

Full 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 2, 1987

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

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

Dear Mr. Cabina:

Attached is one copy of the Technical Evaluation and Preliminary Determination and proposed permit to construct a Dock Conveying System at your Tampa facility.

Please submit, in writing, any comments which 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/ss

Attachments

- cc: W. Thomas, SW Dist.
- D. Buff, KBN
- W. Aronson, EPA
- M. Flores, NPS
- J. Campbell, EPCHC
- E. Morris, Gardinier, Inc.

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action
on Permit Application

The Department of Environmental Regulation gives notice of its intent to issue a permit to Gardinier, Inc., to construct a dock conveying system at its East Tampa plant located six and one-half miles southeast of Tampa on U.S. Highway 41 in Hillsborough County. A contemporaneous project at the Gardinier plant involves shutting down the existing run-of-pile triplesuperphosphate units and shifting that production capacity over to the No. 5 DAP plant. As a result of the transfer of production and the contemporaneous shutdowns, emissions of all affected criteria air pollutants will be reduced. Consequently, the dock conveying system is exempted from the new source review requirements under FAC Rule 17-2.510.

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:

Dept. of Environmental Regulation
SW District
4520 Oak Fair Blvd.
Tampa, Florida 33610-7349

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

Hillsborough County Environmental
Protection Commission
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.

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.

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of
Application for Permit by:

Gardinier, Inc.
Post Office Box 3269
Tampa, Florida 33601

DER File No. AC 29-136776

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 July 13, 1987, to the Department of Environmental Regulation for a permit to construct a dock loading conveying system at their existing facility in Tampa, 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.

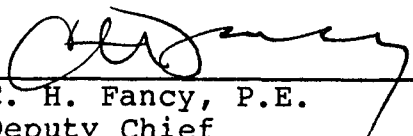
Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, FAC, you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed Agency Action on permit application. The notice must be published one time only in a section of a major local newspaper of general circulation 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 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 requirement of Florida Administrative Code Rules 17-103.155 and 28-5.201 (copies 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:

W. Thomas, SW Dist.
D. Buff, KBN
W. Aronson, EPA
M. Flores, NPS
J. Campbell, EPCHC
E. Morris, Gardinier, Inc.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on 9-4-87.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.

Martha Jane Wise
Clerk

9-4-87
Date

Technical Evaluation
and
Preliminary Determination

Gardinier, Inc.
Hillsborough County

Dock Conveying System
Permit No. AC 29-136776

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

September 2, 1987

I. Application Information

A. Applicant

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

B. Request

The Department received an application on July 13, 1987, for a permit to construct a Dock Conveying System for Gardinier's facility near Tampa. Sufficient information is included in the application and attachments thereto for making this evaluation and determination.

C. Project/Location

Gardinier's phosphate facility is located south of Tampa, Florida, at U.S. 41 South and Riverview Drive. The new conveying system will extend from the existing storage buildings southeastward to the dock located where the Alafia River enters Hillsborough Bay. The UTM coordinates of the site are: Zone 17, 363.2 km E and 3082.3 km N. Latitude of the site is 27° 51' 28" N while longitude is 82° 23' 15" W.

II. Project Description

Gardinier's existing product transport system utilizes a fleet of railcars loaded by payloaders and shuttled between the storage buildings and dock facilities. This labor-intensive system is limited in that loadout capability averages 360 tons of product per hour whereas typical dock loading rates require 400 tons per hour to avoid demurrage. Gardinier proposes to replace the railcar shuttle system with covered belt conveyors to move product directly from the storage buildings to the dock area. A fabric filter dust collector will be installed at each transfer point in the conveyor system. This will involve the installation of five new dust collectors and the relocation of one dust collector currently installed at the existing railcar unloading facility. That baghouse will be modified to control particulate from both the existing railcar unloading operation and the transfer points associated with the new No. 9 conveyor, surge bin, weigh hopper, shiploader surge hopper, and the existing shiploader conveyor.

The only air pollutant emitted from the proposed sources will be particulate matter. Emissions resulting from the new installations are as follows:

	Max. Outlet Grain Loading	Max. Emission Rate, lbs/hr	Actual Emissions Rate, TPY	Present Permit, TPY	Contempor- aneous Reduc- ion TPY	Net Change TPY
Baghouse No. 1	.02 gr/dscf	0.62	1.24**			
Baghouse No. 2	.02 gr/dscf	0.62				
Baghouse No. 3	.02 gr/dscf	0.62				
Baghouse No. 4	.02 gr/dscf	0.62	1.24			
Baghouse No. 5	.02 gr/dscf	1.19	2.38			
Existing Baghouse	*.02 gr/dscf	4.29	8.58	7.7	(13.1)	
		Total = 13.44		7.7	(13.1)	(7.3)

*Currently permitted at .03 gr/dscf under RACT Rule 17-2.650(2)(c)12.b; applicant requests re-permitting of this source at .02 gr/dscf.

**Only one of these sources will operate at any one time; none will operate for more than 4,000 hrs/yr.

The contemporaneous reduction credit is derived from the shutdown of the following equipment projected for the dates indicated (See Permit No. AC 29-135083):

No. 3 and No. 4 TSP Reactor Belts - August 1987
 No. 3 and No. 4 TSP Dryers - August 1987
 ROP/TSP Sizing Units - October 1987

IV. Rule Applicability

The permit application is subject to review under provisions of Chapter 403, Florida Statutes and Rule 17-2, Florida Administrative Code (FAC). The facility is located in an area designated as nonattainment for particulate matter (FAC Rule 17-2.410(2)).

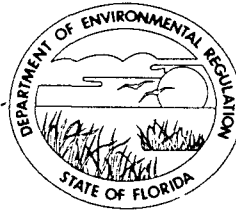
Gardinier's Dock Conveying System will be classified as a minor source of particulate matter within a major facility since the emissions of particulate from the conveying system will not exceed 100 TPY. The contemporaneous shutdown of the TSP sources will result in a net decrease in particulate emissions from the facility, thereby exempting the Dock Conveying System from new source review requirements for nonattainment areas (FAC Rule 17-2.510). The applicable rule for this project is the RACT Rule 17-2.650(2)(c)12.b., however, the emission limits proposed by the applicant are more stringent and shall apply.

V. Conclusion

The Department intends to issue a permit to construct the dock conveyor system in accordance with the plans and specifications stated in the application. The contemporaneous shutdowns will be included as specific conditions of the permit.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

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TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ
GOVERNOR
DALE TWACHTMANN
SECRETARY

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

Permit Number: AC 29-136776
Expiration Date: March 31, 1988
County: Hillsborough
Latitude/Longitude: 27° 51' 28" N
82° 23' 15" W
Project: Dock Conveying System

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 dock conveying system located at the permittee's phosphate fertilizer complex near the intersection of U.S. Highway 41 and Riverview Drive in Hillsborough County, Florida. The latitude and longitude and the UTM coordinates are 27°51'28"N by 82°23'15"W and 362.9 km E and 3082.5 km N, respectively.

Construction shall be in accordance with the attached permit application except as otherwise noted under the Specific Conditions set forth in this permit.

Attachments are as follows:

1. Application to Construct Air Pollution Sources, DER form 17-1.202(1), received on July 13, 1987.

PERMITTEE:
Gardinier, Inc.

Permit Number: AC 29-136776
Expiration Date: March 31, 1988

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 therefore 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 29-136776
Expiration Date: March 31, 1988

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 noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

PERMITTEE:
Gardinier, Inc.

Permit Number: AC 29-136776
Expiration Date: March 31, 1988

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 29-136776
Expiration Date: March 31, 1988

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. Maximum permitted conveying rate for the dock conveyor system shall be 750 tons of product per hour. If the conveying rate exceeds the maximum permitted rate by 10% at any time, a compliance test shall be conducted after notifying the Department. The test results along with other information listed in Specific Condition No. 6 shall be submitted to the Department and the Environmental Protection Commission of Hillsborough County (EPCHC) within 30 working days. Any emissions in excess of those listed in Specific Condition No. 2 shall constitute a violation of this permit. The dock conveyor system may operate up to 4,000 hours per year if permitted emission limits are not exceeded.

PERMITTEE:
Gardinier, Inc.

Permit Number: AC 29-136776
Expiration Date: March 31, 1988

SPECIFIC CONDITIONS:

2. Emissions of particulate matter from these sources shall not exceed the following limits:

*a. Baghouse #1 Conveyor Transfer Point: .02 gr/dscf and .62 lbs/hr and 1.24 TPY.

*b. Baghouse #2 Conveyor Transfer Point: .02 gr/dscf and .62 lbs/hr and 1.24 TPY.

*c. Baghouse #3 Conveyor Transfer Point: .02 gr/dscf and .62 lbs/hr and 1.24 TPY.

d. Baghouse #4 Conveyor Transfer Point: .02 gr/dscf and .62 lbs/hr and 1.24 TPY.

e. Baghouse #5 Conveyor Transfer/Screen Transfer Tower: .02 gr/dscf and 1.19 lbs/hr and 2.38 TPY.

f. West Bag Filter: .02 gr/dscf and 4.29 lbs/hr and 8.58 TPY.

*only a, b, or c shall be placed in operation at any one time.

3. Visible emissions (VE) for each source above shall not exceed 5% opacity during any 6 minute period. Compliance with this standard shall be determined by EPA Method 9, Visual Determination of the Opacity of Emissions from Stationary Sources as described in Appendix A of 40 CFR 60. If VE exceed 5% opacity, EPA Method 5, Determination of Particulate Emissions from Stationary Sources, shall be requested by the Department. Also, EPA Method 2 shall be required for the West Bag Filter. The SW District office and EPCHC shall be notified 15 days prior to test.

4. Fugitive emissions from the conveying and other equipment shall be controlled by sealing and/or venting all particulate to the pollution abatement equipment.

5. Reasonable precautions to prevent fugitive particulate emissions during construction, such as coating or spraying roads and construction sites used by contractors, shall be taken by the permittee.

6. Before the construction permit expires, each source listed in Specific Condition No. 2 will be sampled for emissions of particulate matter. Test procedures will be in accordance with EPA Methods 2 and 5

PERMITTEE:
Gardinier, Inc.

Permit Number: AC 29-136776
Expiration Date: March 31, 1988

SPECIFIC CONDITIONS:

as published in 40 CFR 60, Appendix A, dated July 1, 1986. The DER's SW District and EPCHC will be notified at least 15 days prior to the compliance test. The test will be conducted at permitted capacity or no less than 90% of the highest demonstrated operating capacity.

7. The construction shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, he must notify the Department and EPCHC in writing 60 days prior to the expiration of the construction permit and submit a new schedule and request for an extension of the construction permit (FAC Rule 17-4.09).

8. To obtain a permit to operate, the permittee must demonstrate compliance with the conditions of the construction permit and submit a complete application for an operating permit, including the application fee, along with test results and Certificate of Completion, to the Department's Southwest District office and EPCHC 90 days prior to the expiration date of the construction permit. An operating and maintenance plan consistent with the requirements of FAC Rule 17-2.650(2)(d) and (g) shall be submitted along with the operating permit application. The permittee may continue to operate in compliance with all terms of the construction permit until its expiration date. Operation beyond the construction permit expiration date requires a valid permit to operate (FAC Rules 17-4.22 and 17-4.23).

9. If the construction permit expires prior to the permittee requesting an extension or obtaining a permit to operate, then all activities at the project must cease and the permittee must apply for a new permit to construct (FAC Rule 17-4.210).

10. Upon obtaining an operating permit, the permittee shall be required to submit an annual report documenting that the actual operation and emissions of the conveyor system complied with these conditions. Visible emissions (VE) tests shall be performed annually.

11. The No. 3 and No. 4 Triple Superphosphate Reactor Belts and Dryers, and the ROP/TSP Sizing Unit sources shall permanently cease operation prior to the startup of the dock conveyor system.

PERMITTEE:
Gardinier, Inc.

Permit Number: AC 29-136776
Expiration Date: March 31, 1988

SPECIFIC CONDITIONS:

Issued this _____ day of _____, 19____

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL REGULATION

Dale Twachtmann, Secretary