

0510003-NA-AC

Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

March 22, 1995

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Murray T. Brinson
Vice President, Sugar Processing
U.S. Sugar Corporation
Post Office Drawer 1207
Clewiston, Florida 33440

Dear Mr. Brinson:

Re: Permit No. AC 26-238006/PSD-FL-208
Request to Amend Construction Permit

The Department is in receipt of your letter dated February 15, 1995, requesting to amend the above referenced permit. The Bureau has evaluated your request and agrees to amend the permit as follows:

EXPIRATION DATE:

FROM:

September 1, 1996

TO:

March 31, 1998

SPECIFIC CONDITION No. 10

FROM:

10. All stationary fuel-oil burning equipment at the plant shall be equipped with integrating fuel oil flow meters or continuous recorders to measure the amount of fuel oil consumed by the equipment. Fuel oil meter readings on all fuel oil consuming equipment shall be read and logged at least once every three hours, unless fuel oil consumption for the equipment is recorded continuously, and these records shall be kept for at least five years for Department inspection. Each meter shall be calibrated annually by a method approved by the Department.

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TO:

10. Each boiler at the plant shall be equipped with integrated fuel oil flow meters or continuous recorders to measure the amount of fuel oil consumed by the equipment. Fuel oil meter readings on each boiler shall be read and logged at least once every three hours, unless fuel oil consumption is recorded continuously, and these records shall be kept for at least five years for Department inspection. Each meter shall be calibrated annually by a method approved by the Department.

SPECIFIC CONDITION No. 17

FROM:

17. Visible emissions from Boiler No. 7 shall not exceed 20% opacity, except that 27% opacity is allowed for 6-minutes during any 1-hour period. Compliance with the standard shall be determined using EPA Reference Method 9 pursuant to Chapter 62-297, F.A.C., and 40 CFR 60, Appendix A. The particulate matter emissions and visible emissions tests shall be determined concurrently. Under circumstances when this is not feasible, the company shall obtain approval from the Department's South Florida District to conduct the tests at separate times.

In such circumstances, the tests shall be conducted as close to each other as is feasible. In accordance with 40 CFR 60.486 the permittee shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions. The monitoring device shall meet the applicable requirements under Chapter 62-297, F.A.C., and 40 CFR 60, Appendix B.

TO:

17. Visible emissions from Boiler No. 7 shall not exceed 20% opacity, except that 27% opacity is allowed for 6-minutes during any 1-hour period. Compliance with the standard shall be determined using EPA Reference Method 9 pursuant to Chapter 62-297, F.A.C., and 40 CFR 60, Appendix A. The particulate matter emissions and visible emissions tests shall be determined concurrently. Under circumstances when this is not feasible, the company shall obtain approval from the Department's South Florida District to conduct the tests at separate times.

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In such circumstances, the tests shall be conducted as close to each other as is feasible. In accordance with 40 CFR 60.48b the permittee shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions. The monitoring device shall meet the applicable requirements under Chapter 62-297, F.A.C., and 40 CFR 60, Appendix B.

SPECIFIC CONDITION No. 18

FROM:

18. Pursuant to Rule 62.296.310(3) F.A.C., reasonable precautions shall be used to minimize unconfined emissions of particulate matter when reclaiming dry bagasse for the boiler. Reasonable precautions may include, but shall not be limited to the following:

- (1) Paving and maintenance of road, parking areas and yards.
- (2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- (3) Application of asphalt, water, oil, chemicals or dust suppressants to unpaved road, yards, open stock piles and similar sources.
- (4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent reentrainment, and from building or work areas to prevent particulate from becoming airborne.
- (5) Landscaping or planting of vegetation.
- (6) Use of hoods, capture and/or vent particulate matter.
- (7) Confining abrasive blasting where possible.
- (8) Enclosure or covering of conveyor systems.
- (9) Wind breaks shall be installed around the dry bagasse load-out area.
- (10) Floors in the enclosed area shall be cleaned periodically.
- (11) Loading areas for bagasse shall be cleaned or wetted as needed to minimize fugitive dust.
- (12) Trucks transporting bagasse shall be covered.

TO:

18. Pursuant to Rule 62.296.310(3) F.A.C., reasonable precautions shall be used to minimize unconfined emissions of particulate matter when reclaiming dry bagasse for the boiler. Reasonable precautions may include, but shall not be limited to the following:

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- 1) Paving and maintenance of road, parking areas and yards.
- 2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- 3) Application of asphalt, water, oil, chemicals or dust suppressants to unpaved road, yards, open stock piles and similar sources.
- 4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent reentrainment, and from building or work areas to prevent particulate from becoming airborne.
- 5) Landscaping or planting of vegetation.
- 6) Use of hoods, fans, filters, and similar equipment to contain capture and/or vent particulate matter.
- 7) Confining abrasive blasting where possible.
- 8) Enclosure or covering of conveyor systems.
- 9) Wind breaks shall be installed around the dry bagasse storage area.
- 10) Floors in the enclosed area shall be cleaned periodically.
- 11) Storage areas for bagasse not currently being used as fuel shall be cleaned or wetted as needed to minimize fugitive dust.
- 12) Trucks transporting bagasse shall be covered.

The Department agrees with U.S. Sugar rationale that (3) does not apply to the bagasse fuel storage area during the operating season provided visible emissions are less than 20% opacity. Wetting or otherwise treating this bagasse will inhibit its combustion.

SPECIFIC CONDITION No. 9

FROM:

9. During any calendar year, the maximum quantity of No. 2 fuel oil (maximum 0.05% S content, by weight) burned in Boiler No. 7 shall not exceed 4,600,000 gallons. The annual capacity factor (ACF) for No. 2 fuel oil is limited to 10%.

The permittee shall install, calibrate, maintain and operate a continuous monitoring device for measuring the opacity of emissions discharged to the atmosphere and record the output of the system. The monitoring device shall meet the applicable requirements of Section 62-297.500, F.A.C., and 40 CFR 60, Subpart Db.

TO:

9. During any calendar year, the maximum quantity of No. 2 fuel oil (maximum 0.05% S content, by weight) burned in Boiler No. 7 shall

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not exceed 4,600,000 gallons. The annual capacity factor (ACF) for No. 2 fuel oil is limited to 10%.

This condition is amended to avoid duplication. The requirement about CEM for opacity is already addressed in Specific Condition No. 17.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the applicant of the amendment request/application and the parties listed below must be filed within 14 days of receipt of this amendment. Petitions filed by other persons must be filed within 14 days of the amendment issuance or within 14 days of their receipt of this amendment, whichever occurs first. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

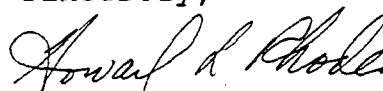
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's

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final action may be different from the position taken by it in this amendment. Persons whose substantial interests will be affected by any decision of the Department with regard to the amendment request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this amendment in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

This letter shall be attached to permit AC26-238006/PSD-FL-208 and shall become a part of the permit.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/th/t

Enclosure:

Mr. Murray T. Brinson's letter of February 15, 1995

cc: David Knowles, DEP
Bob Van Voorhees, Bryan Cave
David Buff, KBN

UNITED STATES SUGAR CORPORATION

Post Office Drawer 1207 Clewiston, Florida 33440
Telephone: (813) 983-8121 Telex: 510-952-7753

February 15, 1995

RECEIVED

FEB 16 1995

BY UPS OVERNIGHT

Bureau of
Air Regulation

Mr. Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Fl. 32399-2400

Re: United States Sugar Corp. - Clewiston Boiler No. 7
DEP File No. AC26-238006/PSD-FL-208
Request to Amend Construction Permit

Dear Mr. Fancy:

U. S. Sugar Corporation appreciates the time and effort the Department and its staff spent on the above-referenced permit and appreciates the cooperative manner in which we were able to work with the Department to have this permit issued.

We have reviewed the final permit, and recognize that several provisions need to be corrected or clarified to avoid future misunderstandings. First, U. S. Sugar requests that the Department correct the expiration date of the permit. As properly stated in the Final Determination, the permit expiration date should read March 31, 1998 rather than September 1, 1996. Additional revisions and clarifications requested are as follows:

A. Specific Condition 10

All ~~stationary-fuel-oil-burning-equipment~~ boilers at the plant shall be equipped with integrated fuel oil flow-meters or continuous recorders to measure the amount of fuel oil consumed by the equipment. Fuel oil meter readings on all ~~fuel-oil-consuming-equipment~~ the boilers shall be read and logged at least once every three hours, unless fuel oil consumption ~~for-the-equipment~~ is recorded continuously, and these records shall be kept for at least five years for Department inspection. Each meter shall be calibrated annually by a method approved by the Department.

EXPLANATION:

10.1

Permits for stationary fuel-oil burning equipment other than the boilers at the plant (i.e., Diesel Electric Generators Nos. 1 & 2) contain different requirements. To avoid any appearance of conflicting requirements for measuring, monitoring and record keeping under this pre-existing Construction Permit No. AC26-259722, U. S. Sugar requests that the Department amend specific condition 10 as indicated.

B. Specific Condition 17 (relevant part)

~~In such circumstances, the tests shall be conducted as close to each other as is possible. In accordance with 40 CFR 60.486 the permittee shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions. The monitoring device shall meet the applicable requirements under Chapter 62-297, F.A.C., and 40 CFR 60, Appendix B.~~

EXPLANATION:

17.1

This paragraph contains an erroneous reference to 40 CFR 60.486 [Subpart VV - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry]. Presumably, a reference to 40 CFR 60.48b was intended. Since this requirement is already expressly addressed in Specific Condition 9, Specific Condition 17 should be deleted in its entirety.

C. Specific Condition 18

Pursuant to Rule 62-296.310 (3), F.A.C., reasonable precautions shall be used to minimize unconfined emissions of particulate matter when reclaiming dry bagasse for the boiler. Reasonable precautions may include but shall not be limited to the following:

- (1) Paving and maintenance of roads, parking areas and yards.
- (2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- (3) Application of asphalt, water, oil, chemicals or dust suppressants to unpaved roads, yards, open stock piles and similar sources.

- (4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent reentrainment, and from building or work areas to prevent particulate from becoming airborne.
- (5) Landscaping or planting of vegetation.
- (6) Use of hoods, fans, filters, and similar equipment to contain capture and/or vent particulate matter.
- (7) Confining abrasive blasting where possible.
- (8) Enclosure or covering of conveyor systems.
- (9) Wind breaks shall be installed around the dry bagasse ~~load-out~~ storage area.
- (10) Floors in the enclosed area shall be cleaned periodically.
- (11) Loading Storage areas for bagasse not currently being used as fuel shall be cleaned or wetted as needed to minimize fugitive dust.
- (12) Trucks transporting bagasse shall be covered.

EXPLANATION:

- 18.1 Words were inadvertently omitted from the language in F.A.C. Rule 62-296.310(3) (c) (6) and should be added.
- 18.2 U. S. Sugar understands that (3) does not apply to the bagasse fuel storage area during the operating season. Wetting or otherwise treating this bagasse will inhibit its combustion. We would appreciate receiving confirmation of this understanding.
- 18.3 The bagasse fuel storage area is addressed in (9) and (11). A phrase should be added to (11) to clarify this understanding.

We hope that adequate explanations have been provided for the requested amendments. Please call me (813-983-8121) or Bob Van Voorhees (202-508-6014) if you have any questions about the requested amendments. Thank you again for your assistance.

Sincerely,

UNITED STATES SUGAR CORPORATION



Murray T. Brinson
Vice President, Sugar Processing

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cc: David Knowles, DEP, South District
Bert Starrett, USSC
Donald Griffin, USSC
Peter Briggs, USSC
David Buff, KBN
Bob Van Voorhees, Bryan Cave