

PCS  
Phosphate



WHITE SPRINGS

P.O. BOX 300, WHITE SPRINGS, FL 32096 DIRECT: (386) 397-8101 FAX: (386) 397-8103

Via Certified Mail  
7007-2680-0002-8360-7718

July 30, 2009

Mr. Syed Arif, P.E.  
Florida Department of Environmental Protection  
Twins Towers Office Building  
2600 Blair Stone Road

RECEIVED  
AUG 11 2009  
BUREAU OF AIR REGULATION

**Re:** Proof of Publication of Notice of Revised Intent To Issue Air Permit Draft Permit  
Project # 0470002-055-AC

Dear Mr. Arif,

Enclosed please find the newspaper affidavit for the Legal Notice published in The Lake City Reporter on July 30, 2009.

If you have any questions, please contact me at (386) 397-8304.

Sincerely,

Stanley W. Posey  
Manager, Environmental Affairs

# THE LAKE CITY REPORTER

Lake City, Columbia County, Florida

Legal Copy  
As Published

STATE OF FLORIDA,  
COUNTY OF COLUMBIA,

Before the undersigned authority personally appeared **Todd Wilson** who on oath says that he is Publisher of the Lake City Reporter, a newspaper published at Lake City, Columbia County, Florida; that the attached copy of advertisement, being a

.....  
in the matter of *Legal Revised Public Notice of Intent to Issue Air Permit*  
.....

.....  
in the ..... Court, was published  
in said newspaper in the issues of *July 30, 2009*  
.....  
.....  
.....

Affiant further says that The Lake City Reporter is a newspaper published at Lake City in said Columbia County, Florida, and that the said newspaper has heretofore been continuously published in said Columbia County, Florida, and has been entered as second class mail matter at the post office in Lake City, in said Columbia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this  
A.D., 20 *DA* KATHLEEN A. RIOTTO  
MY COMMISSION # DD 577782  
EXPIRES: August 20, 2010  
Bonded Thru Budget Notary Services

*30* day of *July*  
*Kathleen Briotto*  
Notary Public

REVISED PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT  
Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Revised Draft Air Construction Permit No. 0470002-055-AC  
White Springs Agricultural Chemicals, Inc., Suwannee River/Swift Creek Chemical Complex  
Hamilton County, Florida  
Applicant: The applicant for this project is White Springs Agricultural Chemicals, Inc. The applicant's authorized representative and mailing address is: W. K. Thornton, General Manager, White Springs Agricultural Chemicals, Inc., P.O. Box 300, White Springs, Florida 32096.  
Facility and Location: The applicant, White Springs Agricultural Chemicals, Inc., operates the existing Suwannee River/Swift Creek Complex, which is located in Hamilton County at 15843 SE 78th Street in White Springs, Florida. The applicant operates an existing phosphate rock to produce several products at the Suwannee River/Swift Creek Complex (two plants).  
Project: On February 1, 2007, White Springs Agricultural Chemicals, Inc. 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 Suwannee River/Swift Creek Complex. The purpose of the BART regulation is to improve visibility in the Class I areas, which include six national parks and federal wildlife areas in and around Florida. The BART provisions apply to Emissions Units (EU) 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 (NOx), particulate matter (PM10/PM2.5), and sulfur dioxide (SO2).  
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.  
The BART-eligible units at this facility include: EU001 - #2 Phosphate Rock Grinder, EU003 - 'A' De-fluorinated Phosphate (DFP) Plant, EU004 - 'X' Train (Dical Process), EU008 - 'Y' Train - #1 Monoammonium Phosphate (MAP)/Diammonium Phosphate (DAP) Plant, EU010 -

#1 MAP/DAP Storage Building, EU015 - MAP/DAP Shipping and Screening Facility, EU021 - 'C' Sulfuric Acid Plant (SAP), EU022 - 'D' SAP, EU032 - 'Z' Train (#2 MAP/DAP), EU038 - 'B' DFP Plant, EU042 - DFP Feed Prep, EU044 - 'A' and 'B' DFP Coolers, EU054 - Molten Sulfur System, EU062 - DFP Silos, EU064 - Swift Creek Mine Rock Dryer, EU065 - Swift Creek Mine Silos. The Department of Environmental Protection (Department) reviewed the application and makes a preliminary determination regarding the BART controls and emissions standards in the revised draft air construction permit. The Department has determined that the existing controls and techniques constitute BART for the eligible BART units at this facility. The revised draft air construction permit establishes the new BART emissions standards based on installed controls and tested emissions rates.

On November 13, 2007, the Department issued the Written Notice of Intent to Issue Air Permit and the draft permit package. The permittee did not publish the Public Notice but submitted comments. The comments were substantial such that the Department revised certain conditions of the draft permit package. The Department is now rescinding the original draft permit package and issuing a revised draft permit package for which comments are being accepted.

**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 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 Revised Draft Permit, the Revised 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 on the following web site:

<http://www.dep.state.fl.us/air/e-products/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 Revised 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 Revised Draft Permit for a period of 30 days from the date of publication of the Revised 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 Revised Draft Permit, the Permitting Authority shall modify the 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 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 Revised 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 Revised 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.

04533523  
July 30, 2009