/1 \times 10^6 \text{ Btu}) = 12 \text{ MMBtu/hr}$
- ^b Based on a requested limit on operating hours of 744 hours per year.

Sample Calculations:

Hourly Emissions = Emission Factor x Activity Factor

Annual Emissions = Activity Factor (MMBtu/yr) x Emission Factor (lb/MMBtu) / 2,000 (lb/ton)