



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

January 11, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. David B. Jellerson, P.E.
Environmental Superintendent
Cargill Fertilizer, Inc.
Post Office Box 9002
Bartow, Florida 33830

RE: Amendment of Permit (PSD-FL-224/AC53-262532)

Dear Mr. Jellerson:

In view of the EPA's recent revision of its earlier decision that clarifier emissions are applicable under Subpart T, the Department amends Specific Condition 10.a. of PSD-FL-224 (AC53-262532) for the Bartow Nos. 4 and 5 Phosphoric Acid plants:

FROM: Rule 62-210.700(1): Excess emissions resulting from startup, shutdown or malfunction of any source 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 two hours in any 24 hour period unless specifically authorized by the Department for longer duration. The two hour restriction does not apply to fugitive tank/clarifier emissions during periods when a scrubber is down for maintenance.

TO: Rule 62-210.700(1): Excess emissions resulting from startup, shutdown or malfunction of any source 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 two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

This letter shall become Attachment No. 7 to the above permit.

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

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120.57, F.S. The petition must 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. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. 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, F.S.

The Petition shall contain the following information;

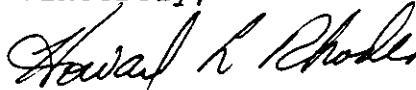
- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) 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 intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application/request 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 receipt of this intent 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

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request a hearing under Section 120.57, F.S., 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, F.A.C.

Sincerely,

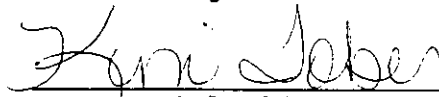


Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

This is to certify that this **PERMIT AMENDMENT** and all copies were mailed to the listed persons before the close of business on January 11, 1996.

FILING AND ACKNOWLEDGMENT FILED,
on this date, pursuant to Chapter
120.52(9), Florida Statutes, with
with the designated Deputy Clerk,
receipt of which is hereby
acknowledged.



(Clerk)

1-11-95
(Date)

HLR/jrt

cc: W. Thomas, SWD
R. Harwood, Polk County
J. Harper, EPA
J. Bunyak, NPS
D. Buff, P.E., KBN

Z 127 633 144



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

PS Form 3800, March 1993

Sent to: <u>David Jellerson</u>	
Street and No. <u>Cargill Fert.</u>	
P.O., State and ZIP Code <u>Barrow, FI</u>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <u>PSD-FI-324</u> <u>AC53-263532</u>	

Is your RETURN ADDRESS completed on the reverse side?

- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

- receive the
an extra
fee).
- ☐ Addressee's Address
 - ☐ Restricted Delivery
Consult postmaster for fee.

3. Article Addressed to:
David Jellerson, PE
Cargill Fertilizer
PO Box 9002
Barrow, FI 33830

4a. Article Number
Z 127 633 144

4b. Service Type
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

5. Signature (Addressee)

 6. Signature (Agent)
R. Perhara

7. Date of Delivery
1-16-96

8. Addressee's Address (Only if requested and fee is paid)

PS Form

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Florida Department of
Environmental Protection

Memorandum

TO: Howard Rhodes
FROM: Clair Fancy *CHF*
DATE: January 11, 1996
SUBJ: Amendment of Permit PSD-FL-224
Cargill Fertilizer, Inc.

Attached for your approval and signature is an amendment of the subject permit to make it consistent with a recent revision of the EPA's interpretation of the new source performance standard for phosphoric acid plants (40 CFR 60, Subpart T). EPA Region IV issued a memo in 1988 stating that Subpart T applies to phosphoric acid clarifier tanks, and that was the basis for the permit condition. The Bureau received another memo last September stating that this interpretation has been revised to exclude such sources from the standard.

Attachment

CHF/jrt