

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation

Project No. 0570005-023-AC
Best Available Retrofit Technology (BART)
CF Industries, Inc., Plant City Phosphate Complex
Hillsborough County, Florida

Applicant: The applicant for this project is CF Industries, Inc. The applicant's authorized representative and mailing address is: Mr. Herschel E. Morris, Vice President Phosphate Operations and General Manager of the Plant City Phosphate Complex, CF Industries, Inc., Post Office Drawer L, Plant City, Florida 33564.

Facility Location: CF Industries, Inc. (CFI), operates the existing Plant City Phosphate Complex, which is located in Hillsborough County at 10608 Paul Buchman Highway in Plant City, Florida 33565. CFI produces ammoniated phosphate fertilizers using locally mined phosphate rock and ammonia (NH₃) and sulfur from outside sources. The sulfuric acid is produced on-site by burning elemental sulfur, catalytically converting the resulting sulfur dioxide (SO₂) to sulfur trioxide, and absorbing it into a recirculating sulfuric acid solution. Phosphoric acid is made by acidulation of phosphate rock with sulfuric acid. Waste gypsum is produced and stacked on-site. The phosphoric acid is reacted with NH₃ to make monoammonium phosphate (MAP) and diammonium phosphate (DAP) that are subsequently granulated, dried, screened and shipped.

Project: On February 2, 2007, CFI submitted an application to satisfy the requirements of Best Available Retrofit Technology (BART) in Rule 62-296.340, Florida Administrative Code (F.A.C.) for the existing Plant City Phosphate Complex. The purpose of the BART regulation is to improve visibility in and around the Class I areas, which include six national parks and federal wildlife areas in Florida. The BART provisions apply to emissions units built between 1962 and 1977 at one of the 26 specified industrial categories that have the potential to emit more than 250 tons a year of visibility-impairing pollutants, which are defined as nitrogen oxides (NO_x), particulate matter (PM₁₀), and SO₂. Many of these units previously have been exempt from pollution control requirements under the Clean Air Act.

The BART regulation requires a control technology review to establish a BART standard, which is an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by a BART-eligible source. The emission limitation must be established, on a case-by case basis, taking into consideration the technology available, the costs of compliance, the energy and non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology. In addition, air dispersion modeling analysis is conducted to evaluate the visibility improvement.

The existing facility is a Phosphate Complex, which is one of the 26 specified categories subject to regulation. The BART-eligible units at this facility include: Sulfuric Acid Plants (SAP) A, B, C and D; DAP/MAP Plants A, X, Y and Z; and the Shipping Units A and B Baghouses.

With the exception of SAP A, the Department has determined that the existing controls and techniques together with the present emissions limitations constitute BART for the SAP at this facility. These controls, techniques and limits were implemented or improved pursuant to recent permits, most of which were issued with determinations of best available control technology (BACT). The Department has determined that a lower limit of 3.5 pounds of SO₂ per ton of sulfuric acid produced (lb/ton of acid) is achievable by installation of cesium promoted catalyst in the final converter and constitutes BART for SAP A. The Department has determined that a limit of 0.075 lb of sulfuric acid mist (SAM)/ton of acid constitutes BART for SAP A as a surrogate for PM/PM₁₀. The BART NO_x limit for SAP A is 0.12 lb/ton of acid.

With the exception of the PM/PM₁₀ limits, the Department has determined that the existing controls and techniques together with the present emissions limitations constitute BART for the DAP/MAP plants. The Department has determined that the presently installed process and pollution control equipment consisting of various wet scrubbers together with a lower limit of 0.18 lb PM/PM₁₀ constitutes BART for DAP/MAP plants A, X, Y and Z.

The Department has determined that the existing controls and PM/PM₁₀ emission limits on Shipping Units A and B Baghouses constitute BART for those units.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-210, and 62-212. The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address

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is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available by entering the file number provided above where indicated on the following web site: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be postmarked by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 this Public Notice or receipt of a written notice, 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (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 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 Public 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 for this proceeding.

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