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# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

July 17, 1995

Mr. Lawrence E. Sellers, Jr.  
Holland & Knight  
P.O. Drawer 810  
Tallahassee, Florida 32301

Dear Mr. Sellers:

This is in reply to your June 26 letter requesting the Department's interpretation of Subpart X applicability to the IMC-Agrico granular triple superphosphate storage facility at their Big Bend terminal in Hillsborough County.

Our understanding is that this company stores cured product for shipping from the terminal location and therefore it is not the type of curing/storage facility covered by the EPA's new source performance standard. Nonapplicability of Subpart X is evident from the requirement that the performance test must be conducted with a minimum of 20% or 5 day's production of "fresh" (uncured) product in the storage pile. As long as there is no fresh product (or amounts below the minimum required for Subpart X applicability) stored at the Big Bend facility, the performance test could not be conducted as required.

Of course, the Department must defer to the EPA for a final determination. If further discussion is needed on this, please call John Reynolds of our staff at 904-488-1344.


Sincerely,

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

CHF/JR

c: A. A. Linero, BAR  
Ben Kalra, EPCHC  
David McNeal, EPA Region IV  
Bill Thomas, SWD  
Michael Hewett, OPAPM

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