

PUBLIC NOTICE OF INTENT
TO ISSUE AIR
CONSTRUCTION PERMIT
MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
DEP File No. 0570008-022-AC
(PSD-FL-209)

Cargill Fertilizer Sulfuric Acid
Plants Nos. 8 & 9
Hillsborough County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Cargill Fertilizer, Inc. to shift 200 tons per day (TPD) of sulfuric acid production capacity from the existing No. 8 Sulfuric Acid Plant to file No. 9 Sulfuric Acid Plant. The plants are located on U.S. Highway 41 South in Riverview, Hillsborough County. The applicant's name and address are: Cargill Fertilizer, Inc; 8813 U.S. Highway 41 South, Riverview, Florida 33569.

The sulfuric acid plant produces the reagent used to acidulate phosphate rock to make fertilizers. Molten sulfur is the necessary raw material for sulfuric acid production. The modification will decrease the permitted capacity of Plant No. 8 from 2,900 to 2,700 tons per day of 100% sulfuric acid and increase the permitted capacity of Plant No. 9 from 3,200 to 3,400 tons per day of 100% sulfuric acid, maintaining the existing 5,700 tons per day of 100% sulfuric acid cap for the two plants combined.

The two plants were expanded between 1995 and 1998 through a single air construction (PSD) permit which is still in effect. The revised production breakdown between the two plants could have been proposed earlier under the permit to increase production. However, the company only determined after completing the project that the revised breakdown is more efficient. The Department concludes that emissions are not likely to increase as a result of the transfer of 200 tons per day of sulfuric acid capacity from the No. 8 plant to the No. 9 plant.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification 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 and requests for public meetings concerning the proposed DRAFT Permit Modification issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modification with the conditions of the DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an adminis-

trative 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 (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions 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. A petitioner must 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to 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
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979
Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084
Hillsborough Co.
Environmental Protection Commission
1410 North 21 Street
Tampa, Florida 33605
Telephone: 813/272-5530
Fax: 813/272-5605

The complete project file includes the Draft Permit Modification, Permit, the application, 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 Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.
2554 6/17/98

CARGILL DEP

0570008-022-AC

PSD-FI-709