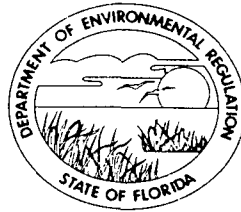


File Copy

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

March 25, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. E. O. Morris
Manager, Environmental & Development
Gardinier, Inc.
P. O. Box 3269
Tampa, Florida 33601

Dear Mr. Morris:

Re: Replacement Phosphogypsum Storage Area
(File No. AC 29-131183)

The department has made a preliminary review of your application for a permit to construct a replacement phosphogypsum storage area. Before this application can be processed, the department will need the following information.

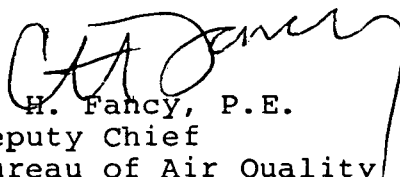
1. Further explain your peripheral deposition method (Appendix E-2) i.e., (size of transport pipe lines, will both pumping systems be operated simultaneously, technique and sequence or schedule of deposition and etc).
2. Detail a raise/lift cycle, i.e., (construction method, estimate of time for construction and life of raise/lift).
3. Explain the bypass system and its purpose.
4. Can all the above be accomplished without atomizing or spraying the slurry?

Other people in the department are reviewing this application and may require additional information.

Mr. E. O. Morris
Page Two
March 25, 1987

If you have any questions on this information needed to complete your application, please write me or call Bob Daugherty at (904)488-1344. We will resume processing your application when the information requested above is submitted.

Sincerely,

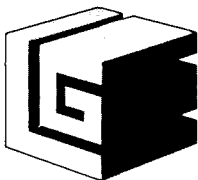

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/BD/s

cc: B. Thomas, SW District
J. Campbell, HCEPC
R. J. Nettles, P.E.

PM
4-10-87
Tampa, FL

File Copy



GARDINIER INC.

Post Office Box 3269 Tampa, Florida 33601 Telephone 813-677-9111 TWX 810-876-0648 Telex - 52666 Cable - Gardinphos

RUDY J. CABINA
VICE PRESIDENT

DER
APR 13 1987
BAQM

April 9, 1987

Mr. Clair H. Fancy
Deputy Chief, Air Quality
Management Bureau
Florida Department of
Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301

RE: Replacement Phosphogypsum Storage Area
File No. AC 29-131183

Dear Mr. Fancy:

This letter is in response to your March 25, 1987 request for additional information regarding Gardinier's replacement phosphogypsum storage area air permit application.

I have stated each question raised and have responded to each question as follows:

Question No. 1

Further explain your peripheral deposition method (Appendix E-2) i.e., (size of transport pipe lines, will both pumping systems be operated simultaneously, technique and sequence or schedule of deposition and etc).

Mr. Clair Fancy
April 9, 1987
Page 2

RESPONSE TO QUESTION No. 1

The gypsum is transported from the phosphoric acid plant to the storage field in the form of a slurry consisting of 70% water, and 30% gypsum. Transportation takes place in a pipeline system which is currently being designed by consultants. The exact pipe sizes will be determined from their analysis. We have directed our consultants to design a system that includes two transport lines. Each transport line will be capable of handling the total volume of the slurry and pumping systems with sufficient space capacity and alternate power supply to ensure that all gypsum slurry will be deposited in the field. Only one system (transport line) will operate at a time and the alternate system will serve as an in place spare.

Deposition on the field occurs from one pipe only over an area 200 ft. long. The slurry flow is directed to alternate sides of the field (pipes) on approximately eight hour intervals. This permits the pipe to be adjusted to discharge on to the next 200 ft. space.

As the slurry is discharged the gypsum particles separate forming a shelf or "beach" extending from the pipe toward the water pond in the center of the field. The material on the beach is allowed to dewater for 5 - 7 days. At this point, although still wet, it can be moved by a bulldozer to prepare each 200 ft. long area for the next discharge of gypsum. Each deposition places a depth of about 6 - 10 inches of wet gypsum.

Periodically the buildup of gypsum requires that the discharge pipe be raised along with the perimeter dike.

Mr. Clair Fancy
April 9, 1987
Page 3

QUESTION No. 2

Detail a raise/lift cycle, i.e., (construction method, estimate of time for construction and life of raise/lift).

RESPONSE TO QUESTION No. 2

It is estimated that dike raises on the order of 3 to 5 feet will be made on an annual basis.

QUESTION No. 3

Explain the bypass sytem and its purpose.

RESPONSE TO QUESTION No. 3

The bypass system is designed to allow for the deposition of gypsum at the southwest corner of the field while the peripheral deposition discharge header is being relocated. This also allows the plant to continue to transport gypsum to the field without changing pumps. The bypass system would be operated approximately 1 to 2 hours while downstream pipeline modifications are being made.

QUESTION No. 4

Can all the above be accomplished without atomizing or spraying the slurry?

RESPONSE TO QUESTION No. 4

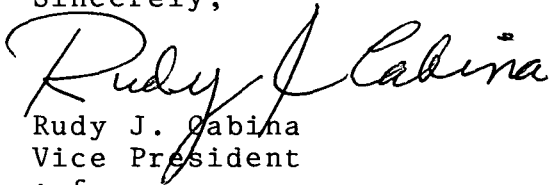
As the gypsum slurry is placed on the field by the peripheral deposition headers, their will be no spraying or atomizing of the slurry. The slurry will exit the pipe flowing out onto the existing gypsum shelf or "beach". At no time is the flow directed into the air.

Mr. Clair Fancy
April 9, 1987
Page 4

If you or your staff have any further questions or need additional information, please do not hesitate to give me a call. I have been designated the project officer for this application and I would appreciate if you and your staff would direct all correspondence and telephone calls to my attention.

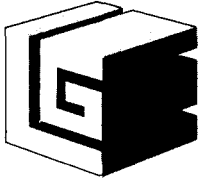
Thank you for your assistance in processing our application.

Sincerely,



Rudy J. Cabina
Vice President
:gf

cc: Bill Thomas, DER/ SW District
Jerry Campbell, HCEPC
Bill Thomas, DER /Tall
Bob Daugherty, DER/Tall



PM
4-29-87
Tampa, FL

GARDINIER INC.

File Copy
DER
MAY 4 1987
BAQM

Post Office Box 3269 Tampa, Florida 33601 Telephone 813-677-9111 TWX 810-876-0648 Telex-52666 Cable - Gardinphos

RUDY J. CABINA
VICE PRESIDENT

April 28, 1987

Mr. Bob Daugherty
Florida Department of
Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301

RE: Proposed Gardinier Phosphogypsum Storage Area
Air Pollution Source Permit Application
AC 29-131183

Dear Bob:

This letter is in response to your questions regarding fluoride evolution from the phosphogypsum pond.

Numerous studies have been made by researchers in the past for chemical plants with and without the recovery of fluosilicic acid.

The emission factors have ranged from 0.1 lb./acre/day to 10 lb./acre/day.

As stated in our air permit application, these emissions are considered fugitive emissions and their quantification is extremely speculative. Many variables including water temperature and concentrations of calcium, fluorides, silica, aluminum, and iron influence the emission of fluorides. The use of any particular emission factor is hampered by the fact that the variables mentioned above are all varying at the same time.

The recovery of fluosilicic acid has the potential for reducing the fluoride evolution; however, all of the studies indicate a more complex situation with the emission factors ranging tremendously.

Gardinier does not have any additional information to submit at this time.

Emissions from the new field are cancelled by the cessation of emissions from the old field. The old field will not have any ponded liquid on its surface and will be closed and grassed.

Sincerely,

Rudy J. Cabina

Rudy J. Cabina
Vice President

:gf

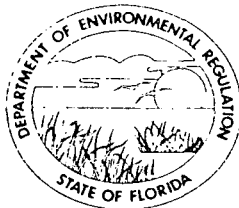
cc: Clair Fancy/DER
Rob Rhodes/H&K
Henk Mathot

*copied
Bob Daugherty, 5-4-97 WH*

File

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

May 12, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Rudy J. Cabina, Vice President
Gardinier, Inc.
P. O. Box 3269
Tampa, Florida 33601

Dear Mr. Cabina:

Re: Replacement Phosphogypsum Storage Area
(File No. AC 29-131183)

The Department continues with the preliminary review of your application for a permit to construct a replacement phosphogypsum storage area. Before this application can be processed, the Department will need additional information as follows:

1. Method of constructing a dike raise/lift is not clear. Please detail.
2. Please furnish pages 3 and 5 of the following support document: SUMMARY OF TESTIMONY TO BE PRESENTED ON GARDINIER'S PROPOSED NEW GYPSUM DISPOSAL SITE AND ITS EFFECTS ON FLUORIDE EMISSIONS by Lewis H. Rogers, Ph.D.
3. Please furnish pages 33, 34, 35, 40, 41, 46, 47, 48, and all pages after 62 of the following support document: GARDINIER APPLICATION FOR DEVELOPMENT APPROVAL AND REZONING, DRI PET. No. 76; REZONING APPLICATION No. 83-6; TRANSCRIPT OF TESTIMONY AND PROCEEDINGS; 29 February, 1984, @ 5:30 p.m.

If you have any questions on this information needed to complete your application, please write me or call Bob Daugherty at

Mr. Rudy J. Cabina
Page Two
May 12, 1987

(904)488-1344. We will resume processing your application when the information requested is submitted.

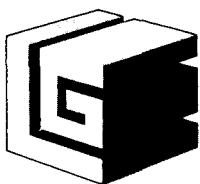
Sincerely,



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

CHF/BD/s

cc: J. Campbell, HCEPC
B. Thomas, SW District
R. J. Nettles, P.E.



GARDINIER INC.

DER

JUN 8 1987

BAQM

Post Office Box 3269 Tampa, Florida 33601 Telephone 813-677-9111 TWX 810-876-0648 Telex-52666

RUDY J. CABINA
VICE PRESIDENT

June 3, 1987

Mr. Clair H. Fancy
Deputy Chief
Air Quality
State of Florida
Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399

RE: Replacement Phosphogypsum Storage Area
(File No. AC 29-131183)

Dear Mr. Fancy:

This letter is in response to your request for additional information with regards to processing Gardinier's air construction permit for the replacement gypsum storage area.

As was described in the paragraphs on peripheral deposition phosphogypsum is deposited in incremental depths of 6 to 10 inches on a shallow sloped area sloping to the pond on top of the storage stack. This material is allowed to dewater for 5 to 7 days. At this time, a portion of the still moist gypsum is moved by bulldozer to the top of the existing dike. Additional deposition volume is created by small berms as are shown on the attached sketch.

The typical sequence shown on the attached sketch takes from 6 - 9 weeks and results in a dike raise of 6 - 10 inches. The total annual dike raise is as shown on the sketch.

I trust that this information completes the application and will conclude your review which will finalize the application process.

Sincerely,

Rudy J. Cabina

:gf

Attachments

Victor San Agustin HCEPC
William L. Thomas SWO/st. 6-11-87 RRK

27 Aug 87 Howard R.
OK w/me.

Maggie - 7/23
make copy for
John Reynolds and
put this in Gardinier
permit file
Clan



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

Interoffice Memorandum

TO: Dale Twachtmann
John Shearer

THRU: Howard Rhodes

FROM: Steve Smallwood

DATE: August 10, 1987

SUBJECT: AIR PROGRAM INFORMATION MEMO:
Air Pollution Application Permit No. AC 29-131183
Gardinier, Inc.

FOR ROUTING TO OTHER THAN THE ADDRESSEE	
To: STEVE Smallwood	LOCUS: _____
To: _____	LOCUS: _____
To: _____	LOCUS: _____
From: _____	DATE: _____

DER
AUG 26 1987
BAQM

On March 2, 1987, Gardinier, Inc. applied to the DER's Bureau of Air Quality Management (BAQM) for a permit to construct a replacement phosphogypsum storage area (hereinafter referred to as the stack) at their Tampa phosphate fertilizer chemical complex. The BAQM determined on June 8, 1987, that this application was complete. Information submitted by Gardinier, Inc. shows that the construction of the storage area will comply with all applicable federal, state, and local air pollution regulations. We plan to Notice an Intent to Issue an exemption from permitting for this source if Gardinier, Inc. will waive the Section 120 requirement that an exemption be issued within 30 days for the stack. We are proposing to exempt this specific stack from having to get a DER air permit because we have determined from the information submitted by Gardinier, Inc. that the stack is not a significant source of particulate flourides. With your approval, it is our intention to amend FAC Rule 17-4.040 (list of exempt sources) to exempt all gyp stacks from air permitting requirements. We will also Notice an Intent to Issue an air construction permit for the stack in the event that the company chooses not to waive the clock. OGC has determined with our concurrence that the Florida Department of Health and Rehabilitative Services (HRS) is the agency with the primary responsibility to regulate radiation for this type of facility.

PRIOR HISTORY OF THE GARDINIER, INC. CASE

In 1982, Gardinier, Inc. applied to the Department for an industrial waste permit for its Tampa chemical facility and stack. An environmental group known as Manasota-88 challenged the

Dale Twachtmann
Page 2
August 10, 1987

proposed issuance of that permit. The grounds for that challenge were that the impact on air quality had not been evaluated. This petition was dismissed as irrelevant to the issuance of the industrial waste permit; however, prior to the dismissal, the Department's Southwest District Office requested and reviewed information from Gardinier, Inc. concerning potential air emissions from the stack. Based on this information, the District Office informed Gardinier, Inc. that it did not need to apply for an air pollution permit for the stack. Again, Manasota-88 filed a petition seeking an administrative determination of the Department's decision not to require an air permit application from Gardinier, Inc. This case was finally considered by the First District Court of Appeals and was remanded for a Section 120.57 Administrative Hearing. The Court reasoned that the Department had created the air pollution issue itself by making the determination that Gardinier, Inc. did not have to submit an air pollution permit application. This decision by the Southwest District Office was determined by the Court to be "final agency action", which was subject to a Section 120.57 review, if challenged. The case on remand later became moot when, during the administrative hearing, Gardinier, Inc. announced its intention to file an air pollution permit application for the stack. Manasota-88's primary concern in challenging the issuance of any permit or exemption for the stack was the potential threat to human health from radiation in the form of radon, which might be emitted from the stack.

PRESENT STATUS OF GARDINIER, INC. PERMIT

Gardinier, Inc.'s present permit application was determined complete on June 8, 1987. Manasota-88 has announced its intention to challenge any proposed issuance of a permit or exemption of the Gardinier, Inc. stack, based on the potential radiation emission hazards. The Department has reasonable assurances that, aside from the radiation issue, the Gardinier, Inc. stack will not violate any Department air rules or ambient air standards. The BAQM plans to Notice the Department's intention to grant to Gardinier, Inc. an exemption from permitting for this specific stack; or, alternatively, to issue a permit to construct the stack in case Gardinier, Inc. chooses not to waive the Section 120.60(2) requirement that an exemption be granted within 30 days if a source is determined to be exempt. The ERC would be informed of the decision to exempt a source pursuant to FAC Rule 17-4.040(11) if you choose to grant the exemption upon taking final agency action on this permit application. We plan to mail out the Notice package on Friday (14th).

Dale Twachtmann
Page 3
August 10, 1987

THE RADIATION ISSUE AND PROPOSED RESOLUTION

It is the opinion of the BAQM staff that primary jurisdiction for regulating radiation lies with the HRS. Chapter 404, Florida Statutes, specifically empowers HRS to "adopt, promulgate, amend and repeal rules and standards which may provide for licensure, registration or regulation relating to the manufacture, production, transportation, use, possession, handling, treatment, storage, disposal, sale, lease, or other disposition of radioactive material, including naturally occurring radioactive material and low-level radioactive waste...". In short, as the issue concerns human health, HRS is charged with primary authority to regulate radiation hazards. HRS has promulgated human safety standards for radiation and does license and regulate many radiation sources and wastes. It is the BAQM staff's opinion that any regulation of radiation which may emanate from the Gardinier, Inc. stack should be done by HRS. A thorough reading of both Chapter 403 and Chapter 404, Florida Statutes, by Betsy Pittman of OGC, demonstrates that the DER's authority to regulate radiation with respect to human health from this type of source is clearly secondary to HRS's jurisdiction.

SS/ss

cc: Howard Rhodes
Richard Harvey
Randy Armstrong
Richard Garrity
Clair Fancy
Betsy Pittman

Copied: Bob Daugherty
Clair Fancy
Steve Smallwood
Reading file - CAPS
Reading file - Bureau Chief. } 8/10/87 (mg)

WAIVER OF 30 DAY TIME LIMIT
UNDER SECTION 120.60(2), FLORIDA STATUTES

29-131183

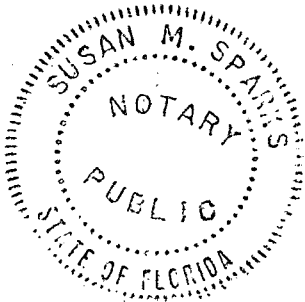
Air Permit Application No. ~~29-130371~~ DBM

Applicant's Name: Gardinier, Inc.

The undersigned has read Section 120.60(2), Florida Statutes, and fully understands the Applicant's rights under that section.

With regard to the above referenced permit application, the Applicant hereby with full knowledge and understanding of its rights under Section 120.60(2), Florida Statutes, waives the right under Section 120.60(2), Florida Statutes, to be notified by the State of Florida Department of Environmental Regulation within the 30 day permit exemption time period prescribed in Section 120.60(2), Florida Statutes as to whether the activity for which it seeks exemption is exempt from permitting. Said waiver is made freely and voluntarily by the Applicant, and without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Regulation.

The undersigned is authorized to make this waiver on behalf of the Applicant.



Sworn to and subscribed
before me this 13th day
of August, 1987.

Susan M. Sparks
Notary Public State of Florida
My Commission expires:

Notary Public, State of Florida
My Commission Expires Nov. 7, 1993
Bonded Thru Troy Fain Insurance, Inc.

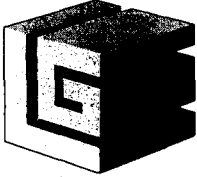
D. Bruce May
D. Bruce May, of
Holland & Knight

Attorneys for
Gardinier, Inc.

8-13-87
Date

PM
26 Aug. 87
Tampa, FL

file copy



GARDINIER INC.

Post Office Box 3269 Tampa, Florida 33601 Telephone 813-677-9111 TWX 810-876-0648 Telex-52866 Cable-Gardinphos

August 26, 1987

DER

AUG 28 1987

BAQM

Mr. Clair Fancy
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 323-99-2400

Subject: Proof of Publication - Intent to Issue Permit
Phosphogypsum Storage Area Replacement
Exemption from Air Permit
Ac 29-131183

Dear Sir:

You will find attached Proof of Publication of Intent to Issue Permit by the Department of Environmental Regulation.

If there are any questions, please contact me.

Sincerely,

E.G. Morris
Environmental Manager

:gf

cc: D. Williams
J. Campbell/HCEPC
R. Cabina

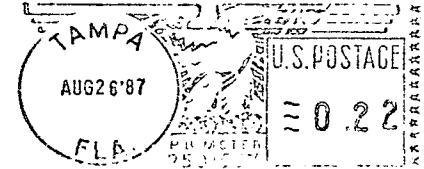
copied Bob Daugherty } 8/28/87
Betsy Pittman } (ms)

Spoke with Coral -
Ivan Choronenko
Secretary on 8/28/87, @ 12:15 approx.
re: HCEPC address on the
Public Notice - she said
she would place the packet
in the green file at the address
on the Public Notice which allows
the public the opportunity to
view the document. (ms)



GARDINIER INC.

P. O. BOX 3269 TAMPA, FLORIDA 33601



Mr. Clair Fancy
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 323-99-2400

**BEST AVAILABLE COPY
THE TAMPA TRIBUNE**

Published Daily
Tampa, Hillsborough County, Florida

AC 29-131183

State of Florida
County of Hillsborough

**DER
AUG 28 1987
BAQM**

Before the undersigned authority personally appeared
G. T. Gleason, who on oath says that he is Controller 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 **NOTICE OF PROPOSED AGENCY ACTION**

was published in said newspaper in the issues of
AUGUST 24, 1987

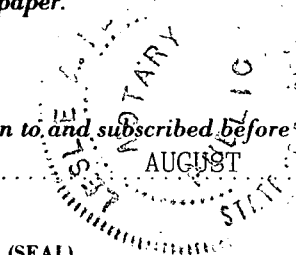
Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa, in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post 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 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.

G. T. Gleason

Sworn to and subscribed before me, this 24th day
of AUGUST A.D. 19 87

Leslie R. Peralta

Notary Public, State of Florida
My Commission Expires Nov. 23, 1990
Bonded Thru Troy Fain - Insurance Inc.

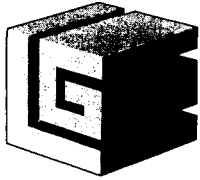


Legals
The Department of Environmental Regulation gives notice of its intent to issue an exemption from air permitting to Gardinier, Inc.'s proposed construction of a phosphogypsum storage area replacement located south of Tampa near the intersection of U.S. Highway 41 and River-view Drive in Hillsborough County.
In the alternative, if it is determined by any administrative hearing on this matter that the phosphogypsum storage area replacement is unable to qualify for this exemption, then this notice shall also constitute a notice of intent to issue a permit to construct an air pollution source, the phosphogypsum storage area replacement.
Persons 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. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Office of General Counsel of the Department at 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 request for hearing 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.
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 position taken by it in this preliminary statement. Therefore, persons who may not object to the proposed agency action may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207 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 32399-2400. 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:
Hillsborough County Environmental Protection Commission
1900 9th Avenue
Tampa, Florida 33605
Dept. of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Department of Environmental Regulation
Southwest District
4520 Live Oak Fair Blvd.
Tampa, Florida 33610-7347
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.
3720 8/24/87
Sealed bids will be received for the Hillsborough County Aviation Authority by the Purchasing Manager in the Central Office of the Hillsborough

State of Florida
Department of Environmental Regulation
Regulation Notice of Proposed Agency Action on Permit Application
Gardinier, Inc. has requested permission to construct and operate a replacement phosphogypsum storage area. Gardinier is exchanging one operating phosphogypsum storage area for another. The present operating phosphogypsum storage area will be closed, sealed and grassed as required by Condition No. 39 in Part IV of the Hillsborough County DRI Development Order No. 76.

PM
Air Borne Express
Billing # 373461690
9/4/87

file copy



GARDINIER INC.

Post Office Box 3269 Tampa, Florida 33601 Telephone 813-677-9111 TWX 810-876-0648 Telex-52666 Cable-Gardinphos

September 3, 1987

Mr. Clair Fancy
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 323-99-2400

Maggie 9/4
Betsy recalls 9/8 is end of 14
days for requesting hearing. This was
an error, as, believe it or not, Betsy's
rules had not been updated. I'll
need to know exact status of
this on Wednesday.
[Signature]

Subject: Proof of Publication - Intent to Issue Permit
Phosphogypsum Storage Area Replacement
Supplemental Notice

Dear Sir:

You will find attached Proof of Publication of Intent to Issue Permit by
the Department of Environmental Regulation.

If there are any questions, please contact me.

Sincerely,

Ozzie Morris/gf

E. O. Morris
Environmental Manager

:gf

cc: D. Williams
J. Campbell/HCEPC
R. Cabina

DER

SEP 4 1987

BAQM



RECEIVER'S COPY

202 (5/86)

ORIGIN	AIRBILL NO.
--------	-------------

FROM (COMPANY NAME) GARDINIER FNC.			TO (COMPANY NAME) EPA DEPT. ENVIRONMENTAL Regulation		
ADDRESS PO Box 3269 U.S. 91st Ave. W. DR			ADDRESS 2600 BIA 2 St. no Road		
CITY FT TAMPA	STATE FL	ZIP CODE (REQUIRED) 33534	CITY Tallahassee	STATE FL	ZIP CODE (REQUIRED) 323-99-2400
SENT BY (NAME/DEPT.) F. D. Morris (813) 677-9111			ATTN. (NAME/DEPT.) MR. Clarence (904) 488-3704		
BILLING REFERENCE INFORMATION TO APPEAR ON INVOICE			RECEIVER'S AIRBORNE EXPRESS ACCOUNT NO.		

TYPE OF PACKAGING		DESCRIPTION OF CONTENTS	NO. OF PACKAGES	WEIGHT (LBS.)	SENDER'S C.O.D. \$
<input checked="" type="checkbox"/> EXPRESS/AD PACK ENVELOPE	<input type="checkbox"/> LETTER EXPRESS (UP TO 8 OZ.)				
<input type="checkbox"/> EXPRESS PACK BOX/TUBE	<input type="checkbox"/> MAG TAPE PACK				

BILL CHARGES TO (ASSUMED SENDER UNLESS OTHERWISE SPECIFIED)		TYPE OF SPECIAL SERVICE (EXTRA CHARGES MAY APPLY)	
<input checked="" type="checkbox"/> SENDER	<input type="checkbox"/> RECEIVER	<input type="checkbox"/> SPECIAL PICKUP	<input type="checkbox"/> SATURDAY DELIVERY
<input type="checkbox"/> 3RD PARTY	AIRBORNE EXPRESS ACCOUNT NO. _____	<input type="checkbox"/> SPECIAL DELIVERY	TIME _____
<input type="checkbox"/> PAID IN ADVANCE \$ _____	CHECK NUMBER _____	<input type="checkbox"/> HOLD AT AIRBORNE FOR PICKUP (NO CHARGE)	<input type="checkbox"/>

ROUTING

1 CH 3B

AIRBORNE SIGNATURE _____ DATE RECEIVED _____ TO REMOVE COPY INSERT DENIAL

(UP TO 8 OZ.)

<input type="checkbox"/> EXPRESS PACK BOX/TUBE	<input type="checkbox"/> MAG TAPE PACK
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BILL CHARGES TO (ASSUMED SENDER UNLESS OTHERWISE SPECIFIED)		TYPE OF SPECIAL SERVICE (EXTRA CHARGES MAY APPLY)	
<input checked="" type="checkbox"/> SENDER	<input type="checkbox"/> RECEIVER	<input type="checkbox"/> SPECIAL PICKUP	<input type="checkbox"/> SATURDAY DELIVERY
<input type="checkbox"/> 3RD PARTY	AIRBORNE EXPRESS ACCOUNT NO. _____	<input type="checkbox"/> SPECIAL DELIVERY	TIME _____
<input type="checkbox"/> PAID IN ADVANCE \$ _____	CHECK NUMBER _____	<input type="checkbox"/> HOLD AT AIRBORNE FOR PICKUP (NO CHARGE)	<input type="checkbox"/>

THE TAMPA TRIBUNE
 Published Daily
 Tampa, Hillsborough County, Florida

State of Florida }
 County of Hillsborough } ss.

Before the undersigned authority personally appeared James L. Gonnering, who on oath says that he is Assistant Comptroller 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 **NOTICE OF PROPOSED AGENCY ACTION ON PERMIT APPLICATION**

.....
 was published in said newspaper in the issues of -----
 -----**SEPTEMBER 1, 1987**-----

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 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 1st day
 of SEPTEMBER, A.D. 19 87

James L. Gonnering
Fisher A. Peratta
 (Seal) Notary Public, State of Florida
 My Commission Expires Nov. 23, 1990
 Bonded Thru Troy Fain - Insurance Inc.

State of Florida
 Department of Environmental
 Regulation Supplemental
 Notice of
 Proposed Agency Action
 on Permit Application
 On August 24, 1987, the Department of Environmental Regulation ("Department") published notice of its intent to issue an exemption from air permitting to Gardinier, Inc.'s proposed construction of a phosphogypsum storage area replacement ("replacement") located south of Tampa near the intersection of U. S. Highway 41 and Riverview Drive in Hillsborough County.
 In the alternative, the Department contemporaneously published notice of intent to issue a permit to construct an air pollution source for the replacement if it is determined by any administrative hearing on this matter that such replacement is unable to qualify for the exemption.
 The original notice incorrectly limited the comment period to 14 days. Any person may send in written comments on the proposed action to Mr. Bill Thomas at the Office of General Counsel of the Department at 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400. All comments mailed within 30 days of the publication of this notice will be considered in the Department's final determination.
 3847 9/1/87

DER
 SEP 4 1987
 BAQM

COMMISSION
RODNEY COLSON
PAM IORIO
RUBIN E. PADGETT
JAN KAMINIS PLATT
HAVEN POE
JAMES D. SELVEY
PICKENS C. TALLEY II



PM
2 Sept. 87
Tampa, FL

file copy

ROGER P. STEWART
DIRECTOR
1900 - 9th AVE
TAMPA, FLORIDA 33605

TELEPHONE (813) 272-5960

DER
SEP 4 1987

BAQM

MEMORANDUM

Date September 1, 1987

To Bill Thomas

From Victor San Agustin thru Jerry Campbell *VSA Jc*

Subject: Air Permit Exemption for Gardinier's Proposed Gypsum Stack *AC 29-131183*

EPC/HC staff has reviewed the draft Notice of Intent to Issue an Exemption from air permitting and the draft Notice of Intent to Issue a construction permit.

The proposed gypsum stack should be exempted from air permitting. We believe the Hillsborough County DRI Development Order No. 76 issued to Gardinier has comprehensive analyses from environmental experts which reasonably assure us that the proposed pile will not pose a threat or nuisance to public health and welfare. Furthermore, the same development order contains requirements which we believe adequately addresses our air pollution concerns. The items of concern to us are:

- a. Development of a comprehensive ambient monitoring plan for fluorides, radon, and particulate matter. This also includes a plan for monitoring fluorides in grass, and fluoride plates. There are also preconstruction monitoring requirements for fluorides and radon.
- b. Development of a comprehensive plan to decommission the existing gypsum pile.
- c. Development of a buffer between the proposed pile and Progress Village Elementary School.
- d. Initiation of research efforts to identify alternative uses of gypsum by-products.
- e. Development of a plan to plant vegetation on both existing and proposed piles.

We are tracking all the requirements that pertain to air pollution and have been reviewing the preconstruction ambient monitoring reports submitted by the company. We also participate in the implementation of the above developments.

We believe issuing an air pollution permit which reiterates the same conditions that are already covered in the Development Order accomplishes nothing and creates duplicate paperwork.

Bill Thomas
Memorandum
September 1, 1987
Page 2

On the other hand, should any administrative hearing determine that an air pollution permit must be issued for this source, we recommend that your proposed construction permit be revised to reiterate all the air pollution related requirements in the development order.

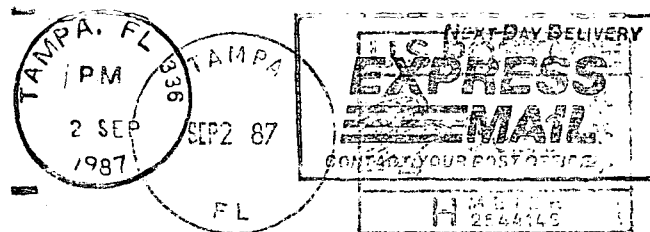
Should you have any questions, please call.

VSA/ch

Copies: CHF/BT
B. Daughtery
R. Pittman

} 9/14/87 mg

Environmental Protection Commission
of
Hillsborough County
1900 9th Avenue
Tampa, Florida 33605



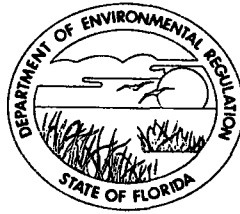
Mr. Bill Thomas, P. E.
Central Air Permitting Section
Bureau of Air Quality Management
2600 Blair Stone Road
Twin Towers Office Bldg.
Tallahassee, FL 32399-2400



File copy

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

September 28, 1987

Mr. Rudy J. Cabina
Vice President
Gardinier, Inc.
Post Office Box 3269
Tampa, Florida 33601

Dear Mr. Cabina:

The Department has reviewed your air pollution permit application #AC29-131183 for placement of a phosphogypsum storage area in Hillsborough County and has determined that the activity as proposed in the application is exempt from air pollution permitting requirements pursuant to Section 17-4.04(11), Florida Administrative Code. This determination has been made for the following reasons: the activity does not cause the issuance of air contaminants in sufficient quantity with respect to their character, quality or content, and the circumstances surrounding the location, use and operation, as to contribute significantly to the air pollution problem within the State; and, does not cause the issuance of contaminants in violation of Chapter 403, Florida Statutes, or Florida Administrative Code Rule 17-2.

The Department's intention to issue this exemption of August 14, 1987, was publicly noticed on August 24, 1987, and no petition opposing issuance of the exemption was received by the Department with the allotted time frames.

This letter does not relieve you from the responsibility of obtaining any permits that may be required by other state, federal, or local laws.

Sincerely,

Dale H. Twachtmann
Secretary

Copies:

- Bill Thomas, SW Dist.
- Ferry Campbell, HCEPC
- Bob Daugherty } CAPs
- Bill Thomas } CAPs
- DHT/mdc
- E RC D memo (To Mary Pat Talton)
- Betsy P. Hman. } OAC
- Dan Thompson } OAC
- John Reynolds

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP		ACTION NO.
		ACTION DUE DATE
1. TO: (NAME, OFFICE, LOCATION) Dale Twachtmann	9/29/87	INITIAL DATE
2. Dan Thompson <i>HT</i>		INITIAL DATE
3. John Bottcher <i>JB</i>		INITIAL DATE
4.		INITIAL DATE
<p>REMARKS:</p> <p>Letter to Gardinier, Inc. granting exemption from air permitting for phosphogypsum stack in Tampa for signature.</p> <p>Supporting documentation is provided for your information. ^{must} Needs signature by October 1st.</p> <p><i>(Oct 2 is 90th day of permit) HT</i></p> <p><i>Call when completed. Bruce Mitchell (11/1/87) 8-1344</i></p>		<p>INFORMATION</p> <p><input checked="" type="checkbox"/> REVIEW & RETURN</p> <p><input checked="" type="checkbox"/> REVIEW & FILE</p> <p><input checked="" type="checkbox"/> INITIAL & FORWARD</p> <p>DISPOSITION</p> <p><input checked="" type="checkbox"/> REVIEW & RESPOND</p> <p><input checked="" type="checkbox"/> PREPARE RESPONSE</p> <p><input checked="" type="checkbox"/> FOR MY SIGNATURE</p> <p><input checked="" type="checkbox"/> FOR YOUR SIGNATURE</p> <p><input checked="" type="checkbox"/> LET'S DISCUSS</p> <p><input checked="" type="checkbox"/> SET UP MEETING</p> <p><input checked="" type="checkbox"/> INVESTIGATE & REPT</p> <p><input checked="" type="checkbox"/> INITIAL & FORWARD</p> <p><input checked="" type="checkbox"/> DISTRIBUTE</p> <p><input checked="" type="checkbox"/> CONCURRENCE</p> <p><input checked="" type="checkbox"/> FOR PROCESSING</p> <p><input checked="" type="checkbox"/> INITIAL & RETURN</p>
FROM: Betsy Pittman		DATE 9/22
		PHONE

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

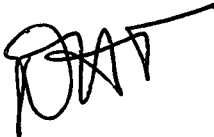


Interoffice Memorandum

FOR ROUTING TO OTHER THAN THE ADDRESSEE

To: _____ LOCTH: _____
To: _____ LOCTH: _____
To: _____ LOCTH: _____
From: _____ DATE: _____

TO: Environmental Regulation Commission

FROM: Dale Twachtmann
Secretary 

DATE: September 28, 1987

SUBJECT: 17-4.04(11), F.A.C., Exemption for Placement
of Phosphogypsum Disposal Area in Hillsborough
County

Pursuant to Florida Administrative Code Rule 17-4.04(11), the Department has determined that placement of a phosphogypsum disposal area in Hillsborough County is exempt from permitting for construction of an air pollution source. A copy of the letter of exemption and background information is attached. The rule also requires the Department to provide the Commission notice of this.

DHT/mdc