



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

April 21, 2004

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Stan Posey
Manager Environmental Affairs
PCS Phosphate- White Springs
PO Box 300
White Springs, FL 32096

Re: Letter dated April 7, 2004 and potential settlement of HF MACT

Dear Mr. Posey:

Thank you for your April 7, 2004 proposal regarding resolution of the HF MACT case. The Department remains amenable to resolving this case and believes the following elements are key to that resolution.

First, as we've discussed previously, the Department remains willing to entertain an alternate monitoring plan for the PCS White Springs facility. We have forwarded to you for your review conditions from Cargill's alternate monitoring plan that was finalized earlier this year. We encourage you to submit an alternate monitoring request as soon as possible. It behooves PCS to have this alternate monitoring plan in final form prior to a final Title V revision or the draft Title V renewal.

Second, the Department previously identified the language it is willing to add to the major source determination in the draft Title V renewal. It is important that these phosphate MACT cases are resolved in a consistent manner. Therefore, the language we have agreed upon with IMC is the language we would utilize here as well. This language is as follows:

If additional testing and modeling demonstrate that the facility is not and has never been a major source of hazardous air pollutants since at least June 10, 2002, the permittee shall have the right to request that the Department revise the permit to remove those requirements and conditions that are applicable because the facility is a major source of hazardous air pollutants as determined by the Department.

"More Protection, Less Process"

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Please let me know if this approach is acceptable to PCS on or before April 30, 2004. If you have any questions, please don't hesitate to contact me at 850/488-0114.

Sincerely,

A handwritten signature in black ink that reads "Trina L. Vielhauer". The signature is written in a cursive, flowing style.

Trina L. Vielhauer, Chief
Bureau of Air Regulation

cc: Doug Beason; Pat Comer, OGC

Al Linero, Cindy Phillips, Bobby Bull, Jim Pennington, Joe Kahn, Errin Pichard, Russell Wider,
Michael Cooke, DARM