

# NITRAM, INC.

5321 Hartford St. • P.O. Box 2968 • Tampa, Florida 33601 • Phone (813) 626-2181

September 18, 1984

Bill Thomas  
State of Florida  
Department of Environmental  
Regulation  
2600 Blair Stone Road  
Tallahassee, FL 32301

DER

SEP 21 1984

BAQM

Re: AC 29-089405

Dear Bill:

Documenting our telephone conversations regarding the subject permit, Nitram is requesting that Specific Conditions 2 and 13 be stricken from the permit, for the following reasons.

Specific Condition 4 limits the NO<sub>x</sub> emissions to 3 lbs. per ton of 100% Nitric Acid and restricts the total daily emissions to 2,100 lbs. per day. Once those two restrictions are adhered to, any production rate, either higher or lower than the design of 700 tons per day, is regulated. Lower rates are limited to 3 lbs. per ton which will necessarily result in emissions less than 2,100 lbs./day. Higher rates would be regulated by 2,100 lbs/day which would require operation of the plant at less than 3 lbs. NO<sub>x</sub>/Ton of 100% acid. In either event, emissions would be no more than the permitted amount.

Limiting the amount of Nitric Acid that can be produced, as in Condition 2, or the equipment that can be operated, as Condition 13, serves no environmental purpose, and unnecessarily restricts Nitram.

I appreciate your understanding, and your assistance in eliminating these restrictions.

Also, please find enclosed the original of the "Notice of Proposed Agency Action" as it appeared in the Tampa Tribune on September 14, 1984. This is enclosed as the required proof of publication called for in Mr. Fancy's letter of August 27.

Sincerely yours,

NITRAM, INC.



Daniel E. Ross, P.E.  
Technical Manager

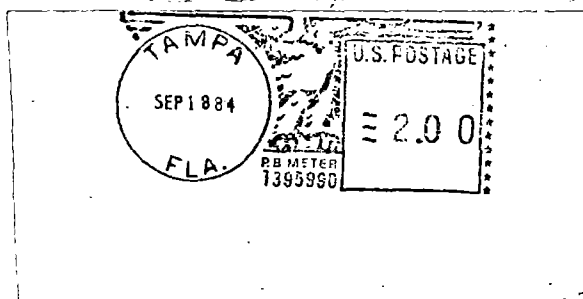
DER/co

cc: Wm Thomas, DER, Tampa, FL.  
V. San Augustine



**NITRAM, INC.**

Post Office Box 2968, Tampa, Florida 33601



Mr. Bill Thomas  
Dept. of Environmental Regulation  
Bureau of Air Quality Management  
2600 Blair Stone Road  
Tallahassee, FL 32301

**CERTIFIED**

**P09 1547578**

**MAIL**

TO PLACE AN AD IN THIS CLASSIFIED SECTION CALL

BRANDON	685-4581	LAKELAND	683-6531
BROOKSVILLE	796-6715	PORT RICHEY	868-2173
DADE CITY	567-3181	PLANT CITY	752-2615
INVERNESS	726-3156	TAMPA	272-7500
		RUSKIN	645-4615

Call toll free from  
CLEARWATER 446-7914

**Legals**

State of Florida  
Department of  
Environmental Regulation  
Notice of Proposed Agency  
Action on Permit Application  
The Department gives notice of its intent to issue a permit to Nitram, Inc. to authorize construction of a 700 TPD nitric acid plant at their facility located at 5321 Hartford Street in Tampa, Hillsborough County, Florida.

Two existing nitric acid plants, having a total production rate of approximately 700 TPD, will be combined and modified into a single, more efficient, nitric acid plant with the same production capacity, 700 TPD. The allowable nitric oxides emissions from nitric acid production will remain at 3 lb NOx/T acid produced or 383 TPD. A Best Available Control Technology (BACT) determination was not required for this project.

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 32301, 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 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 32301. 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:

Department of  
Environmental Regulation  
Southwest District  
7601 Highway 301 N.  
Tampa, Florida 33610  
Department of  
Environmental Regulation  
Bureau of Air  
Quality Management  
2600 Blair Stone Road  
Tallahassee, Florida 32301  
Hillsborough County  
Environmental Protection  
Commission  
1900 9th Avenue  
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 30 days of the publication of this notice will be considered in the Department's final determination.