

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

January 31, 1990

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

Mr. F. W. Cheesman, President
Consolidated Minerals, Inc.
P. O. Box 790
Plant City, Florida 33564

Dear Mr. Cheesman:

Attached is one copy of the Technical Evaluation and Preliminary Determination and proposed permit to construct a borax storage/handling system at your Plant City, Hillsborough County, Florida phosphate chemical plant.

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 Regulation.

Sincerely,

C. H. Faney, P.E.
Chief
Bureau of Air Regulation

CHF/WH/plm

Attachments

c: Bill Thomas, SW Dist.
Jerry Campbell, EPCHC
Anthony Lenkei, P.E.

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 1-31-90.

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.

John Ober
Clerk

1-31-90
Date

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of
Application for Permit by:

Consolidated Minerals, Inc.
P. O. Box 790
Plant City, Florida 34289

DER File No. AC 29-172279

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, Consolidated Minerals, Inc., applied on November 3, 1989, to the Department of Environmental Regulation for a permit to construct a borax storage/handling system.

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 is required 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 Intent to Issue Permit. The notice shall be published one time only within 30 days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department, at the address specified within seven days of publication. 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. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. 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.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and


(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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 notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application(s) have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office in General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such

person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

Copies furnished to:

Bill Thomas, SW Dist.
Jerry Campbell, EPCHC
Anthony Lenkei, P.E.

State of Florida
Department of Environmental Regulation
Notice of Intent to Issue

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit (AC 29-172279) to Consolidated Minerals, Inc., P. O. Box 790, Plant City, Florida 33564, to construct a borax storage/handling system at their existing phosphate chemical plant located on Coronet Road, Plant City, Hillsborough County, Florida. Particulate matter emissions from the new source are estimated to be 0.2 lbs/hr and 0.1 TPY. These emissions will not violate any ambient air quality standard. A determination of Best Available Control Technology (BACT) was not required. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

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. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. 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.

The Petition shall contain the following information:

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

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 Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The application is available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

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

Department 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

Consolidated Minerals, Inc.
Hillsborough County
Plant City, Florida

Borax Storage/Handling System
File No. AC 29-172279

Department of Environmental Regulation
Division of Air Resources Management
Bureau of Air Regulation

January 31, 1990

I. General Information

A. Applicant

Consolidated Minerals, Inc. (CMI)
P. O. Box 790
Plant City, Florida 34289

B. Request

On November 3, 1989, the applicant submitted an application for a permit to construct a borax storage/handling system. This application was considered complete on December 15, 1989, when additional information on the project was received (CMI letter dated December 12, 1989).

C. Project and Location

The applicant proposes to install a pneumatic rail car unloading conveyor, borax bulk storage tank, enclosed conveyor belt, and a Flex-Kleen Model 84 BVBS-16 dust collect to serve the KBF4 plant currently operating under permit No. AO 29-139058 at their phosphate chemical plant (SIC 2899) located on Coronet Road, Plant City, Hillsborough County, Florida. The UTM coordinates of this plant are Zone 17, 393.8 km N and 3096.3 km E.

Borax will be pneumatically unloaded from railroad cars to the 200 ton capacity bulk storage tank at a rate of 16,000 lbs/hr. The 800 CFM of air used to transport the borax will be discharged through a 170 ft² baghouse to the atmosphere. Up to 500 hrs/year will be spent unloading borax from the train cars. The borax will be gravity fed from the storage tank to an enclosed conveyor belt which carries the raw material to reactor tanks Nos. 1 and 2 of the existing KBF4 plant.

D. Emission

The applicant has accepted a particulate matter emission standard of 0.03 gr/dscf for the dust collector. At a flow of 800 cfm for 500 hrs/yr, the particulate matter emissions will be 0.2 lbs/hr and 0.1 TPY. There should be no visible emissions from the dust collector at these emission rates. The applicant will be required to employ reasonable precautions to minimize unconfined emissions of particulate matter from other parts of the system.

II. Rule Applicability

The proposed project, installation of a borax storage/handling system at a phosphate chemical plant (SIC 2899), is subject to preconstruction review under the provisions of Chapter 403, F.S., and Chapter 17-2, F.A.C.

The plant site is in an area designated nonattainment for ozone (F.A.C. Rule 17-2.410), in the area of influence of the Hillsborough County TSP Nonattainment Area (F.A.C. Rule 17-2.410), and attainment for other criteria pollutants (F.A.C. Rule 17-2.420).

The phosphate feed preparation plant is a major facility because permitted particulate matter emissions exceed 100 TPY. The increase in emissions by this project will be less than the significant emission rates listed in Table 500-2 of Chapter 17-2, F.A.C.

The project is exempt from the preconstruction review requirements of F.A.C. Rules 17-2.500(5) and 17-2.510(4) because it will not cause a significant net emissions increase of any pollutant.

The proposed project is subject to F.A.C. Rule 17-2.520, Sources Not Subject to PSD or Nonattainment Requirements. Emission standards shall be based on F.A.C. Rules 17-2.610(2), 17-2.610(3), 17-2.650(2)(c)5, 17-2.650(2)(c)12, and 17-2.700(1)(d)6. Higher emissions could subject the project to other regulations.

III. Technical Evaluation

Use of the 170 ft² dust collector to filter the 800 acfm of air used to pneumatically transfer 16,000 lbs/hr of borax from the rails cars to the proposed bulk storage tank will result in particulate matter emissions of 0.03 grains/dscf, 0.2 lbs/hr, and, based on 500 hrs/yr operation, 0.1 TPY. This degree of control is acceptable to the Department.

The applicant will also need to provide reasonable precautions to minimize unconfined emissions from this source. The reasonable precautions include clean up of spills and sealing transfer points between the bulk storage tanks and the process equipment.

A properly designed, maintained, and operated borax storage/handling system should have no visible emissions.

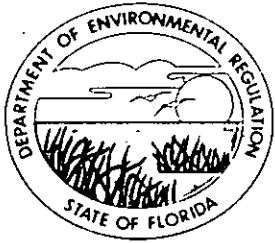
IV. Ambient Air Impact

It is the judgement of the Department that the allowable emissions from this project will not violate any ambient air quality standard or PSD increment.

V. Conclusion

Based on the information provided by Consolidated Minerals, Inc., the Department has reasonable assurance that the proposed construction/installation of the borax bulk tank and dust collector, as described in this evaluation and subject to the conditions proposed herein, will not cause or contribute to a violation of any air quality standard, PSD increment, or any other technical provision of Chapter 17-2 of the Florida Administrative Code.

Bill Thomas
01/30/90



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:
Consolidated Minerals, Inc.
P. O. Box 790
Plant City, Florida 34289

Permit Number: AC 29-172279
Expiration Date: July 1, 1990
County: Hillsborough
Latitude/Longitude: 27°59'21"N
82°04'48"W

Project: Borax Storage/Handling System

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 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:

Construction of a borax storage/handling system consisting of an 8 TPH pneumatic rail car conveyor, a 200 ton capacity bulk storage tank, an enclosed belt conveyor, and a Flex-Kleen Model 84 BVBS-16 dust collector (170 ft² filter handling an air flow of 800 acfm). The borax storage/handling system will be located at CMI's feed supplement facility (SIC 2899) on Coronet Road, Plant City, Hillsborough County, Florida. The UTM coordinates of this plant are Zone 17, 393.8 km E and 3096.3 km N.

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

Attachments are listed below:

1. Application received November 3, 1989.
2. DER letter dated November 28, 1989.
3. CMI letter dated December 12, 1989.

PERMITTEE:
Consolidated Minerals, Inc.

Permit Number: AC 29-172279
Expiration Date: July 1, 1990

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

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. Neither 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 is not 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, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; 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:
Consolidated Minerals, Inc.

Permit Number: AC 29-172279
Expiration Date: July 1, 1990

GENERAL CONDITIONS:

6. The permittee shall 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 and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor 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 provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including 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:
Consolidated Minerals, Inc.

Permit Number: AC 29-172279
Expiration Date: July 1, 1990

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 for 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 involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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 17-4.120 and 17-30.300, F.A.C., 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 or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold 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) required by the permit, copies of all reports required by this permit, and

PERMITTEE:
Consolidated Minerals, Inc.

Permit Number: AC 29-172279
Expiration Date: July 1, 1990

GENERAL CONDITIONS:

records of all data used to complete the application for this permit. These materials shall be retained 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 dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. 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 corrected promptly.

SPECIFIC CONDITIONS:

1. Rail car unloading operations shall not exceed a rate of 8 TPH or occur more than 500 hours in any 12 month period. The permittee shall maintain a log to show compliance with this condition.

2. Particulate matter emissions from the dust collector serving the borax bulk storage tank shall not exceed 0.03 grains/dscf, 0.21 lbs/hr, 0.2 TPY, or 5% opacity. Compliance with these conditions shall be determined by EPA Methods Nos. 5 and 9 described in 40 CFR 60, Appendix A (July 1, 1988) while the tank is being loaded at its permitted rate. The Method 5 test will be waived if visible emissions from the dust collector are less than 5% opacity.

3. The Environmental Protection Commission of Hillsborough County shall be notified at least 15 days prior to any compliance test.

PERMITTEE:
Consolidated Minerals, Inc.

Permit Number: AC 29-172279
Expiration Date: July 1, 1990

SPECIFIC CONDITIONS:

4. The permittee shall use reasonable precautions to minimize unconfined emissions from this plant. These precautions shall include keeping covers on the process equipment openings, use of covered rail cars to transport the borax, cleaning up spills promptly, and wetting the area if needed to minimize unconfined emissions.

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

6. An application for an operation permit must be submitted to the Environmental Protection Commission of Hillsborough County office at least 90 days prior to the expiration date of this construction permit or within 45 days after completion of compliance testing, whichever occurs first. To properly apply for an operation permit, the applicant shall submit the appropriate application form, 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. Rule 17-4.220).

Issued this _____ day
of _____, 1990

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Dale Twachtmann, Secretary

P 938 762 886

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to FW Cheesman	
Street and No. CMI - P.O. BOX 790	
RFD, State and ZIP Code Plant City, FL	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date mailed 1/31/90	

PS Form 3800, June 1985

Put your address in the "RETURN TO" Space on the reverse side. Please do not write this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: F.W. Cheesman, Pres. Consolidated Minerals, Inc. P.O. BOX 790 Plant City, FL 33564	4. Article Number P 938 762 886
	Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X [Signature]	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 2.29.90 [Signature]	