



**CARGILL
FERTILIZER, INC.**

RECEIVED

SEP 21 2000

BUREAU OF AIR REGULATION

P.O. Box 9002 • Bartow, Florida 33831 • Telephone 941-534-9610 • FAX 863-534-9680

CERTIFIED MAIL: 7099 3220 0007 3016 7970

September 19, 2000

Mr. Al Linero
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Linero,

Re: Affidavit of Publication - Notice of Intent to Issue Permit
DEP File No. 1050046-013-AC (PSD-FL-295)

Please find enclosed the original Affidavit of Publication for the Notice of Intent to Issue Permit for the above-referenced draft permit. The public notice was published in The Tampa Tribune, Polk County edition newspaper on September 16, 2000.

Should you have any questions, or require additional information, please feel free to give me a call at (863) 534-9613.

Sincerely,

Melody Foley
Sr. Environmental Engineer

Enclosure: The Tampa Tribune Affidavit of Publication

cc: Waters
Jellerson
File 60-07-05 (w/ enclosure)

G. Reynolds
C. Halladay

K:\private\env\agency_c\4 filter publication.doc

D. Beiff, Boulder
B. Thomas, SWD
G. Spence, Polk Co.
EPA
NPS



recycled paper

THE TAMPA TRIBUNE
Published Daily
Tampa, Hillsborough County, Florida

State of Florida)
County of Hillsborough) ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE POLK EDITION

in the matter of _____

PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of _____

SEPTEMBER 16, 2000

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this _____ 16 _____ day
of _____ SEPTEMBER _____, A.D. 20__00

Personally Known ☒ or Produced Identification _____
Type of Identification Produced _____



Susie Lee Slaton

**PUBLIC NOTICE OF INTENT TO
ISSUE AIR CONSTRUCTION
PERMIT**
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
DEP File No. 1050046-013-AC
(PSD-FL-295)
Cargill Fertilizer, Inc.,
Replacement of No. 4
Phosphoric Acid Plant Filter,
Polk County
The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit (PSD permit) to Cargill Fertilizer, Inc., for replacement of the No. 4 Phosphoric Acid Plant (PAP) gypsum filter with a larger capacity unit at its facility located at 3200 Highway 60 West, Bartow, Polk County. A Best Available Control Technology (BACT) determination was required for emissions of fluorides including hydrogen fluoride (HF) pursuant to Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD). The applicant's mailing address is: Cargill Fertilizer Inc., 3200 Highway 60 West, Bartow, Florida 33830.
The gypsum filter replacement will not cause an increase in materials processed in the No. 4 PAP. It will improve the recovery of phosphoric acid product, which will result in somewhat higher production from downstream fertilizer plants. Permitted emissions will decrease from the No. 4 PAP and there will be no changes in permitted emissions or permitted production downstream. There will still be facility-wide PSD-significant increases for fluorides, sulfur dioxide and particulate matter (PM10) based on a comparison of future potential emissions to past actual emissions.
The Department proposes BACT limit for total fluorine emissions from the No. 4 PAP of 0.012 pounds per ton of P2O5 input and 8.94 tons per year. The downstream plants have all undergone PSD review in recent years. The Department is requiring BACT on the downstream plants that are not undergoing physical or operational changes.
An air quality impact analysis was conducted. The maximum predicted PM10 Class I increments consumed are micrograms per cubic meter, 24-hour average, and 3 micrograms per cubic meter, annual average. These values are and 18 percent of the allowable 24-hour and annual increments of 30 and 17 micrograms per cubic meter, respectively. The maximum predicted SO2 impacts are below significance levels; therefore no further increment evaluation is required. Emissions from the facility will not significantly contribute to or cause a violation of any state or federal ambient air quality standards PSD increments.
The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedure results in a different decision or significant change of terms or conditions.
The Department will accept written comments and requests for public meeting concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of this Public Notice of Intent to Issue a Construction Permit. Written comments and requests for

public meetings should be provided to the Department's Bureau of Air Regulation at 2500 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts upon which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when the petitioner received notice of the agency action or proposed action; (d) A statement of disputed issues of material

fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, FL 32301
Telephone: 850/488-0114
Fax: 850/922-6979
Polk County Environmental Services Department
4177 Ben Durrance Road
Bartow, FL 33830
Telephone: 863/534-7377
Fax: 863/534-7374
Dept. of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the application, technical evaluations, draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, FL 32301 or call 850/488-0114 for additional information.

4476 9/16