

FINAL DETERMINATION

White Springs Agricultural Chemicals, Inc.
Permit No. 0470002-051-AC
Liquid Fertilizer Plant

An Intent to Issue an air construction permit to White Springs Agricultural Chemicals, Inc., for construction of a 40 tons per hour liquid fertilizer unit at the Suwannee River Complex in Hamilton County was distributed on September 30, 2004. The Notice of Intent was published in the Jasper News on October 14, 2004. Copies of the draft construction permit were available for public inspection at the Department offices in Jacksonville and Tallahassee.

The Department did not receive any comments from the public or the applicant.

The final action of the Department is to issue the permit as proposed.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit

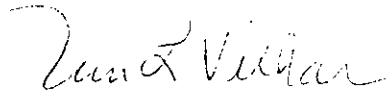
Mr. Paul H. Barrett
White Springs Agricultural Chemicals, Inc.
Post Office Box 300
White Springs, Florida 32096

DEP File No. 0470002-051-AC

Enclosed is the FINAL Permit Number 0470002-051-AC for constructing 40 tons per hour liquid fertilizer plant to produce 10-34-0 or 11-37-0 liquid fertilizer at the Suwannee River Complex in Hamilton County. This permit is issued pursuant to Chapter 403, Florida Statutes and in accordance with Rule 62-296.403, F.A.C.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

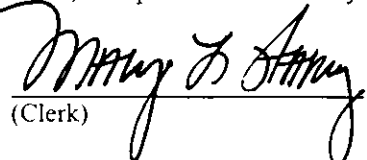
The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11/22/04 to the person(s) listed:

Paul H. Barrett, WSAC *
Chris Kirts, DEP-NED
John Koogler, P.E., K & A

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52,
Florida Statutes, with the designated Department
Clerk, receipt of which is hereby acknowledged.


(Clerk) 11/22/04
(Date)



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

PERMITTEE:

White Springs Agricultural Chemicals, Inc.
P.O. Box 300
White Springs, Florida 32096

DEP Permit No.:	0470002-051-AC
Project:	40 Tons Per Hour Liquid Fertilizer Production Unit
SIC No.:	2874
Expiration:	December 31, 2005

Authorized Representative:

Paul H. Barrett
General Manager

PROJECT AND LOCATION:

Permit to install a unit for producing 40 tons per hour of either 10-34-0 or 11-37-0 liquid fertilizer. The facility is located E of SR 137, E of US 41, N of White Springs in Hamilton County, Florida. The UTM coordinates are: Zone 17; 328.3 km E and 3368.8 km N.

STATEMENT OF BASIS:

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The above named permittee is authorized to construct the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

ATTACHED APPENDICES MADE A PART OF THIS PERMIT:

Appendix GC General Conditions

Michael G. Cooke, Director
Division of Air Resource
Management

AIR CONSTRUCTION PERMIT 0470002-051-AC
SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION

White Springs Agricultural Chemicals, Inc. (WSAC) operates a phosphate fertilizer manufacturing facility at the Suwannee River Chemical Complex near White Springs, Hamilton County, Florida, producing sulfuric acid, wet-process phosphoric acid, ammoniated phosphate fertilizers and related products. WSAC is applying for a non-PSD permit to produce 10-34-0 or 11-37-0 liquid fertilizer. This project will involve installing a pipe reactor for reacting superphosphoric acid with ammonia. Also included will be an air cooled packed tower unit that emits the flash-off from the hot recirculated material coming from the pipe reactor. The only other physical changes required will be the routing of raw material streams to the liquid fertilizer plant.

REGULATORY CLASSIFICATION

Phosphate rock processing plants are listed as a Major Facility Category in Table 62-212.400-1, F.A.C., "Major Facility Categories." Therefore, stack and fugitive emissions of over 100 TPY of a regulated pollutant are sufficient to classify the installation as a "Major Facility" per the definitions in Rule 62-210.200, F.A.C., subject to the Significant Emission Rates given in Table 62-212.400-2, F.A.C. and the requirements of Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD) and Best Available Control Technology (BACT) if applicable.

This facility is classified as a "Major or Title V Source" per Rule 62-210.200, F.A.C., because it has the potential to emit at least 100 tons per year of particulate matter. The Department has determined that this facility in its entirety is also a major source of hazardous air pollutants (HAPs) because it has the potential to emit at least 10 tons per year of hydrogen fluoride.

The Liquid Fertilizer Plant is classified as a "New Plant or Plant Section" under Rule 62-296.403(1)(i), F.A.C., requiring the use of best available control technology. The terms and conditions of this permit apply only to the construction/operation of the Liquid Fertilizer Plant.

PERMIT SCHEDULE:

- 08-09-04: Date of Receipt of Application
- 08-09-04: Application Complete
- 09-07-04: Issued Intent to Issue Permit
- 10-14-04: Notice of Intent published

RELEVANT DOCUMENTS:

The documents listed below are specifically related to this permitting action and form the basis of the permit. They are on file with the Department:

- Application received August 9, 2004

AIR CONSTRUCTION PERMIT 0470002-051-AC
SECTION II. GENERAL REQUIREMENTS

Regulating Agencies: All documents related to applications for permits to operate, reports, tests, minor modifications and notifications shall be submitted to the Department's Northeast District Office, 7825 Baymeadows Way, Suite 200B, Jacksonville, Florida 32256-7590. All applications for permits to construct or modify an emissions unit(s) *subject to the Prevention of Significant Deterioration or Nonattainment (NA) review requirements* should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP), 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399-2400 (phone number 850/488-0114).

General Conditions: The owner and/or operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]

Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.

Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. The facility is subject to all applicable provisions of the Code of Federal Regulations Title 40, Part 63, Subpart BB. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]

Expiration: This air construction permit shall expire on **December 31, 2005** [Rule 62-210.300(1), F.A.C.]. The permittee may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit. However, the permittee shall promptly notify the Department's Northeast District Office of any delays in completion of the project, which would affect the startup day by more than 90 days. [Rule 62-4.090, F.A.C.]

Application for Title V Permit: An application for a Title V operating permit, pursuant to Chapter 62-213, F.A.C., must be submitted to the Department's Northeast District Office at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. [Chapter 62-213, F.A.C.]

Permit Approval: Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, or if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. [40 CFR 52.21(r)(2)].

Annual Reports: Pursuant to Rule 62-210.370(2), F.A.C., Annual Operation Reports, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. Annual operating reports using DEP Form 62-210.900(4) shall be sent to the DEP's Northeast District office by March 1st of each year.

Stack Testing Facilities: Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C.

Quarterly Reports: Quarterly excess emission reports, in accordance with 40 CFR 60.7 shall be submitted to the Department's Northeast District office.

New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

AIR CONSTRUCTION PERMIT 0470002-051-AC
SECTION III. EMISSION UNIT SPECIFIC REQUIREMENTS

SUBSECTION A. Liquid Fertilizer Plant

The Specific Conditions listed in this section apply to the following emission unit:

EMISSION UNIT NO.	EMISSION UNIT DESCRIPTION
074	Liquid Fertilizer Plant

The Liquid Fertilizer Plant consists of a pipe reactor for reacting superphosphoric acid with ammonia and an air cooled packed tower unit that emits the flash-off from the hot recirculated material coming from the pipe reactor.

CONSTRUCTION

1. The permittee is authorized to construct a plant to produce liquid 10-34-0 or 11-37-0 fertilizer by reacting superphosphoric acid and ammonia according to Figure 1 submitted with the application.
[Application received August 9, 2004]

EMISSION AND PERFORMANCE REQUIREMENTS

2. Production:
 - a. The production rate for Emissions Unit 074 shall not exceed 40 tons of product per hour.
 - b. The annual production rate shall not exceed 350,400 tons of product.[Application received August 9, 2004; Rules 62-212.300, 62-210.200(PTE), F.A.C.]
3. Hours of Operation:

Operation of Emissions Unit 074 shall be permitted for up to 8760 hours/year.
[Application received August 9, 2004; Rules 62-212.300, and 62-210.200(PTE), F.A.C.]
4. Emissions:
 - a. PM/PM₁₀ emissions shall not exceed 1.0 lbs/hr and 4.4 TPY.
 - b. Total Fluoride emissions shall not exceed 0.1 lb/hr and 0.5 TPY.
 - c. Visible Emissions shall not be equal to or greater than 20% opacity.[Application received August 9, 2004; Rule 62-296.403(1), F.A.C.]

TEST METHODS AND PROCEDURES

5. The initial compliance test procedures for PM/PM₁₀ shall be in accordance with EPA Method 5 as published in 40 CFR 60, Appendix A. The Department shall consider the results to determine the extent of additional annual testing requirements.
[Rule 62-297.410(5), F.A.C.]
6. The initial compliance test procedures for Total Fluorides shall be in accordance with EPA Methods 13A or 13B as published in 40 CFR 60, Appendix A. If the initial compliance test shows no measurable fluoride emissions, no further compliance testing for Total Fluorides shall be required. The Department shall consider the results to determine the extent of additional annual testing requirements.
[Rule 62-297.410(13), F.A.C.]

AIR CONSTRUCTION PERMIT 0470002-051-AC
SECTION III. EMISSION UNIT SPECIFIC REQUIREMENTS

7. The compliance test procedures for Visible Emissions shall be in accordance with EPA Method 9 as published in 40 CFR 60, Appendix A.

[Rule 62-297.410(9), F.A.C.]

8. Before this construction permit expires, and annually, the subject emissions units shall be tested for compliance with the applicable emission limits. For the duration of all tests the emission units shall be operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum operating rate allowed by the permit. If it is impracticable to test at permitted capacity, then the emission unit may be tested at less than permitted capacity (i.e., 90% of the maximum operating rate allowed by the permit); in this case, subsequent emission unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emission unit is so limited, then operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity in the permit.

[Rule 62-297.310, F.A.C.]

9. The Department's Northeast District office shall be notified in writing at least 15 days prior to compliance testing. Written reports of the test results shall be submitted to that office within 45 days of test completion.

[Rule 62-297.310, F.A.C.]

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- a) Have access to and copy and records that must be kept under the conditions of the permit;
 - b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
- Reasonable time may depend on the nature of the concern being investigated.
- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- a) A description of and cause of non-compliance; and
 - b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.
- The permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- a) Determination of Best Available Control Technology ()
 - b) Determination of Prevention of Significant Deterioration ()
 - c) Compliance with New Source Performance Standards ()
 - d) Compliance with National Emission Standards for Hazardous Air Pollutants ()
- G.14 The permittee shall comply with the following:
- a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Florida Department of
Environmental Protection

Memorandum

TO: Michael Cooke
THRU: Trina Vielhauer *T*
THRU: Jim Pennington *JKP*
FROM: Syed Arif *Syed Arif 11/10/04*
DATE: November 10, 2004
SUBJECT: White Springs Agricultural Chemicals, Inc.
DEP File No. 0470002-051-AC

Attached for your review and approval is the final construction permit for constructing a 40 tons per hour liquid fertilizer production unit at the Suwannee River Chemical Complex located near White Springs in Hamilton County.

The unit will produce two grades of liquid fertilizer, 10-34-0 and 11-37-0, by reacting superphosphoric acid and ammonia in a pipe reactor. The unit has an integral packed tower section that vents the hot flash-off gases and acts as a scrubber to control emissions. There will be no significant increase in actual emissions or potential emissions resulting from this project. The only physical changes will be the installation of the pipe reactor/packed tower unit and the routing of raw materials to the reactor.

No comments were received during the public comment period. I recommend your approval and signature.

The permit clock is currently on Day 31.

Attachments

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse 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. Paul H. Barrett
 White Springs Agricultural
 Chemicals, Inc.
 Post Office Box 300
 White Springs, Florida 32096

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent
 Addressee

B. Received by (Printed Name) J.D. Reynolds C. Date of Delivery 11/24/01

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number 7000 1670 0013 3109 9205
 (Transfer from service label)

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-154

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

7000 1670 0013 3109 9205

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 Here

Mr. Paul H. Barrett, White Springs
 Agricultural Chemicals, Inc.
 Post Office Box 300
 White Springs, Florida 32096

PS Form 3800, May 2000

See Reverse for Instructions