

Robert W. Heinz
Vice President, Florida Operations

DER
JUN 10 1985
BAQM

Royster Company
P. O. Drawer 797
Mulberry, Florida 33860
(813) 425-1176
A Superfos Denmark Company

CERTIFIED MAIL



June 7, 1985

Mr. C. H. Fancy, P.E., Deputy Chief
Bureau of Air Quality Management
Florida Department of Environmental Regulations
2600 Blair Stone Road
Tallahassee, Florida 32301-8241

RE: Sulfuric Acid Plant
Proposed Permit Number AC53-85261

Dear Mr. Fancy:

Enclosed is Affidavit of Publication supplied to us by the Lakeland Ledger for proof of publication of the Notice of Proposed Agency Action on Permit Application as stipulated in your letter of May 23, 1985.

Very truly yours,

A handwritten signature in cursive script that reads "T. R. Schmalz".

T. R. Schmalz, P.E.
Manager, Engineering and
Environmental Services

TRS:sk

cc: R. T. Van Arsdall, Plant Manager

6-12-85

Patty,

I have copy
of these

Copy
Patty

nmh

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

Attach Notice Here

STATE OF FLORIDA)
COUNTY OF POLK)

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

Notice

in the matter of

Proposed Agency Action

in the

Court, was published in said newspaper in the issues of

May 31; 1985

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 postoffice 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 *Walter Garris*
Controller

Sworn to and subscribed before me this 31st

day of May A.D. 1985

(Seal)

Charles M. Almon
Notary Public

Notary Public, State of Florida at Large

My Commission Expires June 1, 1987

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action
on Permit Application

The Department of Environmental Regulation gives notice of its intent to issue a permit to Royster Company to modify their existing sulfuric acid plant located in Polk County on State Road 60, one mile east of Mulberry, Florida. A determination of best available control technology (BACT) was required.

The increased sulfur dioxide emissions from the modified plant will not result in a significant impact on the ambient air quality.

Persons 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, Florida Statutes. The petition must conform to the requirements of Chapters 17, 103 and 285, Florida Administrative Code, and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida, 32301, within fourteen (14) days of publication of this notice. Failure to file a request for hearing 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.

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 preliminary statement. Therefore, persons who may not object to the proposed agency action may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207 at least five (5) days before the final hearing and be filed with the hearing officer. If one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

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:

Dept. of Environmental Regulation
Southwest District
7601 Highway 301 North
Tampa, Florida 33610
Bartow Public Library
315 Parker Street
Bartow, Florida 33830

Dept. of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32301

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

B331 - 531 - 1985