



**CARGILL  
FERTILIZER, INC.**

**RECEIVED**

**SEP 23 1994**

Bureau of  
Air Regulation

P.O. Box 9002 - Bartow, Florida 33830 - Telephone 813-534-9610 - FAX 813-534-9680

CERTIFIED MAIL: P 013 142 376

September 14, 1994

Department of Environmental Protection  
Southwest District Office  
3804 Coconut Palm Drive  
Tampa, FL 33619

Subject: Proof of Publication - Notice of Intent to Issue a Permit  
(AC53-246403) to increase the production rate of the No.  
4 Diammonium Phosphate plant at Cargill Fertilizer,  
Inc.'s Facility located at 3200 HWY 60 West, Bartow, Polk  
County, FL 33830

Gentlemen:

You will find attached Proof of Publication of the Notice of Intent  
to Issue subject permit as required by Florida Department of  
Environmental Protection.

If there are any questions, please contact me at (813) 534-9613.

Sincerely,

David B. Jellerson  
Environmental Superintendent

cc: J. Reynolds  
C. Holladay  
B. Thomas, SW Dist  
G. Harper, EPA  
G. Purnell, NPS  
L. Novak, Polk Co.



# AFFIDAVIT OF PUBLICATION

## THE LEDGER Lakeland, Polk County, Florida

Case No. ....

STATE OF FLORIDA)  
COUNTY OF POLK )

Before the undersigned authority personally appeared Tharon Honeycutt, who on oath says that he is Controllor of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice of intent to issue permit

in the matter of .....

4 Diammonium Phosphate Plant

in the .....

Court, was published in said newspaper in the issues of .....

September 8;

1994

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed .....

Controllor

Sworn to and subscribed before me this 14th

Shonda L. Brown

Notary Public, State of Florida

Commission No. CC 380949

My Commission Expires 06/08/98

A.D. 19 94

Notary Public

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE PERMIT  
AC 53-246403  
PSD-FL-211

The Department of Environmental Protection gives notice of its intent to issue a permit to Cargill Fertilizer, Inc., P. O. Box 471, Bartow, Florida 33830, to increase the production rate of the No. 4 Diammonium Phosphate plant at their existing facility in Bartow, Polk County, Florida. A determination of Best Available Control Technology (BACT) was required. The proposed project is subject to Prevention of Significant Deterioration regulations and federal new source performance standards. The project will increase the annual allowable diammonium phosphate production at the Cargill Fertilizer, Inc., facility by 67% and is not expected to result in significant deterioration of the environment. There is a less than significant consumption of PM/PM10 increment. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F. S. The Petition shall contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; (b) The applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (c) A statement of how and when each petitioner received notice of the Department's action or proposed action; (d) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (e) A statement of the material facts disputed by Petitioner, if any; (f) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (g) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (h) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application 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:  
Department of Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Park Courtyard  
Tallahassee, Florida 32301  
Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8218

Any person may send written comments on the proposed action to Mr. John Brown at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by any person(s). Such requests must be submitted within 30 days of this notice.  
D-922 -- 9-8: 1994