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### FACSIMILE TRANSMISSION

Total # of Pages 24 (including this page)

TO:	PHONE #:	FAX #:
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From : Margo T. Valenti, Paralegal  
 Email Address : mvalenti@foley.com  
 Sender's Direct Dial : 813.225.4110  
 Date : September 28, 2004  
 Client/Matter No : 024139-0116  
 User ID No : 2582

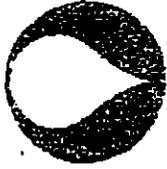
#### MESSAGE:

Attached please find a Statement of Compliance – Title V Source for each facility. If you have any questions or need additional information, please do not hesitate to give me a call.

If there are any problems with this transmission or if you have not received all of the pages, please call 813.229.2300.

Operator:	Time Sent:	Return Original To: Margo T. Valenti
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# CARGILL FERTILIZER, INC.

P.O. Box 9002 • Bartow, Florida 33831 • Telephone 941-534-8910 • FAX 863-534-8680

August 26, 2004

Certified Mail 7099 3220 0007 3016 8963

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

To Whom It May Concern:

RE: **Statement of Compliance for Transfer of Title V and Air Construction Permits  
Cargill Fertilizer, LLC  
Bartow and Mulberry Facilities**

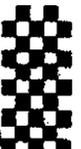
Enclosed please find Statement of Compliance reports for Cargill Fertilizer's Bartow (Permit No. 1050046) and Mulberry (Permit No. 1050048) facilities for the time period from January 1, 2004 through May 31, 2004. These reports also constitute compliance with Appendix TV-1, Title V Conditions for the submittal of a semi-annual monitoring report for these facilities. The reports are being submitted as part of the requested information for the transfer of the referenced permits from Cargill Fertilizer, Inc. to Cargill Fertilizer, LLC.

If you have any questions concerning these reports please call me at (863) 534-9615.

Sincerely,

Debra R. Waters  
Environmental Superintendent

cc: David Jellerson - Cargill  
Carey Macconnell - Cargill  
US Environmental Protection Agency - Region 4, Air Pesticides & Toxics  
Management Division, Air & EPCRA Enforcement Section, 61 Forsyth St.,  
Atlanta, GA 30303 CERTIFIED MAIL: 7099 3220 0007 3016 8960  
Files 60-04-07, M60-02-06





# Department of Environmental Protection

## Division of Air Resource Management

### STATEMENT OF COMPLIANCE - TITLE V SOURCE

REASON FOR SUBMISSION (Check one to indicate why this statement of compliance is being submitted)

Annual Requirement       Transfer of Permit       Permanent Facility Shutdown

REPORTING PERIOD*		REPORT DEADLINE**
January	through May 31 of 2004 (year)	August 26, 2004

\*The statement of compliance must cover all conditions that were in effect during the indicated reporting period, including any conditions that were added, deleted, or changed through permit revision.

\*\*See Rule 62-213.440(3)(a)2, F.A.C.

Facility Owner/Company Name: Cargill Fertilizer

Site Name: Mulberry Facility      Facility ID No. 1050049      County: Polk

COMPLIANCE STATEMENT (Check only one of the following three options)

A. This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part, and there were no reportable incidents of deviations from applicable requirements associated with any malfunction or breakdown of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above.

B. This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part; however, there were one or more reportable incidents of deviations from applicable requirements associated with malfunctions or breakdowns of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above, which were reported to the Department. For each incident of deviation, the following information is included:

1. Date of report previously submitted identifying the incident of deviation.
2. Description of the incident.

C. This facility was in compliance with all terms and conditions of the Title V Air Operation Permit and, if applicable, the Acid Rain Part, EXCEPT those identified in the pages attached to this report and any reportable incidents of deviations from applicable requirements associated with malfunctions or breakdowns of process, fuel burning or emission control equipment, or monitoring systems during the reporting period identified above, which were reported to the Department. For each item of noncompliance, the following information is included:

1. Emissions unit identification number.
2. Specific permit condition number (note whether the permit condition has been added, deleted, or changed during certification period).
3. Description of the requirement of the permit condition.
4. Basis for the determination of noncompliance (for monitored parameters, indicate whether monitoring was continuous, i.e., recorded at least every 15 minutes, or intermittent).
5. Beginning and ending dates of periods of noncompliance.
6. Identification of the probable cause of noncompliance and description of corrective action or preventative measures implemented.
7. Dates of any reports previously submitted identifying this incident of noncompliance.

For each incident of deviation, as described in paragraph B. above, the following information is included:

1. Date of report previously submitted identifying the incident of deviation.
2. Description of the incident.

STATEMENT OF COMPLIANCE - TITLE V SOURCE

RESPONSIBLE OFFICIAL CERTIFICATION

I, the undersigned, am a responsible official (Title V air permit application or responsible official notification form on file with the Department) of the Title V source for which this document is being submitted. With respect to all matters other than Acid Rain program requirements, I hereby certify, based on the information and belief formed after reasonable inquiry, that the statements made and data contained in this document are true, accurate, and complete.

David B. Jellerson
(Signature of Title V Source Responsible Official)

8-26-04
(Date)

Name: David B. Jellerson

Title: Environmental Manager

DESIGNATED REPRESENTATIVE CERTIFICATION (only applicable to Acid Rain source)

I, the undersigned, am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

(Signature of Acid Rain Source Designated Representative)

(Date)

Name:

Title:

{Note: Attachments, if required, are created by a responsible official or designated representative, as appropriate, and should consist of the information specified and any supporting records. Additional information may also be attached by a responsible official or designated representative when elaboration is required for clarity. This report is to be submitted to both the compliance authority (DEP district or local air program) and the U.S. Environmental Protection Agency(EPA) (U.S. EPA Region 4, Air and EPCRA Enforcement Branch, 61 Forsyth Street, Atlanta GA 30303).}

**Title V Statement of Compliance  
January 1, 2004-May 31, 2004  
Cargill Fertilizer - Mulberry Facility  
Permit No. 10S0048-001-AV**

**Attachment 1 of 2**

1. Emissions unit identification number - #3 SAP-002
2. Specific permit condition number - Title V III. A. 9. (b) No change in certification period.
3. Description of the requirement of the permit condition - References 40 CFR 60.13 requirement for daily span checks for SO2 CEM at the Sulfuric Acid Plant.
4. Basis for determination of noncompliance - Review of span check records.
5. Beginning and ending dates of noncompliance - During the period from January 1, 2004 through May 31, 2004 there were a total of 18 days for which there are no records to indicate that the span for the SO2 CEM was verified
6. Identification of probable cause of noncompliance and description of corrective action or preventative measures implemented - Probable cause is oversight by the electrician(s) responsible for performing the test on identified dates. Corrective action includes refresher training of the daily requirement for the electrical department and operations. Refresher training completed August 26, 2004.
7. Dates of any reports previously submitted identifying this incident of noncompliance - None

**Title V Statement of Compliance  
January 1, 2004–May 31, 2004  
Cargill Fertilizer – Mulberry Facility  
Permit No. 1050048-001-AV**

**Attachment 2 of 2**

Emissions unit identification number – 009, Auxiliary Process Steam Boiler

1. **Specific permit condition number – Title V III. D. 6. No change in this condition during the certification period.**
2. **Description of the requirement of the permit condition – Establishes requirement for visual emission test/waiver letter to be submitted to the DEP if the boiler operated on fuel oil for <400 hours in the previous 12 months.**
3. **Basis for determination of noncompliance – Review of emissions unit records for this condition.**
4. **Beginning and ending dates of noncompliance – Waiver letter should have been submitted in February 2004 in order to remain current with the annual requirement.**
5. **Identification of probable cause of noncompliance and description of corrective action or preventative measures implemented – Probable cause is oversight of the requirement. Corrective action includes submittal of waiver letter on August 26, 2004 and addition of this condition to in-house tickler system for future notifications prior to due date.**
6. **Dates of any reports previously submitted identifying this incident of noncompliance – None**