



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.  
ATLANTA, GEORGIA 30365

4APT-AEB

AUG 23 1995

RECEIVED  
AUG 25 1995  
Bureau of  
Air Regulation

Mr. C.H. Fancy, P.E.  
Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Protection  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RE: New Source Performance Standard Applicability to the IMC  
Agrico Company (IMC) Big Bend Terminal, Hillsborough County,  
Florida

Dear Mr. Fancy:

The purpose of this memorandum is to provide you with a determination regarding the applicability of 40 C.F.R. Part 60, Subpart X (Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities) to the referenced facility. A determination regarding the applicability of these regulations was requested by IMC in the enclosed letter received by Region 4 on June 19, 1994. Our final determination is being provided to you since the authority to implement Subpart X in the state of Florida has been delegated to your agency.

In their request for a determination, IMC took the position that the Big Bend Terminal is a distribution facility, rather than a storage facility and is not subject to Subpart X. To support its position, IMC referenced portions of the background information document (BID) for Subpart X and maintained that the regulation was intended to regulate only the initial storage of granular triple superphosphate (GTSP) at manufacturing facilities. After reviewing information provided by IMC, the U.S. Environmental Protection Agency (EPA) has determined that if the Big Bend Terminal was constructed, reconstructed, or modified after October 25, 1974, it would be subject to Subpart X. Copies of Region 4 and EPA Headquarters correspondence regarding the applicability issues raised by IMC are also enclosed.

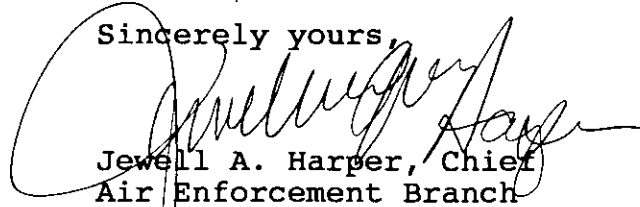
The basis for our conclusion regarding Subpart X applicability to the Big Bend Terminal is that the definition of GTSP storage facility in 40 C.F.R. §60.241 (i.e., any facility curing or storing granular triple superphosphate) does not restrict applicability to storage facilities at manufacturing sites. This interpretation is also consistent with June 29, 1977, and August 11, 1977, EPA determinations summarized in the enclosed document downloaded from the Applicability Determination

Index located on the Office of Air Quality Planning and Standards Technology Planning and Standards Technology Transfer Network.

Although the Big Bend Terminal may be subject to Subpart X, it is possible that IMC qualifies for a waiver of emission testing. Under the provisions of 40 C.F.R. §60.244(a), testing should be conducted only when the stored GTSP occupies at least 10 percent of the building capacity and at least 20 percent of the stored GTSP is fresh (i.e., is less than 10 days old). In order to qualify for a testing waiver, however, IMC must maintain records of the building capacity, the amount of GTSP stored, and the proportion of the stored GTSP that is fresh.

If you have any questions about the determination provided in this letter, please contact Mr. David McNeal of my staff at 404/347-3555, extension 4158.

Sincerely yours,



Jewell A. Harper, Chief  
Air Enforcement Branch  
Air, Pesticides and Toxics  
Management Division

Enclosures

cc: Iwan Choronenko, Director  
Air Pollution Control Division  
Hillsborough County Environmental  
Protection Commission  
1410 North 21st Street  
Tampa Florida 33605