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BUREAU OF
AIR REGULATION

*Kim - Per this letter, copy
Manasota-88 on any decisions based
affecting Piney Point*

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*Old or new sulfuric
acid plant*

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February 6, 1997

Mr. Douglas Beason, Esq.
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Piney Point Phosphates, Inc. (PSD-FL-144)

Dear Mr. Beason:

I represent and write on behalf of ManaSota-88, Inc. (ManaSota-88), a public interest conservation and environmental protection organization which is duly incorporated under the laws of the State of Florida as a not-for-profit corporation. The membership of ManaSota-88 includes individuals who reside in Manatee County and who will be adversely affected by Piney Point Phosphates, Inc.'s (Piney Point) proposal to refurbish and restart the phosphoric acid manufacturing and phosphate fertilizer production facility near Port Manatee. This facility has been closed since June of 1992.

ManaSota-88 has closely reviewed and analyzed the law and the facts concerning Piney Point's proposal to restart its Manatee County phosphoric acid manufacturing and phosphate fertilizer production facility. ManaSota-88 has also closely reviewed and analyzed the January 16, 1997 letter and attachments by David S. Dee, Esq. on behalf of Manatee County which was addressed to you on this issue. ManaSota-88 concurs with Mr. Dee's January 16 letter and hereby adopts his letter as their comments.

ManaSota-88 would also note that in June of 1992 when the subject Piney Point facility was last operated it was not in compliance with applicable DEP rules and regulations, namely,

a. The facility was in violation of EPA and OSHA regulations according to the joint EPA and OSHA safety audit after December 1991 release of toxic sulfur gases;

b. Discharges of groundwater from the facility's phosphogypsum pile were in violation, and continue to be in violation, of applicable groundwater quality standards; and

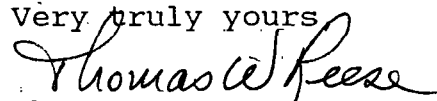
c. Piney Point failed to close the facility's phosphogypsum pile even though phosphogypsum has not been deposited on the pile since June of 1992.



Mr. Douglas Beason, Esq.
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Pursuant to Section 120.60(3), Fla. Stat., ManaSota-88 respectfully requests DEP provide ManaSota-88's undersigned legal counsel with timely actual notice of any conclusions about the application of the NSPS and PSD regulations to Piney Point's proposed refurbishment and start up of Piney Point's Manatee County phosphoric acid manufacturing and phosphate fertilizer production facility. This includes notice of any DEP decision that no permit is required. Please sent the timely actual notice of DEP's action to ManaSota-88, c/o Thomas W. Reese, Esq., 2951 61st Avenue South, St. Petersburg, FL 33712.

Very truly yours



Thomas W. Reese

cc: Richard Garrity, Ph.D., DEP SW Dist.
Bill Thomas, DEP SW Dist.
Howard Rhodes, DEP Tall.
Claire Fancy, DEP Tall.
Brian Beals, EPA
Scott Davis, EPA
Mike Solomon, EPA

cc: J. Reynolds, BAR