

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP BAQM - Central Air Permitting	ACTION NO
	ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)	INITIAL
AMODIO BOCK GEORGE HANKS	DATE
2.	INITIAL
HERON HODGES HOLLADAY KING	DATE
3.	INITIAL
PALAGYI POWELL ROGERS SVEC	DATE
4.	INITIAL
THOMAS VEGA FILE ALL	DATE

REMARKS:

~~FILE~~
 PSD-FL-036

Info

INFORMATION	
<input type="checkbox"/>	REVIEW & RETURN
<input type="checkbox"/>	REVIEW & FILE
<input type="checkbox"/>	INITIAL & FORWARD
DISPOSITION	
<input type="checkbox"/>	REVIEW & RESPOND
<input type="checkbox"/>	PREPARE RESPONSE
<input type="checkbox"/>	FOR MY SIGNATURE
<input type="checkbox"/>	FOR YOUR SIGNATURE
<input type="checkbox"/>	LET'S DISCUSS
<input type="checkbox"/>	SET UP MEETING
<input type="checkbox"/>	INVESTIGATE & REPT
<input type="checkbox"/>	INITIAL & FORWARD
<input type="checkbox"/>	DISTRIBUTE
<input type="checkbox"/>	CONCURRENCE
<input type="checkbox"/>	FOR PROCESSING
<input type="checkbox"/>	INITIAL & RETURN

FROM: <u>Sandy</u>	DATE: <u>2/3/81</u>
	PHONE:

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP	ACTION NO.
	ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)	INITIAL
KAHEL FANCY STARNES	DATE
2.	INITIAL
BLOMMEL THOMAS MARY CLARK	DATE
3.	INITIAL
BARKER GEORGE HODGES	DATE
4.	INITIAL
J. ROGERS	DATE

REMARKS:

Fed PSD action

Note / file

*Do this along
any state
action? No*

INFORMATION

- REVIEW & RETURN
- REVIEW & FILE
- INITIAL & FORWARD

DISPOSITION

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- FOR PROCESSING
- INITIAL & RETURN

FROM:

STEVE SMALLWOOD

JS

DATE

2-7-81

PHONE



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30308

JAN 29 1981

REF: 4AH-AP



Mr. Joseph E. Davis
Manager of Products
Estech General Chemicals Corporation
First Commercial Bank Building
DeSoto Square
410 Cortez Road West
Bradenton, Florida 33507

RE: PSD-FL-036

Dear Mr. Davis:

Review of your January 22, 1980 application (PSD-FL-036) to construct a phosphate rock mine and processing plant near Duette, Florida has been completed. The construction is subject to rules for the Prevention of Significant Air Quality Deterioration (PSD), contained in 40 CFR 52.21.

We have determined that the construction, as described in the application, meets all applicable requirements of the PSD regulations, subject to the conditions in the conclusions section to the Final Determination (enclosed). EPA has performed the Preliminary Determination concerning the proposed construction, and published a request for public comment on September 17, 1980. One comment was received. A copy of this comment along with our response is enclosed. No substantive changes were made to the Preliminary Determination.

Authority to Construct a Stationary Source is hereby issued for the facility described above, subject to the conditions in the conclusions section of the enclosed Final Determination. This Authority to Construct is based solely on the requirements of 40 CFR 52.21, the Federal regulations governing significant deterioration of air quality. It does not apply to NPDES or other permits issued by this agency or permits issued by other agencies. Information regarding EPA permitting requirements can be provided if you contact Mr. Joe Franzmathes, Director, Office of Program Integration and Operations, at (404) 881-3476. Additionally, construction covered by this Authority to Construct must be initiated within 18 months from the receipt of this letter.

Please be advised that a violation of any condition issued as part of this approval, as well as any construction which proceeds in material variance with information submitted in your application will be subject to enforcement action.

Authority to Construct will take effect on the date of this letter. The complete analysis which justifies this approval has been fully documented for future reference, if necessary. Any questions concerning this approval may be directed to Mr. Kent Williams, Chief, New Source Review Section (404/881-4552).

Sincerely yours,

Thomas W. Devine
Director
Air and Hazardous Materials Division

Enclosure

cc: S. Smallwood
Florida Department of Environmental Regulation

MANASOTA - 88

A Project for Environmental Quality 1968 - 1988

September 27, 1980

Mr. Tommie A. Gibbs, Chief
Air Facilities Branch
U.S. EPA, Region IV
345 Courtland St., NE
Atlanta, Georgia 30308

Re: Estech Public Notice
(PSD- Fl-036)

Dear Mr. Gibbs:

The determination to permit Estech to construct 2 phosphate rock dryers at the Estech mine site appears to be based on inaccurate information re: available technology, energy considerations, cost of control equipment and resource depletion. NEPA requirements do not appear to have been met. EPA policy re: radionuclide assessment appears not to have been met.

Technology has been developed within the last few years whereby wet rock can be acidulated with undiluted commercial grade sulfuric acid. This process has proven to be economical, efficient and results in a significant decrease in atmospheric emissions of particulates and radionuclides. (1)

(A typical rock dryer meeting EPA and State air standards emits 60,000 kg (66 tons) of particulates annually, which includes 27×10^8 pCi of radium 226, 27×10^8 pCi of thorium 230, and 50×10^8 pCi of uranium. Emissions of radionuclides exceed those allowed by NRC for a 1000 megawatt nuclear power plant by greater than ten-fold. In addition to stack emissions from the dryer, emissions from transfer and transportation of the dried rock from the dryer to the chemical plant are equal to or greater than those from the dryer stack. (2)

No information was provided re: areawide exposure to emissions of radionuclides and no information provided re: exposure of residents along the prescribed route chosen to transport dried rock to emissions of radionuclides.

No guidance on allowable radionuclide emissions and exposure levels to be considered in site-specific studies where the dryer exception is applied appears to have been provided by the EPA Office of Radiation Programs as was agreed to. (3)

Additionally, no consideration appears to have been given to the fact that air pollution control devices proposed by Estech will not control the emissions of radionuclides from the proposed rock dryers. The EPA states in the Dec. 27, 1979 Federal Register that air cleaning equipment does not remove radionuclides at these sites, that radionuclides are still released into the atmosphere and are dispersed into populated areas.

While emission standards for hazardous air pollutants are still being promulgated, radionuclides from phosphate mining operations, including rock dryers, are listed by EPA as hazardous air pollutants causing cancer, genetic damage and other life shortening effects.

Based on the latter, it can be seen that the objective of the areawide EIS to protect air quality will not be attained through the use of rock dryers by Estech.

Use of phosphate rock dryers, including emission limitations, is not the BACT. "After emission limitations for phosphate rock dryers were established, technology developed which allows elimination of the drying process for rock chemically processed in Central Florida." (4) (Three chemical plants in Central Florida have converted to wet rock acidulation on a full scale basis. Two others are in planning or design stages of conversion. The trend indicates that all chemical plants in Central Florida will convert to wet rock processing within the next few years.) (5) No adequate proof has been presented to justify Estech being permitted the use of dryers.

We believe in order to justify the use of the dryers, regulations require a cost/benefit report be prepared by EPA which would show the dollar value assigned to human lives in Manatee County and along the transportation route that, based on EPA projections, will be lost to cancer as opposed to the financial benefits to the company as a result of using the dryers.

While we cannot believe that anyone should weigh the costs of saving a human life as opposed to the regulation costs to the industry and think it has been amply demonstrated that it was not the intent of the Congress or the Courts to give EPA the right to decide what somebody's life is worth; since this appears to be a function Region IV has assumed, the public deserves to see the methods you use to make such a determination.

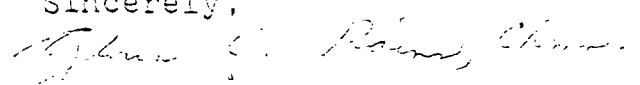
When the exception to permit Estech rock dryers was made, no consideration was given to the irreversible and irretrievable commitment of national resources as required by NEPA. Trying to justify these dryers based on world-wide energy impacts or resource depletion is not the purpose of NEPA requirements.

In summary, it appears no information was provided re: areawide and individual exposure to radionuclide emissions, no guidance on allowable radionuclide and exposure levels to be considered in site-specific studies was provided by the EPA Office of Radiation Programs, no consideration appears to have been given to the fact that air pollution control devices will not control the emissions of radionuclides from rock dryers, rock dryers are not considered BACT and their use has not been justified and NEPA requirements appear not to have been met.

Until these deficiencies are corrected, we request this permit not be issued.

Sincerely,

Reply: 5314 Bay State Rd.
Palmetto, Fl 33561



(1) (2) (3) (4) (5) See 4-66 & 67, Volume III, Final Areawide E

RESPONSE TO PUBLIC COMMENTS

ESTECH GENERAL CHEMICALS

(PSD-FL-036)

One comment was received on the proposed phosphate mine and processing plant (copy attached). The comment concerned radionuclide emissions from the proposed source.

Radionuclide emissions are not regulated under the Clean Air Act. The Authority to Construct under Federal Prevention of Significant Deterioration (PSD) regulations (40 CFR §52.21) apply only to pollutants regulated under the Act. Until promulgation of a NESHAPS or other final rulemaking, radionuclides will not be a regulated pollutant and therefore not subject to review under Federal PSD regulations.

A site specific evaluation of radionuclides has been performed in developing the Environmental Impact Statement (EIS) for the proposed source in compliance with NPDES permitting requirements. The analysis and conclusions drawn are presented in the EIS and supporting documents on air quality and radiation.

Another expressed concern is that rock dryers are being used when wet rock technology exists for producing phosphoric acid which emits less pollutants. The Estech mine and processing plant sells rock products (both wet and dry) to other companies for phosphoric acid production. Prohibiting the use of rock dryers would substantially affect products produced by the source through elimination of a major product line. Drastic manipulation of the products and thus the purpose of an industrial complex such as would be accomplished through a prohibition of rock drying at this source is beyond the authority embodied in the BACT requirements of PSD regulations.

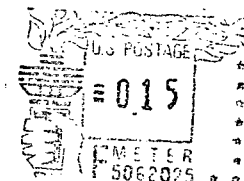
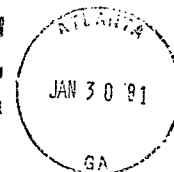
Information concerning this project (PSD review and EIS) has been and remains available to the public (contact Mr. Joe Franzmathes, Director, Office of Program Integration and Operations, EPA Region IV, 345 Courtland Street, NE, Atlanta, Georgia 30365)

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IV
345 COURTLAND STREET
ATLANTA, GEORGIA 30308

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



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Mr. Steve Smallwood
FL Dept. of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32301