



Florida Department of Environmental Protection

Northeast District
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Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

NOTICE OF ADMINISTRATIVELY CORRECTED AIR CONSTRUCTION PERMIT

In the Matter of a Request for Administrative Correction:

Mr. Terry L. Baker, General Manager
White Springs Agricultural Chemicals, Inc.
PO Box 300
White Springs, FL 32096

Project No.: 0470002-076-AC
Administrative Correction to Permit No.:
0470002-074-AC

October 29, 2010

The Department has determined that minor changes to the Final Permit and Final Determination are required for permit No. 0470002-074-AC. This Administrative Permit Correction was processed as Project Number 076, pursuant to Rule 62-210.360, F.A.C. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). 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. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must 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.

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A petition 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 indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (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 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 notice. 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.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate

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District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Jacksonville, Florida.



Christopher L. Kirts, P.E.

CLK/jw

- c Mr. Pradeep Raval, Koogler and Associates, Inc. praval@kooglerassociates.com
Mr. John B. Koogler, Ph.D., P.E., Koogler and Associates, Inc.
jkoogler@kooglerassociates.com
Mr. Terry L. Baker, White Springs Agricultural Chemicals, Inc. tbaker@pcsphosphate.com
Mr. Bill Ellis, White Springs Agricultural Chemicals, Inc. wjellis@pcsphosphate.com

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.



11-01-10

(Clerk)

(Date)

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The following specific condition in Section 3 of the permit is changed as follows:

From: 5. The owner or operator shall take reasonable precautions to control unconfined emissions from hoppers, storage and conveying equipment, conveyor drop points, truck loading and unloading, and unpaved roads. The following shall constitute reasonable precautions:

- a. Management of unpaved roads which shall include the following:
 - (i) Wetting of unpaved roads used in this project will be required twice daily unless rainfall or previous wetting has eliminated visible fugitive road dust emissions.
 - (ii) Reduce truck speeds as necessary to minimize visible dust from truck traffic.
- b. Use of spray bar, chute, or partial enclosure to mitigate emissions at the material drop point into the truck.

[Rule 62-296.320(4)(c), Rule 62-296.414(2), F.A.C.]

To: 5. The owner or operator shall take reasonable precautions to control unconfined emissions from hoppers, storage and conveying equipment, conveyor drop points, truck loading and unloading, and unpaved roads. The following shall constitute reasonable precautions:

- a. Management of unpaved roads which shall include the following:
 - (i) Wetting of unpaved roads used in this project **shall be conducted as necessary to minimize visible dust from truck traffic.**
 - (ii) Reduce truck speeds as necessary to minimize visible dust from truck traffic.
- b. Use of spray bar, chute, or partial enclosure to mitigate emissions at the material drop point into the truck.

[Rule 62-296.320(4)(c), Rule 62-296.414(2), F.A.C.]