

## MEMORANDUM

**DATE:** March 14, 2014

**TO:** Jerry R. Campbell, P.E.

**FROM:** Lora Webb                      **THRU:** Diana M. Lee, P.E.  
Sterlin K. Woodard, P.E.

**SUBJECT: Permit Amendment – Big Bend Transfer Company, LLC  
Time Extension, Permit No. 0571244-002-AC**

Per a letter received on February 19, 2014, Mosaic, on behalf of Big Bend Transfer Company (BBTC), is requesting to extend the expiration date of Permit No. 0571244-001-AC from March 26, 2014 to March 26, 2015. According to the letter, Mosaic plans to submit a permit application to construct this operation at their New Wales facility (Facility ID No. 1050059). However, Mosaic requests to keep this permit active to account for the contingency that the air construction permit for the project at the New Wales facility is not accomplished and/or Mosaic may want to reconsider constructing this facility at its original proposed location..

Permit No. 0571244-001-AC authorized the construction of a solid and molten sulfur storage and handling facility. The original expiration date of the permit was March 26, 2005. On February 18, 2005, a time extension permit amendment was issued which extended the permit's expiration date to March 26, 2008. In addition, on October 1, 2008, a second time extension permit amendment was issued which extended the permit's expiration date to March 26, 2011. Also, on May 19, 2011, a third time extension permit amendment was issued which extended the permit's expiration date to March 26, 2014.

Although the permit has been extended three times, pursuant to Rule 62-4.080(3), F.A.C., a permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Also, Rule 62-4.080(3), F.A.C. states, "For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions applicable to the original permit".

The Big Bend Transfer facility is a synthetic minor source subject to PM-RACT, Rule 62-

296.712, F.A.C., for Miscellaneous Manufacturing Process Operations, which limits particulate

matter and visible emissions to 0.03 gr/dscf and 5% opacity, respectively. The facility is required by the permit to use state-of-the-art tubular conveying systems and up to three stage wet/dry scrubbers to control particulate matter, as well as VOCs, H<sub>2</sub>S, and SO<sub>2</sub> to levels that are well below the requirements of the standards. In addition, the facility was subject to Rule 62-296.411, F.A.C., however, this rule was repealed on February 16, 2012.

Based on the information provided in the permit application received on December 29, 1999, the applicant demonstrated reasonable assurance that, upon completion, the extended permit will comply with the standards and conditions applicable to the original permit. Therefore, we recommend extending the permit until March 26, 2015 as requested.

Based upon our review, we recommend approval of the time extension as drafted.

LAW: 0571244-002-AC

ENVIRONMENTAL PROTECTION COMMISSION OF  
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT AMENDMENT

March 14, 2014

CERTIFIED MAIL

Mr. Jeffrey Stewart  
Environmental Superintendent  
The Mosaic Company  
13830 Circa Crossing Dr.  
Lithia, FL 33547

Re: Hillsborough County Air Permitting  
0571244-002-AC

Dear Mr. Stewart:

On February 19, 2014, the Environmental Protection Commission of Hillsborough County (EPC) received the time extension request for Permit No. 0571244-001-AC. As requested, the expiration date is changed as follows:

CHANGE FROM: March 26, 2014

CHANGE TO: March 26, 2015

NEDS NO.: 1244

Emission Unit Nos.: 001 – Ship and Continuous Unloader  
002 – Conveyer to Conveyer Transfer System

- 003 – Solid Sulfur Storage Building
- 004 – Melters
- 005 – Molten Sulfur Storage Trucks
- 006 - Molten Sulfur Truck Loading
- 007 – Boiler
- 008 – Lime Storage Silo
- 009 – Diatomaceous Earth Storage Silo

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr., Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) 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 EPC'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 and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;
- (c) A statement of how and when the petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC's proposed action;
- (f) A statement of specific rules or statutes the petitioner contends requires reversal or

modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC'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 EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and 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 days after this order is filed with the clerk of the Department.

This letter must be attached to and becomes a part of permit number 0571244-001-AC. If you have any questions, please call Lora Webb of my staff at (813) 627-2600 x1287.

Sincerely,

Jerry R. Campbell, P.E.  
Director  
Air Management Division

JRC/LAW/law

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT AMENDMENT and all copies were mailed before the close of business on \_\_\_\_\_ to the listed persons.

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

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date