



**CARGILL  
FERTILIZER, INC.**

**RECEIVED**

APR 05 2000

BUREAU OF AIR REGULATION

8813 Highway 41 South - Riverview, Florida 33569 - Telephone 813-677-9111 - TWX 810-876-0648 - Telex 52666 - FAX 813-671-6146

CERTIFIED MAIL: Z 426 769 242

March 27, 2000

Mr. Al Linero, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road  
Mail Station #5505  
Tallahassee, FL 32399-2400

Subject: Proof of Publication - Notice of Intent to Issue an PSD Permit  
Modification, Permit Modification No.: 0570008-032-AC, PSD-FL-234B  
to Cargill Fertilizer, Inc. for the AFI Plant located at 8813 U.S. Highway 41 South,  
Riverview, Hillsborough County, FL 33569.

Gentlemen:

You will find attached Proof of Publication of the Notice of Intent to Issue subject permit modification as required by Florida Department of Environmental Protection.

If there are any questions, please contact me at (813) 671-6369.

Sincerely,

Kathy Edgemon  
Environmental Superintendent

/dh  
Enclosure

x.c. Rick Kirby - HCEPC  
Jerry Kissel - FDEP

File P-30-39-1

cc: J. Reynolds  
SWD  
Hillsboro  
EPA  
NPS



THE TAMPA TRIBUNE  
Published Daily  
Tampa, Hillsborough County, Florida

State of Florida }  
County of Hillsborough } ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of \_\_\_\_\_

PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of \_\_\_\_\_

MARCH 23, 2000

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

*J. Rosenthal*  
23

Sworn to and subscribed by me, this \_\_\_\_\_ day  
of \_\_\_\_\_ MARCH \_\_\_\_\_, A.D. 20<sup>00</sup>

Personally Known    or Product Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

(SEAL)

*Jessie Lee Stator*

PUBLIC NOTICE OF INTENT  
TO ISSUE PSD PERMIT  
MODIFICATION  
STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
DEP File No. 0570008-032-AC,  
PSD-FL-234B  
Cargill Fertilizer, Inc.  
AFI Plant  
Hillsborough County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD permit modification for the Cargill Fertilizer AFI Plant located in Riverview, Hillsborough County. The applicant's mailing address is: 8813 Highway 41 South, Florida 33569. A Best Available Control Technology (BACT) Determination revision was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

This facility makes defluorinated animal feed ingredients by reacting a phosphoric acid-based solution with diatomaceous earth in three acid batch tanks resulting in the evolution of gaseous fluorides. The defluorinated product is then granulated and dried before being shipped, resulting in emissions of particulate matter. The batch tanks are presently permitted to operate in batch mode only.

The applicant proposes to operate the three batch defluorination tanks in either batch or continuous mode. Operation in continuous mode will cause no increase in emissions from the facility and no other changes are being requested. The Department will issue the permit modification with the proposed changes to permit conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding. . . . A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 170.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code. A petition that disputes the material facts on which the Department'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 how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (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; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to the petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m. Monday through Friday, except legal holidays, at:

Department of Environmental Protection  
Bureau of Air Regulation  
Suite 4, 111 S. Magnolia Drive  
Tallahassee, Florida, 32301  
Telephone: 850/488-0114  
Fax: 850/922-6979

Environmental Protection  
Commission of Hillsborough County  
Air Management Division  
1900 Ninth Avenue  
Tampa, Florida 33605  
Telephone 813/272-5960  
Fax 813/272-5157  
Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619  
Telephone: 813/744-6100  
Fax: 813/744-6084

The complete project file includes the application, technical evaluations, Draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

1945

3/23/00