

June 25, 2004

Certified Mail: 7002 2030 0000 6695 1317

Florida Department of Environmental Protection  
Twin Towers Office Building  
2600 Blairstone Road  
Tallahassee, FL 32399-2400

Attention: Mr. Bobby Bull, Engineer II

RE: Cargill Fertilizer, Inc. – Bartow Facility  
Title V Renewal – Request for Additional Information Concerning CAM  
DEP File No. 1050046-018-AV

Dear Mr. Bull:

This letter is presented in response to your letter to E. O. Morris, dated April 13, 2004 requesting additional information to continue processing a Title V Air Operating Permit renewal application for Cargill Fertilizer, Inc.'s (Cargill) facility located in Bartow, Polk County, Florida.

Cargill's responses, presented below, are organized in the same manner as your original letter:

1. 40 CFR 64.4(b) exempts emission units subject to New Source Performance Standard (NSPS) or National Emission Standard for Hazardous (NESHAPS) originally promulgated after November 15, 1990 from Compliance Assurance Monitoring Regulations.

During negotiation of Alternative Maximum Achievable Control Technology Monitoring Plans with the Department, Cargill requested that the venturi scrubbers be exempt from 40 CFR 63, Subparts AA and BB since their primary purpose was for product and ammonia recovery. The Department responded to this request in a letter from Errin Pichard, P.E. Administrator to Ozzie Morris of Cargill, dated July 1, 2003, containing the following language:

*"Your letter states the primary purpose of the venturi scrubbers is for product/ammonia recovery, not fluoride control, and thus these scrubbers are not covered by the phosphoric acid/phosphate fertilizer NESHAPs (40 CFR Part 60, Subparts AA and BB). On the contrary, these subparts require any affected source subject to emission limits for total fluoride or PM and that utilize a wet scrubbing emission control system to establish allowable ranges for pressure drop and liquid flow rate for "each scrubber in the process scrubbing system." The NESHAPs do not provide an exemption for a scrubber based on its primary purpose in the process."*

According to the Department each of the scrubbers at the Ammonium/Diammonium Phosphate Plant (Emission Unit ID No. 001) is subject to these NESHAPs which include

*Cam needed*

PM emissions. Since these NESHAPs were promulgated after November 15, 1990, these scrubbers are not subject to CAM requirements.

*Is PM covered by MACT?*

The Department's position is further supported in language contained in NESHAP Subparts AA and BB indicating emissions of both fluoride and particulate matter were anticipated from the wet scrubbers controlling emissions from the subject emission units.

*Following the date on which the performance test required in §63.626 is completed, the owner or operator of a new or existing affected source using a wet scrubbing emission control system and subject to emissions limitations for total fluorides (or) particulate matter contained in this subpart must establish allowable ranges for operating parameters using the methodology of either paragraph (f)(1) or (2) of this section:*

*Is covered by MACT?*

Furthermore, based upon recent discussion between Dave Buff of Golder Associates Inc., and the Department, Cargill understands that for CAM purposes the Department has made the determination that acid scrubbers can be considered inherent process equipment since they do recover product and ammonia. Several of the scrubbers used to control emissions at Cargill's facility are acid scrubbers and, are therefore, exempt from CAM requirements.

*possibly not case-specific*

Based on the above information, Cargill does not believe that CAM is applicable to any of the scrubbers associated with either the Ammonium/Diammonium (EU 001) or Diammonium Phosphate Plant (EU 021).

*provide claims of process equipment*

2. A summary of emissions test data and the observed pressure drop and liquid flow rate recorded during those test for the No. 4 Fertilizer Shipping Plant is presented in Table 2-1 below. Based on this information, Cargill is proposing a minimum pressure drop and a minimum and maximum liquid flow rate for this scrubber as indicated on the table. Since potential controlled emissions from this scrubber are much less than 100 TPY, for CAM purposes it is only necessary to observe and record the pressure drop and liquid flow rate on a daily basis.

Table 2-1

**#4 Fertilizer Shipping Plant (EU 002)**

Pollution Control Equipment	Parameter	Minimum Limitation	Maximum Limitation	Units	Averaging Time
#4 Shipping Scrubber	Water Flow	158	324	GPM	24-hr
	Pressure Drop	2.5	N/A	"H <sub>2</sub> O	24-hr

*once per day, use instantaneous readings*

The listed scrubber limits are based on the following emission test dates and results (in pounds of particulate matter per hour): May 30, 2002 = 0.8 lb/hr; June 16, 2003 = 0.50 lb/hr; May 24, 2004 = 0.036 lb/hr. Current emission limit for particulate matter is 10.54 lbs/hr.

**Note: CAM is not applicable during the alternate use of dust suppressant to control dust.**

*See comments above*

3. See our response to Item No.1. With regards to the statement in the Department's letter that CAM is not applicable during the alternate use of dust suppressants to

control dust, Cargill believes this comment was intended for the No. 4 Shipping Plant (EU 002) and not the Diammonium Phosphate Fertilizer Plant (EU 021). If this is the case, Cargill agrees with this statement. *- agree*

4. The CAM indicators selected for the No. 4 Shipping Plant are based on historic stack test data as indicated on the table. *- which table?*
5. Noted.

If you have any questions concerning this information, please contact Debra Waters at (863) 534-9615.

Sincerely,

David Jellerson  
Environmental Manager

XC : Scott McCann – Golder  
D. Waters, O. Morris – Cargill  
File – 60.03.03B

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COMMISSION  
Kathy Costor  
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Administrative Offices  
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The Roger Stewart Environmental Center  
1400 N. 19th Ave. • Tampa, FL 33605  
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Air Management Fax 272-5605  
Waste Management Fax 272-1256  
Wetlands Management Fax 272-7144  
1400 N. 21st Street • Tampa, FL 33605

ENVIRONMENTAL PROTECTION COMMISSION  
of Hillsborough County

FAX Transmittal Sheet

DATE: 6/24/04

TO: Jonathan Holton

FAX Phone: (850) 921-9533 Voice Phone: Sc 291-9531

TOTAL NUMBER OF PAGES INCLUDING THIS COVER PAGE: 3

EPC FAX Transmission Line: (813) 272-5605

For retransmission or any FAX problems, call:

(813) 272-5530 ext. 1258

FROM: CARLOS GONZALEZ

(Circle applicable section below)

Air Division

Compliance

-Enforcement/Analysis

-Monitoring/Toxics

-Permitting

SPECIAL INSTRUCTIONS: Proposed Transmittal (0570081)  
CAM plan for vapor combustion unit

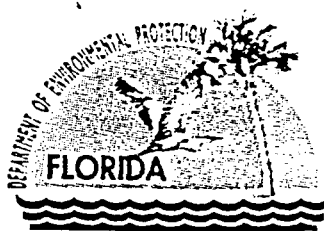
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<b>Flare Monitoring</b>		<b>Indicator No. 1</b>
<b>I. Indicator</b>		<b>Presence of Flame</b>
<b>Monitoring Approach</b>		<p>Flame presence is monitored using an ultraviolet flame detector (UFD).</p> <p>{Operations Note. After a tanker truck is hooked up at the loading rack, a remote signal is sent to the flare programmable logic controller (PLC) to automatically ignite the pilot flame. If a pilot flame is not detected by the UFD the PLC will shut down the combustion system due to pilot failure. After the UFD verifies that a flame is present, a green light is located at the office building signaling that everything is operating correctly. If the UFD signal is lost during loading, the loading rack automatically shuts down and the green light is off}.</p>
<b>II. Indicator Range</b>		An excursion occurred whenever the UFD signal is lost during loading (i.e. the flame is absent) resulting in an automatic shutoff at the loading rack making loading impossible.
<b>QIP threshold</b>		Not more than 6 excursions in any semi-annual reporting period
<b>III. Performance Criteria</b>		
<b>A. Data Representativeness</b>		The UFD is wired into the stack to detect the presence of the flame.
<b>B. Verification of Operational Status</b>		A green light in operator's office is on whenever the UFD detects the presence of a flame.
<b>C. QA/QC Practices and Criteria</b>		Manufacturer's routine maintenance requirements include keeping the flame detection system adjusted for the smoothest, most reliable operation, and ensuring that the flame signal current is above the manufacturer's minimum acceptable level.
<b>D. Monitoring Frequency</b>		The UFD operates continuously, when the flare is operating.
<b>E. Data Collection Procedures</b>		The UFD continuously senses the ultraviolet radiation emitted by the combustion flames and generates an current (microamps) signal to the PLC.
<b>F. Averaging Period</b>		NA

<b>Loading Rack Bypass Monitoring</b>		<b>Indicator No. 2</b>
<b>I. Indicator</b>		<b>Magnehelic Pressure Gauge at the Loading Rack</b>
<b>Monitoring Approach</b>		This gauge records the hydrocarbon vapor pressure in the

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		pipng, which conveys vapors to the flare for processing. At pressures greater than 18 inches W.C., a pressure relief valve opens and vent vapor emissions (i.e. bypassing the collection system).
II. Indicator Range		An excursion is defined when the reading on the gauge exceeds 11 inches W.C.
QIP threshold		Not more than 6 excursions in any semi-annual reporting period.
III. Performance Criteria		
A. Data Representativeness		The Magnehelic gauge is connected to the vapor flow line.
B. Verification of Operational Status		The operator routinely checks the gauge in accordance with the manufacturer's recommendation.
C. QA/QC Practices and Criteria		Calibration and accuracy verification is conducted in accordance with the manufacturer's recommendation at least once a year.
D. Monitoring Frequency		Operators shall monitor, the reading on the gauge, the number of tanker trucks loading, and the status of the pressure relief valve (i.e. open or shut).
E. Data Collection Procedures		Operator manually records any problems found in an information logbook.
F. Averaging Period		NA



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

January 22, 2003

Mr. E. O. Morris, Vice President  
Cargill Fertilizer, Inc.  
8813 Highway 41 South  
Riverview, Florida 33569-4865

Dear Mr. Morris:

Enclosed are the department's orders approving alternate monitoring plans at Cargill's Bartow and Green Bay facilities. These orders are in response to Cargill's original requests of February 7, 2003 and February 10, 2003, respectively, and subsequent information submitted at the department's request.

These orders stipulate that Cargill will continuously monitor liquid flow rate and pressure drop for each scrubber used to control hydrogen fluoride emissions. Furthermore, Cargill will continuously monitor fan amperage for each fan in the scrubber systems. Allowable ranges (minimum and maximum) for liquid flow and fan amperage must be established and submitted to the department for approval. For pressure drop, only a minimum allowable value must be established and submitted for approval.

Please call me at 850/921-9509 if you have any questions regarding these orders.

Sincerely,

Errin Pichard, P.E., Administrator  
Emissions Monitoring Section  
Bureau of Air Monitoring  
and Mobile Sources

/ep

Enclosure

cc: Jerry Kissel, DEP Southwest District  
Jerry Campbell, EPCHC  
Al Linero, DARM

"More Protection, Less Process"

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:	)	Bartow Facility
	)	
Cargill Fertilizer, Inc.	)	
	)	
Petitioner.	)	File No.: 03-C-AP

ORDER ON REQUEST  
FOR  
ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 62-297.620, Florida Administrative Code (F.A.C.), and Title 40 of the Code of Federal Regulations Part 63, section 63.8 (40 CFR 63.8), Cargill Fertilizer, Inc., located in Polk County, has petitioned for approval of alternate monitoring methods for scrubbers at the Bartow facility. The Petitioner requested approval to monitor fan amperage in lieu of establishing an upper limit on pressure drop across each scrubber. The basis for this request is the Petitioner's assertion that certain technical aspects would make limiting pressure drop in the scrubbers at this facility impractical. Petitioner agreed to continue to monitor pressure drop, liquid flow rate, and fan amperage for each scrubber. Petitioner also agreed to establish allowable ranges for liquid flow rate and fan amperage and to establish a minimum allowable pressure drop.

Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. 40 CFR 63, Subparts AA and BB require all phosphate fertilizer and phosphoric acid manufacturing plants that are major sources of hazardous air pollutants to monitor liquid flow rate to each scrubber and pressure drop across each scrubber used to control hydrogen fluoride emissions. Additionally, each affected facility must establish allowable ranges for these parameters by submitting upper and lower values for approval or by accepting the default range of  $\pm 20\%$  of the baseline value as specified in Subparts AA and BB. Petitioner's Bartow facility is a major source of hazardous air pollutants. Specifically, Petitioner's Bartow facility emits 10 tons per year or more of HF. Therefore, Petitioner's Bartow facility is subject to these requirements.
2. On February 10, 2003, the Department received Petitioner's request for approval of an alternate monitoring plan for the Bartow facility. The alternate monitoring plan was requested for scrubbers subject to 40 CFR 63, Subparts AA and BB: Phosphoric Acid Plant (Emission Unit (EU) 010), No. 3 Fertilizer Plant (EU 001), and No. 4 Fertilizer Plant (EU 021).
3. On March 10, 2003, the Department requested additional information from Petitioner.
4. On May 12, 2003, the Department received Petitioner's response to the March 10, 2003, request for additional information.



5. On July 1, 2003, the Department sent a second request for additional information to Petitioner.

6. On August 20, 2003, Department staff met with representatives of Petitioner and Petitioner's consultant, Golder Associates, in Tallahassee to discuss unresolved issues.

7. On October 28, 2003, the Department received Petitioner's response to the second request for additional information as well as information requested during the August 20 meeting.

8. On November 4, 2003, Department staff met with representatives of Petitioner and Golder Associates at the Petitioner's Riverview facility to discuss remaining issues with the Petitioner's request. During that meeting, Petitioner agreed to provide the Department with additional data.

9. On December 3, 2003, the Department received the additional information requested during the November 4 meeting.

10. Data submitted by Petitioner demonstrates that typical pressure drops across its scrubbers can vary by more than the  $\pm 20\%$  range allowed by 40 CFR 63, Subparts AA and BB.

11. Emissions data submitted by Petitioner demonstrates that fluoride emissions rates for most units at the facility are less than 50% of the standard. Data submitted by Petitioner also shows a poor correlation between pressure drop and fluoride emissions.

12. As a result of the correspondence and meetings listed above, Petitioner ultimately proposed to establish an allowable range for fan amperage in lieu of establishing an upper limit on pressure drop across each scrubber. Petitioner also agreed to establish a minimum allowable pressure drop for each scrubber and an allowable range for liquid flow rate to each scrubber.

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes (F.S.), Rule 62-297.620, F.A.C., and 40 CFR 63.8.

2. Petitioner has provided reasonable justification that establishing an upper limit on pressure drop in scrubbers at this facility is impractical due to the wide variability of this parameter encountered during normal operation.

3. Petitioner has provided reasonable justification that monitoring fan amperage in lieu of establishing a maximum pressure drop is no less an effective indicator of scrubber operation than that achieved by monitoring pursuant to 40 CFR 63, Subparts AA and BB.

#### ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that for the Phosphoric Acid Plant (Emission Unit (EU) 010), No. 3 Fertilizer Plant (EU 001), and No. 4 Fertilizer Plant (EU 021):

1. Petitioner shall not be required to establish an upper limit on the pressure drop across each scrubber.
2. Petitioner shall establish a minimum allowable pressure drop across each scrubber pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
3. Petitioner shall establish minimum and maximum acceptable fan amperages for each fan in the scrubbing systems pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
4. Petitioner shall establish minimum and maximum acceptable values for liquid flow rate to each scrubber pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
5. Petitioner shall continuously monitor pressure drop and liquid flow rate for each scrubber and shall continuously monitor fan amperage for each fan in the scrubbing systems.
- 6.. Except as provided by this order, Petitioner shall comply with all applicable provisions of 40 CFR 63, Subparts AA and BB.
7. This Order shall expire on January 7, 2014.

#### PETITION FOR ADMINISTRATIVE REVIEW

The Department's proposed agency action will become final upon expiration of the petition period described below 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.

A person whose substantial interests are affected by the proposed agency action 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 twenty-one 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 twenty-one days of publication of the public notice or within twenty-one days of receipt of this notice, 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 twenty-one 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 on 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 petitioner received notice of the agency action or proposed action;
- (d) A statement of all 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 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.

Mediation is not available in this proceeding.

#### NOTICE OF APPEAL RIGHTS

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

DONE AND ORDERED this 21<sup>st</sup> day of January, 2004, in Tallahassee,  
Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

*Michael G. Cooke*

MICHAEL G. COOKE, Director  
Division of Air Resource Management  
Mail Station 5500  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
(850) 488-0114

Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

**FILED**, on this date, pursuant to §120.52, Florida  
Statutes, with the designated Department Clerk, receipt  
of which is hereby acknowledged.

*Martha Jane Wise* 1-22-04  
(Clerk) (Date)

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:	)	Green Bay Facility
	)	
Cargill Fertilizer, Inc.	)	
	)	
Petitioner.	)	File No.: 03-C-AP

ORDER ON REQUEST  
FOR  
ALTERNATE PROCEDURES AND REQUIREMENTS

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Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. 40 CFR 63, Subparts AA and BB require all phosphate fertilizer and phosphoric acid manufacturing plants that are major sources of hazardous air pollutants to monitor liquid flow rate to each scrubber and pressure drop across each scrubber used to control hydrogen fluoride emissions. Additionally, each affected facility must establish allowable ranges for these parameters by submitting upper and lower values for approval or by accepting the default range of  $\pm 20\%$  of the baseline value as specified in Subparts AA and BB. Petitioner's Green Bay facility is a major source of hazardous air pollutants. Specifically, Petitioner's Green Bay facility emits 10 tons per year or more of HF. Therefore, Petitioner's Green Bay facility is subject to these requirements.

2. On February 13, 2003, the Department received Petitioner's request for approval of an alternate monitoring plan for the Green Bay facility. The alternate monitoring plan was requested for scrubbers subject to 40 CFR 63, Subparts AA and BB: Phosphoric Acid Plant No. 1 (Emission Units (EU) 016 and 017), Phosphoric Acid Plant No. 2 (EU 013), South DAP Fertilizer Plant (EU 007), and North MAP/DAP Granulation Plant (EU 029).

3. On March 10, 2003, the Department requested additional information from Petitioner.

4. On May 14, 2003, the Department received Petitioner's response to the March 10, 2003, request for additional information.

5. On July 1, 2003, the Department sent a second request for additional information to Petitioner.

6. On August 20, 2003, Department staff met with representatives of Petitioner and Petitioner's consultant, Golder Associates, in Tallahassee to discuss unresolved issues.

7. On October 28, 2003, the Department received Petitioner's response to the second request for additional information as well as information requested during the August 20 meeting.

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10. Data submitted by Petitioner demonstrates that typical pressure drops across its scrubbers can vary by more than the  $\pm 20\%$  range allowed by 40 CFR 63, Subparts AA and BB.

11. Emissions data submitted by Petitioner demonstrates that fluoride emissions rates for most units at the facility are less than 60% of the standard. Data submitted by Petitioner also shows a poor correlation between pressure drop and fluoride emissions.

12. As a result of the correspondence and meetings listed above, Petitioner ultimately proposed to establish an allowable range for fan amperage in lieu of establishing an upper limit on pressure drop across each scrubber. Petitioner also agreed to establish a minimum allowable pressure drop for each scrubber and an allowable range for liquid flow rate to each scrubber.

#### CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes (F.S.), Rule 62-297.620, F.A.C., and 40 CFR 63.8.

2. Petitioner has provided reasonable justification that establishing an upper limit on pressure drop in scrubbers at this facility is impractical due to the wide variability of this parameter encountered during normal operation.

3. Petitioner has provided reasonable justification that monitoring fan amperage in lieu of establishing a maximum pressure drop is no less an effective indicator of scrubber operation than that achieved by monitoring pursuant to 40 CFR 63, Subparts AA and BB.

#### ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that for Phosphoric Acid Plant No. 1 (Emission Units (EU) 016 and 017), Phosphoric Acid Plant

No. 2 (EU 013), South DAP Fertilizer Plant (EU 007), and North MAP/DAP Granulation Plant (EU 029):

1. Petitioner shall not be required to establish an upper limit on the pressure drop across each scrubber.
2. Petitioner shall establish a minimum allowable pressure drop across each scrubber pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
3. Petitioner shall establish minimum and maximum acceptable fan amperages for each fan in the scrubbing systems pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
4. Petitioner shall establish minimum and maximum acceptable values for liquid flow rate to each scrubber pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
5. Petitioner shall continuously monitor pressure drop and liquid flow rate for each scrubber and shall continuously monitor fan amperage for each fan in the scrubbing systems.
6. Except as provided by this order, Petitioner shall comply with all applicable provisions of 40 CFR 63, Subparts AA and BB.
7. This Order shall expire on January 7, 2014.

#### PETITION FOR ADMINISTRATIVE REVIEW

The Department's proposed agency action will become final upon expiration of the petition period described below 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.

A person whose substantial interests are affected by the proposed agency action 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 twenty-one 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 twenty-one days of publication of the public notice or within twenty-one days of receipt of this notice, 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 twenty-one 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 on 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 petitioner received notice of the agency action or proposed action;
- (d) A statement of all 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 petitioner wishes the agency to take with respect to the agency's proposed action.

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DONE AND ORDERED this 21<sup>st</sup> day of January, 2004, in Tallahassee,  
Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

*Michael G. Cooke*

MICHAEL G. COOKE, Director  
Division of Air Resource Management  
Mail Station 5500  
Twin Towers Office Building  
2600 Blair Stone Road  
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Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

**FILED**, on this date, pursuant to §120.52, Florida  
Statutes, with the designated Department Clerk, receipt  
of which is hereby acknowledged.

*Martha Jane Wise* 1-22-04  
(Clerk) (Date)

CAM Plan Review and Request for Additional Information

Cargill - Bartow  
Title V Permit Renewal  
Project Number: 1050046-018-AV

To: Ann Quillian

cc: Eric Peterson, Jason Waters

From: Jonathan Holtom

Date: May 28, 2003

The following comments/questions are a result of my review of the submitted CAM plans for Cargill's Bartow facility. You may be able to answer them yourself, or you may use these questions in a further request for additional information. Please call me to discuss these questions after you have had a chance to review them.

General Comments, not CAM related

I'm guessing that projects -005 and -007 were incorporated into the initial Title V permit, but it does not appear from the ARMS permit tracking that AC projects -008, -009, -012, or -013 have ever been incorporated into a Title V permit revision. In addition, the public comment period for project -016 (that absorbed project -014???) expired on 6/30/02, but the Proposed and Final Permits have not yet been issued. I'm sure that you are aware of all of this, but I am concerned about the facility not having acted in a timely manner to get the proper revisions following their AC projects, and are therefore operating the modified units without the legal authority to do so. (Their Annual Statement of Compliance should be rather interesting.)

Application attachment CB-FI-C8, List of Proposed Insignificant Activities – the applicant provided a copy of EPA's White Paper rather than a specific list for their facility. The White Paper should only be used as a reference for types of emissions that can be considered insignificant. It should not be part of an application. The applicant should provide their own list to you as part of a complete application.

Regarding F and PM Emissions From the No. 3 Fertilizer Plant (EU 001)

This unit is subject to 40 CFR 63, Subpart BB for fluoride emissions, but these requirements are not currently included in their Title V permit. I assume that they are going to be in the Title V renewal, which would exempt the unit from CAM for fluoride emissions.

This same unit is subject to a limit for PM emissions of 30 lb/hr, which is after the series of scrubbers. By their submission, Cargill states that pre-control emissions are greater than 100 tpy. Therefore, CAM will apply for PM emissions since PM is not addressed by Subpart BB. Cargill will need to provide acceptable indicator ranges now for what is there. Future results of fan-amperage tests will not suffice at this time.

*Need  
PM  
CAM*

Regarding PM Emissions From the No. 4 Fertilizer Shipping Plant (EU 002)

Control device or product recovery?

*No Product Recovery*

(Since compliance can be met with either the scrubber or a dust suppressant, CAM may not apply.)

*Need CAM for PM*

Regarding PM Emissions From the No. 3 Fertilizer Shipping Plant (EU 004)

CAM does not apply to this unit because there is no add-on control device.

Regarding Fluoride Emissions From the Phosphoric Acid Plant (EU 010)

Are emissions from Phos. Acid plants 4&5 regulated separately or combined?

What are the efficiencies of the three scrubbers?

Are pre-control emissions really greater than 100 tpy?

Are they in series or at different points in the process?

1050046-013-AC addresses BACT but not MACT. Are the units in compliance with 40 CFR 63, Subpart AA?

Are those requirements going to be in the renewed permit?

If CAM applies, need indicator ranges now for what is there. Future results of fan-amperage tests will not suffice.

No, MACT APPLIES

*NO CAM Plan Needed*

Regarding SO<sub>2</sub>, NO<sub>x</sub>, SAM Emissions From the No. 4, 5, and 6 Sulfuric Acid Plants (EU 012, 032, 033)

Are the SO<sub>2</sub> CEMs the compliance method, or just used for continuous monitoring? If listed in the permit for continuous compliance purposes, then exempt from CAM for SO<sub>2</sub> emissions. Submission mentions that units are exempt from CAM because they are subject to Subpart H, which was promulgated in Feb. 2001. My July 2001 version shows a few minor amendments on Oct. 17, 2000, but the rule was proposed in the early 70's. Therefore, the stated exemption is not a valid argument.

*SO<sub>2</sub>  
CEMS  
for  
complan*

If the mist eliminators are an inherent part of the process and are being used for product recovery purposes rather than just pollution control purposes, then they are exempt from CAM. If not being used for product recovery and if the SAM emissions limit can not be met without the mist eliminators, indicators must be identified and checked on a daily basis to ensure that the mist eliminators are functioning at the same level as the most recent test in order to satisfy CAM.

*oh*

No CAM required for NO<sub>x</sub> since no control device is used.

*oh*

Regarding F and PM Emissions From the No. 4 Fertilizer Plant (EU 021)

This unit is subject to 40 CFR 63, Subpart BB for fluoride emissions, but these requirements are not currently included in their Title V permit. I assume that they are going to be in the Title V renewal, which would exempt the unit from CAM for fluoride emissions.

*Title V renewal  
complan*

This same unit is subject to a limit for PM emissions of 76.5 tpy(?), which is after the series of scrubbers. By their submission, Cargill states that pre-control emissions are greater than 100 tpy. Therefore, CAM will apply for PM emissions since PM is not addressed by Subpart BB. Cargill will need to provide acceptable indicator ranges now for what is there. Future results of fan-amperage tests will not suffice at this time.

Regarding the Molten Sulfur Handling & Storage Systems (EU 045, 046, 047, 050)

CAM does not apply, as there are no control devices or emission limits.

Regarding the Water-tube Boiler (EU 051)

CAM does not apply, as there are no control devices or emission limits.