



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-240

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

November 22, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. C. M. Farris  
General Manager  
U.S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

Dear Mr. Farris:

The Department received your request for an extension of the expiration date for the construction permit referenced below. The request is acceptable and the following shall be changed:

Project: AC 53-145424

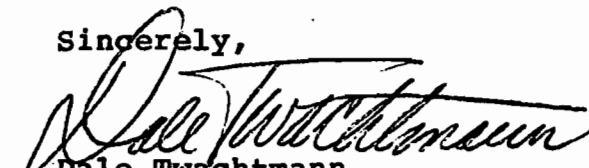
From: March 31, 1989  
To: June 30, 1990

Attachment to be Incorporated:

Letter from U.S. Agri-Chemicals dated October 31, 1988, requesting a change in the expiration date.

This letter must be attached to your construction permit AC 53-145424 and shall become a part of that permit.

Sincerely,

  
Dale Twachtmann  
Secretary

DT/ks

cc: W. Thomas, SW District  
J. Carroll, U.S. Agri-Chemicals

DEC 07 1988  
SOUTH WEST DISTRICT  
TAMPA



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary

October 2, 1990

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. C. M. Farris, General Manager  
U. S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

Dear Mr. Farris:

Re: Modification of Permit No. AC 53-145424

The above permit is amended as stated below in response to Jim Carroll's letter dated September 28, 1990.

Specific Condition No. 6

Present:

The permittee shall measure and record the total acid flow rate to each scrubber system. Static pressure measured across the system must be within the range of -25 to -35 inches w.c. measured at the exhaust gas blower. The total acid flow rate to the venturi scrubbers shall be within the range of 1.7 to 2.6 gpm acid per ton per hour of P<sub>2</sub>O<sub>5</sub>. These records shall be maintained for 2 years and be available for inspection by regulatory agency personnel on request.

New:

The permittee shall measure and record the total acid flow rate to the scrubber system. Static pressure measured across the system must be within the range of -25 to -35 inches w.c. measured at the exhaust gas blower. The total acid flow rate to the venturi scrubber system shall be within the range of 1.4 to 6.8 gpm acid per ton per hour of P<sub>2</sub>O<sub>5</sub>. These records shall be maintained for 2 years and be available for inspection by regulatory agency personnel on request.

D. E. R.

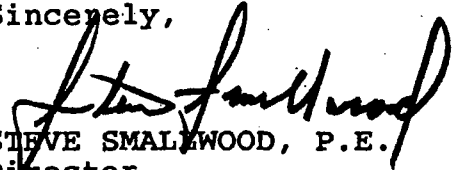
OCT 24 1990

SOUTHWEST DISTRICT  
TAMPA

Mr. C. M. Farris  
October 2, 1990  
Page 2

This amendment letter shall become part of your construction permit AC 53-145424.

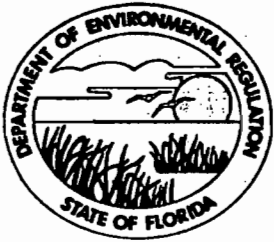
Sincerely,



STEVE SMALWOOD, P.E.  
Director  
Division of Air Resources  
Management

SS/JR/plm

c: W. Thomas, SW District  
J. Carroll, P.E., U.S. Agri-Chemicals



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION  
NOTICE OF PERMIT

D. E.

JUN 17 1988

Mr. C. M. Farris, General Manager  
U.S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

SOUTH WEST DISTRICT  
TAMPA

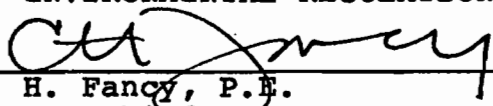
June 14, 1988

Enclosed is permit No. AC 53-145424, for the modification of the MAP/DAP plant at U.S. Agri-Chemicals Bartow phosphate fertilizer complex. This permit is issued pursuant to Section 403, Florida Statutes.

Any Party to this permit has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 of Appeal must be filed within 30 days from the date this permit is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

  
C. H. Fancy, P.E.  
Deputy Chief

Bureau of Air Quality Management

Copy furnished to:

✓ W. Thomas, SW District  
J. Carroll, U.S. Agri Chemicals

**Final Determination**

**U.S. Agri-Chemicals  
Polk County**

**Modification of MAP/DAP Plant  
State Permit No. AC 53-145424**

**Florida Department of Environmental Regulation  
Bureau of Air Quality Management  
Central Air Permitting**

**June 7, 1988**

## Final Determination

The Bureau of Air Quality Management completed its review of U.S. Agri-Chemical's application for a permit to construct/modify the MAP/DAP plant at their Bartow facility. On May 16, 1988, public notice of the Department's intent to issue the permit was published in the Polk County Democrat. Copies of the Technical Evaluation and Preliminary Determination were available for public inspection at the Department's offices in Tampa and Tallahassee.

Comments were submitted by the applicant to update the application flow sheet and to propose surrogate parameters for monitoring scrubber pressure drop. The Department has determined that the proposed surrogate parameters are acceptable and Specific Condition No. 6 has been modified accordingly. No other comments having been received, the permit will be issued as modified.

Fort Meade, FL 33841-938  
813 285 8121

**US**  
**Agri-Chemicals**

May 17, 1988

Mr. Clair H. Fancy, P.E., Chief  
Bureau of Air Quality Management  
Department of Environmental Regulation  
2600 Blair Stone Road  
Tallahassee, Florida 32301

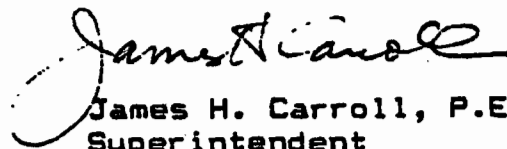
Subject: DER File No. AC53-15424, MAP/DAP Plant  
Modification, Public Notice

Dear Mr. Fancy:

Enclosed is the public notice which appeared in the May 16, 1988 issue of the Polk County Democrat stating the Departments' Intent To Issue a permit to U.S. Agri-Chemicals for modification of the Monoammonium/Diammonium Phosphate Plant.

This notice was published as required in your letter dated April 21, 1988 and received on April 25, 1988.

Very truly yours,

  
James H. Carroll, P.E.  
Superintendent  
Environmental Engineering

✓ JHC-BB.42

CC: Mr. C. M. Farris  
Mr. C. E. Neff  
Mr. J. M. Lowery  
John Reynolds 5/25/88 ROR  
Enclosure

RECEIVED

MAY 24 1988

DER-BAQM

5-25-88  
012  
FD

AFFIDAVIT OF PUBLICATION

The Polk County Democrat  
Published Semi-Weekly  
Bartow, Polk County, Florida

Case No. \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF POLK

Before the undersigned authority personally appeared \_\_\_\_\_

Louanna K. Locke, who on oath says that (s)he is

Head Bookkeeper of The Polk County Democrat, a newspaper pub-

lished at Bartow, in Polk County, Florida; that the attached copy of advertisement, being

a Notice of Intent in the

matter of U.S. Agri-Chemicals

in the \_\_\_\_\_ Court, was published in said newspaper in the issues

of May 16, 1988

Affiant further says that The Polk County Democrat is a newspaper published at Bartow, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, each Monday and Thursday, and has been entered as second class matter at the post office in Bartow, 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 said newspaper.

Signed Louanna K. Locke

Sworn to and subscribed before me this 17th day of

May, 19 88

Nancy M. DeJ

Notary Public

My Commission Expires:  
Notary Public, State of Florida at Large  
My Commission Expires Nov. 18, 1988

State of Florida  
Department of  
Environmental Regulation  
Notice of Intent

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit to U. S. Agri-Chemicals to modify the Monosmmonium/Diammonium Phosphate plant at their facility near Bartow on State Road 630 West in Polk County. Since the increase in emissions of regulated air pollutants will be below significant levels, the modification is exempted from the new source review requirements under FAC Rules 17-2.500 and 17-2.510. The Department has determined that the proposed modification will not interfere with attainment of the ambient air quality standards. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative determination (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a petition within this time period constitutes a waiver of any right such person has 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 proposed agency action. Therefore, persons who may not wish to file a petition may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207, Florida Administrative Code, 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 32309-2400. 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, Bureau of Air Quality Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Dept. of Environmental Regulation, Southwest District, 4520 Live Oak Fair Blvd., Tampa, Florida 33610-7349.

Any person may send written comments on the proposed action to Mr. Bill Thomas at the Department's Tallahassee address. All comment mailed within 14 days of the publication of this notice will be considered in the Department's final determination.  
May 16, 1988-1151





# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

**PERMITTEE:**  
U.S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

**Permit Number:** AC 53-145424  
**Expiration Date:** March 31, 1989  
**County:** Polk  
**Project:** Modification of  
Monoammonium/Diammonium Phosphate Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the modification of a monoammonium/diammonium phosphate plant located at the permittee's phosphate fertilizer complex near Bartow on State Road 630 West in Polk County, Florida. The UTM coordinates are Zone 17, 413.2 km E and 3086.3 km N.

The modification shall be in accordance with the attached permit application except as otherwise noted under the General Conditions and Specific Conditions set forth in this permit.

Attachments are as follows:

1. Application to Construct Air Pollution Sources, DER form 17-1.202(1), and letter dated February 5, 1988.
2. Letter from U.S. Agri-Chemicals dated May 2, 1988.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

PERMITTEE:  
U.S. Agri-Chemicals.

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**GENERAL CONDITIONS:**

6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately notify and provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**GENERAL CONDITIONS:**

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:

- ( ) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards.

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.

**PERMITTEE:**  
U.S. Agri-Chemicals

**Permit Number:** AC 53-145424  
**Expiration Date:** March 31, 1989

**GENERAL CONDITIONS:**

- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
- the date, exact place, and time of sampling or measurements;
  - the person responsible for performing the sampling or measurements;
  - the date(s) analyses were performed;
  - the person responsible for performing the analyses;
  - the analytical techniques or methods used; and
  - the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

**SPECIFIC CONDITIONS:**

1. Maximum permitted production rate for this plant shall be 69.6 TPH P<sub>2</sub>O<sub>5</sub> input. If the production rate exceeds the maximum permitted rate by 10% or more at any time, a compliance test must be conducted after notifying the Department and the results of this test, along with other information listed in Specific Condition No. 9, must be submitted to the Department within 10 working days. Any emissions in excess of those listed in Specific Condition No. 2 shall constitute a violation of this permit. The plant may operate 8,760 hours per year if permitted emissions are not exceeded.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**SPECIFIC CONDITIONS:**

2. The emissions from the 7 foot diameter, 131 foot high stack shall not exceed:

Pollutant	Standard	Max. Allowable Emissions	
		lbs/hr	T/yr
Particulate	38.59 lbs/hr	38.59	169.02
Fluoride	0.06 lb/T P <sub>2</sub> O <sub>5</sub>	4.17	18.29

3. Fugitive emissions from the process, conveying and storage equipment shall be controlled by sealing and/or venting to the pollution abatement system.

4. Fuel oil used in the drying operation shall contain no more than 2.5% sulfur.

5. The permittee shall install, calibrate, maintain, operate and record data from flow monitoring devices used to determine total P<sub>2</sub>O<sub>5</sub> input to the plant. A daily record of the P<sub>2</sub>O<sub>5</sub> input to the plant shall be maintained.

6. The permittee shall measure and record the total acid flow rate to each scrubber system. The total acid flow rate to the venturi scrubbers shall be within the range of 1.7 to 2.6 gpm acid per TPH of P<sub>2</sub>O<sub>5</sub>. Static pressure measured across the system must be within the range of -25 inches w.c. to -35 inches w.c. measured at the exhaust gas blower. These records shall be maintained for 2 years and be available for inspection by regulatory agency personnel on request.

7. Modification should commence and be completed within a reasonable time based on the projections in the application.

8. Reasonable precautions to prevent fugitive particulate emissions during modification, such as coating or spraying roads and construction sites used by contractors, shall be taken by the permittee.

9. Before the construction permit expires, the DAP plant shall be sampled for particulate and fluoride emissions. Test procedures shall be in accordance with EPA reference methods 1, 2, 3, 5, and 13A or 13B as published in 40 CFR 60. The Department shall be notified in writing 15 days or more prior to the compliance test. The test shall be conducted at permitted production capacity or no less than 90% thereof. P<sub>2</sub>O<sub>5</sub> input, pH of scrubber solution, and pressure drop across the scrubbers shall be reported to the Department along with the test data and results.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**SPECIFIC CONDITIONS:**

The applicant must demonstrate compliance with the conditions of this permit and submit a complete application for an operating permit including an operating and maintenance plan to the Southwest DER office at least 90 days before the expiration date of this construction permit. The permittee may continue to operate in compliance with all terms of this permit until the expiration date or issuance of an operating permit.

Issued this 9 day of June, 1988

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL REGULATION

  
Dale Twachtmann, Secretary

**ATTACHMENT 2**



STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400



BOB MARTINEZ  
GOVERNOR  
DALE TWACHTMANN  
SECRETARY

April 21, 1988

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. C. M. Farris  
General Manager  
U.S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

APR 22 1988  
SOUTH DISTRICT  
TALLAHASSEE

Dear Mr. Farris:

Attached is one copy of the Technical Evaluation and Preliminary Determination and proposed permit to modify the MAP/DAP plant at your phosphate facility.

Please submit written comments you wish to have considered concerning the Department's proposed action to Mr. Bill Thomas of the Bureau of Air Quality Management.

Sincerely,

C. H. Fancy, P.E.  
Deputy Chief  
Bureau of Air Quality  
Management

CHF/jr

Attachments

cc: ~~W. Thomas, SW District~~  
J. Carroll, U.S. Agri-Chemicals

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of  
Application for Permit by:

U.S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

---

DER File No. AC 53-145424

INTENT TO ISSUE

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above. The Department is issuing this Intent to Issue for the reasons stated in the attached Technical Evaluation and Preliminary Determination.

The applicant, U.S. Agri-Chemicals, applied on February 11, 1988, to the Department of Environmental Regulation for a permit to modify the MAP/DAP plant located at their existing facility near Bartow, Florida.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-2 and 17-4. The project is not exempt from permitting procedures. The Department has determined that an air construction permit was needed for the proposed work.

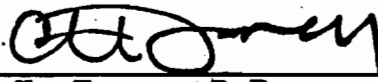
Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, FAC, you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed Agency Action on permit applications. The notice must be published one time only in a section of a major local newspaper of general circulation in the county in which the project is located and within thirty (30) days from receipt of this intent. Proof of publication must be provided to the Department within seven days of publication of the notice. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits.

The Department will issue the permit with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S. 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, Florida Statutes. Petitions must comply with the requirement of Florida Administrative Code Rules 17-103.155 and 28-5.201 (copy enclosed) and be filed with (received by) the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant must be filed within fourteen (14) days of receipt of this intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this intent, whichever first occurs. 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, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions will be dismissed.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



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C. H. Fancy, P.E.  
Deputy Chief  
Bureau of Air Quality  
Management

Copies furnished to:

W. Thomas, SW District  
J. Carroll, U.S. Agri-Chemicals

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on 4-21-88.

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

Martha J. Wain  
Clerk

4-21-88  
Date

RULES OF THE ADMINISTRATIVE COMMISSION  
MODEL RULES OF PROCEDURE  
CHAPTER 28-5  
DECISIONS DETERMINING SUBSTANTIAL INTERESTS

28-5.15 Requests for Formal and Informal Proceedings

- (1) Requests for proceedings shall be made by petition to the agency involved. Each petition shall be printed, typewritten or otherwise duplicated in legible form on white paper of standard legal size. Unless printed, the impression shall be on one side of the paper only and lines shall be double spaced and indented.
- (2) All petitions filed under these rules should contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name and address of the petitioner or petitioners;
  - (c) All disputed issues of material fact. If there are none, the petition must so indicate;
  - (d) A concise statement of the ultimate facts alleged, and the rules, regulations and constitutional provisions which entitle the petitioner to relief;
  - (e) A statement summarizing any informal action taken to resolve the issues, and the results of that action;
  - (f) A demand for the relief to which the petitioner deems himself entitled; and
  - (g) Such other information which the petitioner contends is material.

State of Florida  
Department of Environmental Regulation  
Notice of Intent

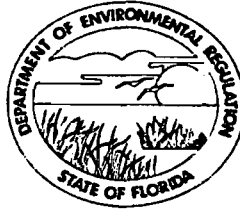
The Department of Environmental Regulation hereby gives notice of its intent to issue a permit to U.S. Agri-Chemicals to modify the Monoammonium/Diammonium Phosphate plant at their facility near Bartow on State Road 630 West in Polk County. Since the increase in emissions of regulated air pollutants will be below significant levels, the modification is exempted from the new source review requirements under FAC Rules 17-2.500 and 17-2.510. The Department has determined that the proposed modification will not interfere with attainment of the ambient air quality standards. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative determination (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a petition within this time period constitutes a waiver of any right such person has 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 proposed agency action. Therefore, persons who may not wish to file a petition may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207, Florida Administrative Code, 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 32399-2400. 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.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400



EOB MARTINEZ  
GOVERNOR

DALE TWACHTMANN  
SECRETARY

**PERMITTEE:**  
U.S. Agri-Chemicals  
3225 State Road 630 West  
Ft. Meade, Florida 33841-9799

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989  
County: Polk  
Project: Modification of  
Monoammonium/Diammonium Phos-  
phate Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code, Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the modification of a monoammonium/diammonium phosphate plant located at the permittee's phosphate fertilizer complex near Bartow on State Road 630 West in Polk County, Florida. The UTM coordinates are Zone 17, 413.2 km E and 3086.3 km N.

The modification shall be in accordance with the attached permit application except as otherwise noted under the General Conditions and Specific Conditions set forth in this permit.

Attachments are as follows:

1. Application to Construct Air Pollution Sources, DER form 17-1.202(1), and letter dated February 5, 1988.

**PERMITTEE:**  
**U.S. Agri-Chemicals**

**Permit Number: AC 53-145424**  
**Expiration Date: March 31, 1989**

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.



PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**GENERAL CONDITIONS:**

6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately notify and provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**GENERAL CONDITIONS:**

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:

- ( ) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards.

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**GENERAL CONDITIONS:**

- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
- the date, exact place, and time of sampling or measurements;
  - the person responsible for performing the sampling or measurements;
  - the date(s) analyses were performed;
  - the person responsible for performing the analyses;
  - the analytical techniques or methods used; and
  - the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

**SPECIFIC CONDITIONS:**

1. Maximum permitted production rate for this plant shall be 69.6 TPH  $P_2O_5$  input. If the production rate exceeds the maximum permitted rate by 10% or more at any time, a compliance test must be conducted after notifying the Department and the results of this test, along with other information listed in Specific Condition No. 9, must be submitted to the Department within 10 working days. Any emissions in excess of those listed in Specific Condition No. 2 shall constitute a violation of this permit. The plant may operate 8,760 hours per year if permitted emissions are not exceeded.

PERMITTEE:  
U.S. Agri-Chemicals

Permit Number: AC 53-145424  
Expiration Date: March 31, 1989

**SPECIFIC CONDITIONS:**

2. The emissions from the 7 foot diameter, 131 foot high stack shall not exceed:

Pollutant	Standard	Max. Allowable Emissions	
		lbs/hr	T/yr
Particulate	38.59 lbs/hr	38.59	169.02
Fluoride	0.06 lb/T P <sub>2</sub> O <sub>5</sub>	4.17	18.29

3. Fugitive emissions from the process, conveying and storage equipment shall be controlled by sealing and/or venting to the pollution abatement system.

4. Fuel oil used in the drying operation shall contain no more than 2.5% sulfur.

5. The permittee shall install, calibrate, maintain, operate and record data from flow monitoring devices used to determine total P<sub>2</sub>O<sub>5</sub> input to the plant. A daily record of the P<sub>2</sub>O<sub>5</sub> input to the plant shall be maintained.

6. The permittee shall measure and record the total pressure drop across each scrubber system. Pressure drop across the venturi scrubbers must be at least 12 inches of water during plant operation. These records shall be maintained for 2 years and be available for inspection by regulatory agency personnel on request.

7. Modification should commence and be completed within a reasonable time based on the projections in the application.

8. Reasonable precautions to prevent fugitive particulate emissions during modification, such as coating or spraying roads and construction sites used by contractors, shall be taken by the permittee.

9. Before the construction permit expires, the DAP plant shall be sampled for particulate and fluoride emissions. Test procedures shall be in accordance with EPA reference methods 1, 2, 3, 5, and 13A or 13B as published in 40 CFR 60. The Department shall be notified in writing 15 days or more prior to the compliance test. The test shall be conducted at permitted production capacity or no less than 90% thereof. P<sub>2</sub>O<sub>5</sub> input, pH of scrubber solution, and pressure drop across the scrubbers shall be reported to the Department along with the test data and results.

**PERMITTEE:**  
U.S. Agri-Chemicals

Permit Number: AC 53-14542  
Expiration Date: March 31, 1968

**SPECIFIC CONDITIONS:**

The applicant must demonstrate compliance with the conditions of this permit and submit a complete application for an operating permit including an operating and maintenance plan to the Southwest DER office at least 90 days before the expiration date of this construction permit. The permittee may continue to operate in compliance with all terms of this permit until the expiration date or issuance of an operating permit.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

**STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL REGULATION**

Dale Twachtmann, Secretary