



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

May 25, 2007

ELECTRONIC MAIL – RECEIVED RECEIPT REQUESTED

Mr. Herschel E. Morris, Vice President Phosphate Operations/General Manager
CF Industries, Inc.
Post Office Drawer L
Plant City, Florida 33564

Re: Draft Air Permit No. PSD-FL-355
Project No. 0570005-021-AC
Plant City Phosphate Complex
Sulfuric and Phosphoric Acid Production Increase

Dear Mr. Morris:

On May 18, 2005, CF Industries submitted an application for an air construction permit subject to the preconstruction review requirements for the Prevention of Significant Deterioration of Air Quality. The primary purpose of the project is to modify the B Sulfuric Acid Plant and the A and B Phosphoric Acid Plants. This work will be conducted at Plant City Phosphate Complex, which is located in Hillsborough County at 10608 Paul Buchman Highway, Plant City, Florida. Enclosed are the following documents:

- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Bureau of Air Regulation's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Bureau of Air Regulation's intent to issue an air permit; the procedures for submitting comments on the Draft Permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.
- The Technical Evaluation and Preliminary Determination summarizes the Bureau of Air Regulation's technical review of the application and provides the rationale for making the preliminary determination to issue a draft permit.
- The proposed Draft Permit includes the specific conditions that will regulate the emissions units covered by the proposed project.

If you have any questions, please contact the Project Engineer, Syed Arif, at 850/921-9528.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

Enclosures

TLV/jfk/sa

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within fourteen 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (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 Intent to Issue Air Permit. 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.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, the Technical Evaluation and Preliminary Determination, and the Draft Permit) was sent by electronic mail with received receipt requested before the close of business on 5/29/07 to the persons listed below.

Herschel E. Morris, CF Industries, Inc. (hmorris@cfifl.com)

Jim Little, EPA (little.james@epa.gov)

Kathleen Forney, EPA (forney.kathleen@epa.gov)

Dee Morse, NPS (dee_morse@nps.gov)

Cindy Zhang-Torres, DEP-SWD (cindy.zhang-torres@dep.state.fl.us)

Diana Lee, HCEPC (lee@epchc.org)

David Buff, Golder Associates, Inc. (dbuff@golder.com)

Joseph Marini, RMT, Inc. (joseph.marini@rmtinc.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.


(Clerk)

5/29/07
(Date)