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Mr. William A. Raiola, V.P. **OFFICIAL USE**

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Mr. William A. Raiola, V.P.  
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 PS Form 3800, June 2002 See Reverse for Instructions

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Dept. of Environmental Protection  
 Division of Air Resources Mgmt.  
 Bureau of Air Regulation, NSR  
 2600 Blair Stone Road., MS 5505  
 Tallahassee, Florida 32399-2400

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OCT 13 2005

BUREAU OF AIR REGULATION

CO01



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## 1. Article Addressed to:

Mr. William A. Raiola, V.P. of  
 Sugar Processing Operations  
 United States Sugar Corporation  
 Clewiston Sugar Mill and Refinery  
 111 Ponce DeLeon Avenue  
 Clewiston, Florida 33440

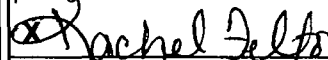
## 2. Article Number

(Transfer from service label)

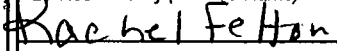
7005 1160 0004 3034 3427

**COMPLETE THIS SECTION ON DELIVERY**

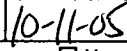
## A. Signature


 Agent Addressee

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
## 4. Restricted Delivery? (Extra Fee)

 Yes

# Florida Department of Environmental Protection

## Memorandum

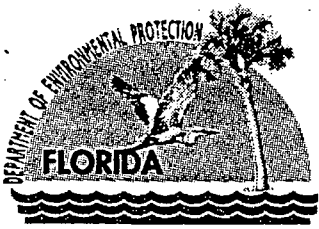
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TO: Trina Vielhauer, Bureau of Air Regulation  
FROM: Jeff Koerner, Air Permitting North   
DATE: October 7, 2005  
SUBJECT: Exemption from Requirement to Obtain an Air Construction Permit  
U.S. Sugar Corporation, Clewiston Sugar Mill and Refinery  
Temporary Authorization to Fire Wood Chips for Testing – Boiler 7

On September 30, 2005, U.S. Sugar requested authorization to fire up to 1000 tons of wood chips to better assess NOx emissions when firing various blends of wood chips with bagasse. The test would be conducted during the week of October 10<sup>th</sup>. U.S. Sugar is attempting to gather data to evaluate emissions from firing wood chips for a possible future application to permanently fire wood chips as a supplemental fuel. I estimate the emissions from firing only the 1000 tons of wood chips to be: 2.7 tons of CO; 1.0 tons of NOx; 0.1 tons of PM; 0.1 tons of SO<sub>2</sub>; and 0.1 tons of VOC.

I recommend your approval and signature.

Attachments



Jeb Bush  
Governor

# Department of Environmental Protection

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

Colleen M. Castille  
Secretary

October 7, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. William A. Raiola, 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 Firing of Wood Chips for Testing – Boiler 7  
Exemption from the Requirement to Obtain an Air Construction Permit

Dear Mr. Raiola:

On September 30, 2005, we received an email from David Buff (Golder Associates Inc.) on your behalf requesting authorization to fire up to 1000 tons of wood chips blended in various ratios with bagasse. The purpose is to gather operational and emissions data. U.S. Sugar is considering a future request to permanently fire wood chips as a supplemental fuel.

**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.

**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.

**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 twenty-one (21) days of receipt of this Written Notice of Exemption. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within twenty-one (21) days of publication of a Public Notice or within twenty-one (21) days of receipt of this Written Notice of Exemption, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice

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of agency action may file a petition within twenty-one (21) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts 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 how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, 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 thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation



Subject to the following provisions and restrictions, the U.S. Sugar Corporation (U.S. Sugar) is authorized to fire wood chips in existing Boiler 7 on a temporary basis to gather emissions data subject to the following conditions.

1. Wood chips shall only be fired to displace bagasse and fuel oil for energy recovery in support of the sugar mill operations. Wood chips shall not be fired solely for the purpose of disposal. Wood chips shall not be fired beyond the amount of heat input needed to support the existing sugar mill operations.
2. Wood chips shall consist of clean dry wood and vegetative materials. The wood chips shall be substantially free of plastics, rubber, glass, painted wood, chemically treated wood, and non-combustible materials. The firing of any household garbage, hazardous wastes, or toxic materials is prohibited.
3. Wood chips may be fired in various blends with bagasse. No more than 1000 tons of wood chips shall be fired (equivalent to approximately 9000 MMBtu) during the test period.
4. At least three grab samples of wood chips shall be taken. Each grab sample shall be taken prior to mixing with bagasse, be approximately one pound, and be stored in sealable plastic bags. The grab samples shall be combined to form a "composite sample", which shall be produced by mixing the individual grab samples into a homogeneous mixture and then cutting out a single representative sample. In accordance with Methods 3050/6010 (EPA Method SW-846) the composite sample shall be analyzed for copper, chromium, and arsenic and reported as ppmw, dry. In addition, the samples shall be analyzed for the fuel heating value (modified ASTM D3286; Btu/lb, dry), and moisture content (modified ASTM D3173; percent by weight). Results of the analysis shall be included with the emissions test report.
5. All air pollution control equipment shall be used to the maximum extent possible. Fugitive particulate matter shall be controlled by confinement and/or water spray as necessary.
6. Boiler 7 shall be tested for NO<sub>x</sub> emissions firing various blends of wood chips with bagasse. The amount of wood chips shall be recorded and noted on the test reports. U.S. Sugar shall comply with all current permit conditions. When firing wood chips, the boilers shall comply with all requirements applicable to firing bagasse. If a boiler is unable to comply with a permit condition as a result of firing wood chips, the firing of wood chips shall be discontinued or the boiler shall be shut down.
7. Within 45 days of completing the emissions tests, U.S. Sugar shall submit a report to the Bureau of Air Regulation with the following information: a summary of the wood chip test procedure; tons of wood chips fired; heat input from firing wood chips (MMBtu); NO<sub>x</sub> emissions rates (lb/MMBtu and lb/hour); and wood chip analysis.
8. This authorization expires on October 31, 2005.

so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece,  
 or on the front if space permits.

1. Article Addressed to:  
 Mr. William A. Raiola, V.P. of  
 Sugar Processing Operations  
 United States Sugar Corporation  
 Clewiston Sugar Mill and Refinery  
 111 Ponce DeLeon Avenue  
 Clewiston, Florida 33440

B. Received by (Printed Name) Rachel Felton C. Date of Delivery 10-11-05  
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3. Service Type  
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 Mr. William A. Raiola, V.P.  
 Street Apt. No. or PO Box No. 111 Ponce DeLeon Avenue  
 City, State, Zip+4  
 Clewiston, Florida 33440

PS Form 3800, June 2002 See Reverse for Instructions