

PERMITTEE:
Piney Point Phosphates, Inc.
13300 U.S. Highway 41 North
Palmetto, Florida 34221

Permit Number: AC 41-173305
PSD-FL-144
Expiration Date: August 31, 1997
County: Manatee
UTM Coordinates: 17-348.5 km E
17-3057.3 km N
Project: New Sulfuric Acid Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes; Chapters 62-210, 212, 272, 296 and 297, Florida Administrative Code (F.A.C.); and, Chapter 62-4, F.A.C. The above named permittee is hereby authorized to perform the work or operate the emission unit/source shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department of Environmental Protection (Department) and specifically described as follows:

For the construction of a 2,700 tons/day sulfuric acid plant. The plant will be located at the permittee's facility in Palmetto, Manatee County, Florida.

The construction shall be 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 on April 26, 1995
2. Department's letter dated May 24, 1995
3. USDOE's letter dated May 30, 1995
4. Koogler & Assoc. letter dated June 6, 1995
5. Memorandum of Understanding Regarding Best Operational Start-up Practices for Sulfuric Acid Plants, 1989

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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.

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

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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.

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

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arising under the Florida Statutes or Department rules, except where such use is prescribed 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 Rules 62-4.120 and 62-30.300, 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. This permit also constitutes:

- (x) Determination of Best Available Control Technology (BACT)
- (x) Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards (NSPS)

14. 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 records of all data used to complete the application

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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.

15. 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. Unless otherwise indicated, the subject modification shall be in accordance with the capacities and specifications stated in the application.

2. The maximum production rate for the sulfuric acid plant shall be 2,700 tons/day based on 100% sulfuric acid (H₂SO₄). [Rule 62-212.200(56), F.A.C.]

3. The sulfuric acid plant may operate on a full-time basis (8,760 hours per year). [Rule 62-212.200(56), F.A.C.]

4. Emissions of sulfur dioxide (SO₂), sulfuric acid mist (SAM) and visible emissions (VE) from the sulfuric acid plant shall not exceed the following limits [Rule 62-212.410, F.A.C.]:

<u>Pollutant</u>	<u>lbs/hr</u>	<u>tons/year</u>
SO ₂	450	1,971
SAM	16.9	74
VE	- 10% Opacity	-

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5. Before this permit expires, performance testing of emissions from the unit shall be conducted with the emission unit operating at permitted capacity. Permitted capacity is defined as 90-100% of the maximum operating rate allowed by the permit. If it is impracticable to test at permitted capacity, then emission units may be tested at less than 90% of the maximum operating rate allowed by the permit. In this case, subsequent emission unit operation is limited to 110% of the test load until a new test is conducted. Once the emission unit is so limited, then operation at higher capacities (with prior notification provided to the Department) is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the permitted capacity in the permit. [Rule 62-297.340(1)(a), F.A.C.]
6. Performance testing shall be conducted and compliance determined using the test methods and procedures set forth in 40 CFR 60.85(a) through (c). Pursuant to Rule 62-297.340(1)(i), the Department's Southwest District office shall be notified at least 15 days prior to performance testing. Pursuant to Rule 62-297.570(1) and (2), written reports of the test results shall be submitted to that office within 45 days of test completion.
7. A continuous monitoring system for the measurement of sulfur dioxide emissions shall be installed, calibrated, operated and maintained as described in 40 CFR 60.84(a) through (e). [Rule 62-296.800, F.A.C.; 40 CFR 60.84]
8. Objectionable odors associated with air emissions shall be prohibited. [Rule 62-296.320(2), F.A.C.]
9. Pursuant to Rule 62-210.700(1), F.A.C., excess emissions from the sulfuric acid plants resulting from startup, shutdown, malfunction, or load change shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed three hours in any 24-hour period unless specifically authorized by the Department for a longer duration. Best operational start-up practices shall be followed as described in the attached Memorandum of Understanding signed in 1989.
10. Stack sampling facilities shall be provided by the permittee in accordance with Rule 62-297.345, F.A.C.
11. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation prior to 60 days before the expiration of the permit. [Rule 62-4.090, F.A.C.]

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12. An application for an operation permit must be submitted to the Department's Southwest District 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. The operation permit application shall include a set of conditions acceptable to the Department for startup/shutdown of the permittee's sulfuric acid plant. 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. [Rules 62-4.055 and 62-4.220, F.A.C.]

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

Howard L. Rhodes, P.E.
Director
Division of Air Resources
Management