

Florida Department of Environmental Regulation

Twin Towers Office Bldg. ☉ 2600 Blair Stone Road ☉ Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

December 22, 1988

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Henk Mathot
Gardinier, Inc.
P. O. Box 3269
Tampa, Florida 33601

Dear Mr. Mathot:

Attached is one copy of the Technical Evaluation and Preliminary Determination and proposed permit to construct a clarifier/storage tank at your facility near Tampa, Florida.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Mr. Bill Thomas of the Bureau of Air Quality Management.

Sincerely,

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/ks

Attachments

cc: D. Buff, P.E.
B. Thomas, SW District
J. Campbell, EPCHC
E. O. Morris, Gardinier

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of
Application for Permit by:

Gardinier, Inc.
P. O. Box 3269
Tampa, Florida 33601

DER File No. AC 29-156206

INTENT TO ISSUE

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above. The Department is issuing this Intent to Issue for the reasons stated in the attached Technical Evaluation and Preliminary Determination.

The applicant, Gardinier, Inc., applied on October 7, 1988, to the Department of Environmental Regulation for a permit to construct a clarifier/storage tank. The proposed construction will be located at the Gardinier Complex near Tampa, Hillsborough County, Florida.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-2 and 17-4. The project is not exempt from permitting procedures. The Department has determined that an air construction permit was needed for the proposed work.


Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed Agency Action on permit applications. The notice must be published one time only in a section of a major local newspaper of general circulation in the county in which the project is located and within thirty (30) days from receipt of this intent. Proof of publication must be provided to the Department within seven days of publication of the notice. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S. A person whose substantial interests are affected by the

Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. Petitions must comply with the requirements of Florida Administrative Code Rules 17-103.155 and 28-5.201 (copy enclosed) and be filed with (received by) the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant must be filed within fourteen (14) days of receipt of this intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this intent, whichever first occurs. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions will be dismissed.

Executed in Tallahassee, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

Copies furnished to:

D. Buff, P.E.
B. Thomas, SW District
J. Campbell, EPCHC
E. O. Morris, Gardinier

RULES OF THE ADMINISTRATIVE COMMISSION
MODEL RULES OF PROCEDURE
CHAPTER 28-5
DECISIONS DETERMINING SUBSTANTIAL INTERESTS

28-5.15 Requests for Formal and Informal Proceedings

- (1) Requests for proceedings shall be made by petition to the agency involved. Each petition shall be printed, typewritten or otherwise duplicated in legible form on white paper of standard legal size. Unless printed, the impression shall be on one side of the paper only and lines shall be double spaced and indented.
- (2) All petitions filed under these rules should contain:
 - (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name and address of the petitioner or petitioners;
 - (c) All disputed issues of material fact. If there are none, the petition must so indicate;
 - (d) A concise statement of the ultimate facts alleged, and the rules, regulations and constitutional provisions which entitle the petitioner to relief;
 - (e) A statement summarizing any informal action taken to resolve the issues, and the results of that action;
 - (f) A demand for the relief to which the petitioner deems himself entitled; and
 - (g) Such other information which the petitioner contends is material.

State of Florida
Department of Environmental Regulation
Notice of Intent

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit to Gardinier, Inc., for the construction of a clarifier/storage tank at their facility near Tampa, Hillsborough County, Florida. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative determination (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a petition within this time period constitutes a waiver of any right such person has to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the proposed agency action. Therefore, persons who may not wish to file a petition may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

The application 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:

Dept. of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dept. of Environmental Regulation
Southwest District
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347

Environmental Protection Commission
of Hillsborough County
1410 North 21st Street
Tampa, Florida 33605

Any person may send written comments on the proposed action to Mr. Bill Thomas at the Department's Tallahassee address. All comments mailed within 14 days of the publication of this notice will be considered in the Department's final determination.

Technical Evaluation
and
Preliminary Determination

Gardinier, Inc.
Hillsborough County

Phosphoric Acid Clarifier/Storage Tank
State Permit No. AC 29-156206

Florida Department of Environmental Regulation
Bureau of Air Quality Management
Central Air Permitting

December 22, 1988

I. Application Information

A. Applicant
Gardinier, Inc.
P. O. Box 3269
Tampa, Florida 33601

B. Request

The Department received an application on October 7, 1988, for a permit to construct a replacement clarifier and storage tank for phosphoric acid produced in Gardinier's phosphate facility near Tampa. The application was deemed complete on November 8, 1988.

C. Project Location

The applicant's facility is located south of Tampa, Florida, at U.S. 41 South and Riverview Drive. The UTM coordinates of the site are: Zone 17, 362.6 km E and 3082.5 km N. Latitude of the site is 27°51'30"N while longitude is 82°23'57"W.

II. Project Description

The applicant proposes to construct a 600,000 gallon phosphoric acid combination clarifier and storage tank which will be enclosed and vented to the existing fluoride fume scrubber serving the No. 4 Phosphoric Acid plant. The new clarifier/storage tank and washbox will replace the existing system which includes a 300,000 gallon storage tank and separate clarifier.

Gaseous fluoride (primarily silicon tetrafluoride) is emitted in low concentrations from the filtered 30 percent P₂O₅ acid as a result of the partial pressures of fluoride compounds in the acid. The existing No. 4 scrubber has capacity to handle the very small additional load estimated at only 0.024 pound fluoride per hour. At 95 percent removal efficiency, fluoride emissions will be only 0.0012 pound per hour at 0.0053 ton per year.

III. Rule Applicability

The applicant's proposed project is subject to review under provisions of Chapter 403, Florida Statutes, and Chapters 17-2 and 17-4, Florida Administrative Code (F.A.C.).

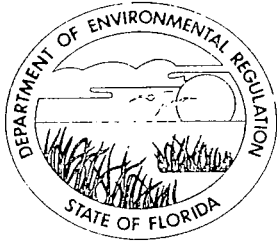
The new clarifier/storage tank system will be classified as a minor source of fluoride within a minor facility since Gardinier's fluoride emissions no longer exceed 100 TPY. Since Gardinier shut down their run-of-pile triplesuperphosphate sources, there has been a significant reduction in fluoride

emissions from the facility. Therefore, this project is exempted from new source review for either PSD or nonattainment areas (F.A.C. Rules 17-2.500(2)(d)4.a.ii. and 17-2.510(2)(d)4.a.). F.A.C. Rule 17-2.520, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, is applicable as well as F.A.C. Rule 17-2.600(3)(a), Specific Source Emission Limiting Standards.

IV. Conclusion

Based on the information provided by the applicant, the Department has reasonable assurance that the proposed project, as described in this evaluation, and subject to the conditions proposed herein, will not cause or contribute to a violation of an ambient air quality standard, PSD increment, or any other technical provisions of Chapter 17-2 of the Florida Administrative Code.

John Thomas



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

PERMITTEE:
Gardinier, Inc.
P. O. Box 3269
Tampa, FL 33601

Permit Number: AC 29-156206
Expiration Date: 08/31/90
County: Hillsborough
Latitude/Longitude: 27°51'30"N
82°23'57"W
Project: Phosphoric Acid
Clarifier/Storage Tank

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the construction of a phosphoric acid clarifier/storage tank located at the permittee's phosphate fertilizer complex near the intersection on U.S. Highway 41 and Riverview Drive in Hillsborough County, Florida. The latitude, and longitude and UTM coordinates are 27°51'30"N by 82°23'57"W and 362.6 km E and 3082.5 km N, respectively.

The source shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachment:

1. Application to Construct Air Pollution Sources, DER form 17-1.202(1), received on October 7, 1988.

PERMITTEE: Gardinier, Inc.

Permit Number: AC 29-156206
Expiration Date: 08/31/90

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.

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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute a waiver of 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.

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement 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.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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.

PERMITTEE: Gardinier, Inc.

Permit Number: AC 29-156206

Expiration Date: 08/31/90

GENERAL CONDITIONS:

6. The permittee shall at all times 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.

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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring 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.

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 notify and provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including exact 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.

PERMITTEE: Gardinier, Inc.

Permit Number: AC 29-156206
Expiration Date: 08/31/90

GENERAL CONDITIONS:

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 revocation of this permit.

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 arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.

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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.

PERMITTEE: Gardinier, Inc.

Permit Number: AC 29-156206

Expiration Date: 08/31/90

GENERAL CONDITIONS:

b. The permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

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 submitted or corrected promptly.

SPECIFIC CONDITIONS:

1. No specific limit for fluoride shall be required due to the low level of potential emissions and the impracticality of sampling combined exhaust streams.

2. As a substitute for a compliance test, an inspection shall be conducted by the Environmental Protection Commission of Hillsborough County (EPCHC) to confirm that the clarifier/storage tank and washbox are enclosed and ducted to the No. 4 phosphoric acid plant scrubber. The inspection shall be conducted within 30 days after the clarifier/storage tank is placed in operation.

PERMITTEE: Gardinier, Inc.

Permit Number: AC 29-156206

Expiration Date: 08/31/90

3. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the BAQM prior to 60 days before the expiration of the permit (F.A.C. 17-4.090).

4. An application for an operation permit must be submitted to the DER's Southwest District office and the EPCHC at least 90 days prior to the expiration date of this construction permit. To properly apply for an operation permit, the applicant shall submit an application, the appropriate fee, certification that construction was completed, noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. 17-4.220).

Issued this _____ day

of _____, 1989

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Dale Twachtmann, Secretary

ATTACHMENT 1

Available Upon Request