



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

November 5, 2004

CERTIFIED MAIL - Return Receipt Requested

Mr. John Doran
CF Industries, Inc.
P.O. Box 1480
Bartow, FL 33831

Re: DRAFT Title V Air Operation Permit Renewal Project No.: 1050052-008-AV
Draft Air Construction Permit Project No.: 1050052-009-AC
Bartow Plant

Dear Mr. Doran:

One copy of the Technical Evaluation and Preliminary Determination, the combined Public Notice, the Draft air construction permit (letter), and the DRAFT Title V air operation permit renewal for the Bartow Phosphate Complex located at 2501 Bonnie Mine Road, Bartow, Polk County, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" are also included.

An electronic version of the DRAFT Title V Air Operation Permit Renewal has been posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

["http://www.dep.state.fl.us/air/permitting/airpermits/AirSearch_ltd.asp"](http://www.dep.state.fl.us/air/permitting/airpermits/AirSearch_ltd.asp)

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to James K. Pennington, P.E., at the above letterhead address. If you have any other questions, please contact Bobby Bull at 850/921-9585.

Sincerely,

Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/jkp/rlb

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permits by:

CF Industries, Inc.
P.O. Box 1480
Bartow, FL 33831

DRAFT Title V Air Operation Permit Renewal Project No.: 1050052-008-AV
Draft Air Construction Permit Project No.: 1050052-009-AC
Bartow Plant
Polk County

**WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR
OPERATION PERMIT RENEWAL**

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit (AC) and a Title V Air Operation Permit (Permit) renewal (copies of the DRAFT AC and DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, CF Industries, Inc., applied on February 28, 2003, to the permitting authority for a Permit Renewal for the Bartow Phosphate Complex 2501 Bonnie Mine Road, Bartow, Polk County. On October 4, 2004, the applicant submitted an air construction application.

The Air Construction Permit 1050052-009-AC is being issued to allow truck loading and unloading operation to take place at the DAP/MAP/GTSP railcar storage and handling facility, i.e. EU # 031.

The Permit renewal is being issued to allow continued commercial operation of the facility, as authorized by the initial Permit, No. 1050052-004-AV, and incorporate the terms of Air Construction Permits 1050052-006-AC and 1050052-009-AC.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212, and 62-213. This source is not exempt from construction and Title V permitting procedures. The permitting authority has determined that an AC and a Permit renewal are required to commence or continue operations at the described facility.

The permitting authority intends to issue the AC and the Permit renewal based on the belief that reasonable assurances have been provided to indicate that the AC activity and operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/921-9533), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits pursuant to Rule 62-110.106, F.A.C.

The permitting authority will issue the AC and the PROPOSED Permit and subsequent FINAL Permit, in accordance with the conditions of the attached Draft AC and the DRAFT Permit, unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed AC issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft AC, the permitting authority shall issue a Revised Draft AC and require, if applicable, another Public Notice.

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the above address or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit revision applicant or any of the parties listed below must be filed within fourteen 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), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen 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, F.A.C.

A petition that disputes the material facts on which the permitting authority'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 each 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, as well as the rules and statutes which entitle the petitioner to relief;
- (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 permitting authority'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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the

CF Industries, Inc.
Bartow Plant
DRAFT Title V Air Operation Permit Project No.: 1050052-008-AV
Draft Air Construction Permit Project No.: 1050052-009-AC
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Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CF Industries, Inc.
Bartow Plant
DRAFT Title V Air Operation Permit Project No.: 1050052-008-AV
Draft Air Construction Permit Project No.: 1050052-009-AC
Page 5 of 5

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL (including the Combined PUBLIC NOTICE, Draft AC and DRAFT Permit) and all copies were sent by certified mail before the close of business on 11/9/04 to the person(s) listed:

Mr. John Doran, Manager, CF Industries, Inc., Bartow Phosphate Complex, P.O. Box 1480, Bartow, FL., 33831.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL (including the Combined PUBLIC NOTICE, Draft AC and DRAFT Permit) were sent by U.S. mail on the same date to the person(s) listed:

John B. Koogler, PhD., P.E., Koogler and Associates
Pradeep Raval, Consultant, Koogler and Associates

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL (including the Draft AC and DRAFT Permit packages) were sent by INTERNET E-mail on the same date to the person(s) listed:

Gerald Kissel, FDEP- SWD
Jason Waters, FDEP- SWD
U.S. EPA, Region 4

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 11/9/04
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL

Permitting Authority
Department of Environmental Protection
Bureau of Air Regulation

DRAFT Title V Air Operation Permit Renewal Project No.: 1050052-008-AV
Draft Air Construction Permit Project No.: 1050052-009-AC
CF Industries, Inc.
Bartow Plant
Polk County

Applicant: The applicant for these projects is the CF Industries, Inc., Bartow Phosphate Complex, located at 2501 Bonnie Mine Road, Bartow, Polk County. The applicant's responsible official is: Mr. John Doran, Manager, CF Industries, Inc., Bartow Phosphate Complex, P.O. Box 1480, Bartow, FL., 33831

Facility Location: The applicant operates the Bartow Phosphate Complex, which is a phosphate plant and located at 2501 Bonnie Mine Road, Bartow, Polk County, Florida.

Project: On February 28, 2003, the applicant applied to the Permitting Authority for a Title V air operation permit (Permit) renewal. On October 4, 2004, the applicant applied for an air construction permit (AC). Details of the project are provided in the application and the enclosed "Statement of Basis", for the Permit renewal, and the Technical Evaluation and Preliminary Determination, for the AC.

The Air Construction Permit 1050052-009-AC is being issued to allow truck loading and unloading operation to take place at the DAP/MAP/GTSP railcar storage and handling facility, i.e. EU # 031.

The Permit renewal is being issued to allow continued commercial operation of the facility, as authorized by the initial Permit, No. 1050052-004-AV, and incorporate the terms of Air Construction Permits 1050052-006-AC and 1050052-009-AC.

Permitting Authority: Applications for Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210 and 62-213, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. The Department's Bureau of Air Regulation is the Permitting Authority responsible for making a Permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is: 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed, above, and may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at:

Permitting Authority:
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/921-9533

Affected District:
Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida
Telephone: 813/744-6100
Fax: 813/744-6084

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue an AC and a Permit renewal to the applicant for the project described above. The applicant has provided reasonable assurance

that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue an AC and a PROPOSED Permit and subsequent FINAL Permit, in accordance with the conditions of the attached Draft AC and DRAFT Permit, unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The permitting authority will accept written comments concerning the proposed AC issuance action for a period of 14 (fourteen) days from the date of publication of the Public Notice. Written comments should be provided to the permitting authority office. If written comments received result in a significant change in this Draft AC, the permitting authority shall issue a Revised Draft AC and require, if applicable, another Public Notice. Any written comments filed shall be made available for public inspection.

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the above address or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) 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, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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 rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the 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 Permitting Authority'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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of intent. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

CF INDUSTRIES, INC.

DAP/MAP/GTSP Storage and Handling
Bartow Phosphate Complex
Polk County, Florida

DEP File Number
1050052-009-AC

Florida Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation

November 3, 2004

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

I. APPLICATION INFORMATION

A. Applicant

CF Industries, Inc.
P.O. Box 1480
Bartow, Polk County, Florida 33831
Authorized Representative: Mr. John Doran, Manager

B. Engineer

Dr. John B. Koogler, P.E.
Koogler and Associates
4014 NW 13th Street
Gainesville, FL 32609

C. Project and Location

CF Industries would like to add a Truck unloading and Transfer to its current DAP/MAP/GTSP Railcar Unloading and Transfer Operation. This would allow the Bartow Facility to receive and transfer product by truck to compliment the current railcar unloading and transfer operation. This will constitute a change in operation; however no physical changes will be made to the facility for these operations. CF Industries currently has a temporary authorization to operate in this manner due to recent weather events. The addition of the truck operation will not affect the current transfer rate of 130 tons per hour (TPH). Both the Railcar and Truck operations combined will be subject to the 130 TPH limit. Overall throughput shall not exceed those established in Air Construction Permit 1050052-006-AC and Title V Renewal Permit 1050052-008-AV.

D. Facility Location

The applicant's facility is located at Bonnie Mine Road, West of Bartow, Bartow, Polk County, Florida. Latitude and longitude are 27° 51' 99" North and 81° 55' 46" West, respectively. UTM coordinates of the site are: Zone 17, 408.3 km East and 3082.5 km North.

Facility Identification Code (SIC): Major Group No. 28, Industry Group Nos. 2874.

E. Process and Controls

The unloading/transfer of the product will occur at EU031, DAP/MAP/GTSP storage and handling. The particulate emissions from this operation are considered fugitive emissions. The product arrives pretreated with dust suppressant oil.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

F. Reviewing and Process Schedule

10/1/04: Date of Receipt of Application
10/12/04 Phone request for Additional Information
10/26/04: Application complete

II. RULE APPLICABILITY

This project is subject to preconstruction review requirements of Chapter 403, Florida Statutes and Chapters 62-4 through 62-297, Florida Administrative Code:

Subject to	Y/N	Comments
Rule 62-212.300 Sources not subject to Prevention of Significant Deterioration (PSD) or Nonattainment Requirements, F.A.C.	Y	Not exempt for air permitting requirements
Rule 62-212.400, Prevention of Significant Deterioration, F.A.C.	Y	Facility is a PSD major. However this project is below significant levels.
Rule 62-296.320, General Particulate Emission Limiting Standards, F.A.C.	Y	Potential Source of odors; Emission Unit is not a source of Volatile Organic Compounds (VOC); facility is a source of PM emissions
Rules 62-296.401-417, Stationary Source Emission Standards, F.A.C.	N	Not a covered source category
Rules 62-296.500-570, Reasonably Available Control Technology (VOC), F.A.C.	N	Not a covered source category
Rules 62-296.700-712, Reasonably Available Control Technology (PM), F.A.C.	Y	Facility exempted from PM RACT under 62-296.700(2)(b)
Rule 62-204.800, Standards of Performance for New Stationary Sources, F.A.C.	N	Not subject to 40 CFR 60, no GTSP processed or at Bartow facility within 72 hours of processing
Rule 62-204.800, National Emission Standard for Hazardous Air Pollutants, F.A.C.	N	Not Major for HAPs; limits requested per applicant, Title V Renewal Permit 1050052-008-AV
Chapter 62.213, Operation Permits for Major Sources of Air Pollution, F.A.C.	Y	Facility is a Title V Source
Chapter 62-297, Stationary Sources- Emission Monitoring, F.A.C.	Y	Annual VE testing required

III. SUMMARY OF EMISSIONS

The emissions limits established in Air Construction Permit 1050052-006-AC are to remain unchanged. Paved Road Emissions and Material Loading/Unloading Emissions were calculated for any significant increases in Particulate Matter (PM) and PM₁₀ emissions due to this request. At a transfer rate of 300,000 tons per year (tpy), 8760 hours per year, the potential to emit for both paved road emissions and material loading/unloading was estimated at 3.0 tpy for PM₁₀ and 14.8 tpy for PM. This is not a significant increase.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Paved road emissions were based on miles of total trip distance of 0.4 miles on CF property. AP-42, Table 13.2.1-1, surface silt loading factor of 8.2 was used assuming the same emissions as a quarry.

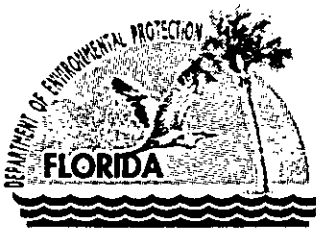
No significant emissions increase is noted, therefore, the current visible emissions limitation of 5% will remain unchanged. In accordance with Air Construction Permit 1050052-006-AC, the limitation on the annual amount of product transferred, 130 TPH for 8760 hours per year (700,800 tpy total and a maximum of 300,000 tpy for the truck operation) will apply to the total product transferred for the railcar and truck operations.

CONCLUSION

Based on the foregoing technical evaluation of the application and information submitted by CF Industries, Inc., the Department has made a preliminary determination that the proposed project will comply with all applicable state air pollution regulations of Chapters 62-204 through 62-297, F.A.C. The General and Specific Conditions are listed in the attached draft conditions of approval.

PROPOSED AGENCY ACTION

Pursuant to Sec. 403.087, Florida Statutes and Section 62-4.070, Florida Administrative Code, the Department hereby gives notice of its intent to construct the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated.



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

PERMITTEE:

CF Industries, Inc.
P.O. Box 1480
Bartow, FL 33831

Draft Permit No.: 1050052-009-AC

County: Polk

Effective Date:

Expiration Date: December 1, 2006

Project: Addition of Truck
Unloading and Transfer Operation

This draft permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-204 through 62-297 and 62-4. 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 the Diammonium Phosphate/Monoammonium Phosphate/Granulated Triple Super Phosphate (DAP/MAP/GTSP) Railcar Unloading and Transfer Operation. **This modification is for the addition of Truck unloading and transfer operation.** This operation currently consists of receiving by railcar DAP/MAP/GTSP which has been treated with a dust suppressant. DAP/MAP/GTSP is transferred to a hopper located below the railcar. From the railcar hopper the DAP/MAP/GTSP is transferred via a conveyor system to a warehouse for storage. The addition of the truck operation would provide a new mode of product transfer. Both the Railcar and Truck operations will continue to operate under the current permit conditions and limitations.

Location: 2501 Bonnie Mine Road, West of Bartow, Polk County
Latitude: 27° 51' 59" Longitude: 81° 55' 46"
UTM: 17-408.3 E 3082.5 N

Facility ID No: 1050052

Emission Unit ID No: 031 - DAP/MAP/GTSP Railcar Unloading and Transfer Operation

Related Permit No.: 1050052-008-AV, Title V Renewal Permit

Note: Please reference the Permit No., Facility ID, and Emission Unit ID in all correspondence, test reports submittals, applications, etc.

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions.
[Rule 62-4.160, F.A.C.]
2. All applicable rules of the Department and design discharge limitations specified in the application must be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations.
[Rule 62-4.070(7), F.A.C.]
3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. or any other requirements under federal, state, or local law. This air construction permit is in addition to Air Construction permit 1050052-006-AC, and shall not supersede the conditions of permit 1050052-006-AC.
[Rule 62-210.300, F.A.C.]
4. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. [Rule 62-296.320, F.A.C.]
5. Capacity. The maximum DAP/MAP/GTSP railcar and truck unloading and transfer rate shall not exceed 130.0 tons per hour (daily average) and 700,800 tons total operations and 300,000 tons for the trucking operation per 12 consecutive month period.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]
6. Hours of Operation. The hours of operation of the DAP/MAP/GTSP Railcar and Truck Unloading and Transfer Operation are not restricted.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]
7. The owner or operators shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any source whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility shall include as a minimum, that only DAP/MAP/GTSP product treated with a dust suppressant shall be unloaded and the water application to the facility and unpaved areas as needed to prevent emissions.
[Rule 62-296.320(4)(c), F.A.C.]
8. As an indicator that the dust suppressant is adequately controlling the unconfined particulate emissions, visible emissions from each material transfer point shall not exceed an opacity of 5%.

If the said value is exceeded it shall not be considered a violation in of itself, but an indicator that additional controls may be required.

[Rule 62-4.070, F.A.C.; Air Construction Permit Application dated October 22, 2001]

9. Monitoring of Operations. In order to provide reasonable assurance that the visible emissions limitation of Specific Condition 8 is being met, the permittee shall record the amount and type (identification) of dust suppressant material used daily (daily record log). These records may be based on vendor supplied information.

[Rule 62-4.070(3), F.A.C.]

Recordkeeping and Reporting Requirements.

10. In order to document compliance with Specific Condition 5, the permittee shall maintain a daily record of the material unloading and transfer rate during operation (tons per hour on daily average basis) and the hours of process operations. In addition, the permittee shall maintain a monthly record of the total amount of material unloaded (tons per 12 consecutive month period) and the total hours of operation for the 12 consecutive month period. These records shall be recorded in a permanent form suitable for inspection by the Department upon request.

[Rules 62-213.440(1)(b)2.b, and 62-4.070(3), F.A.C.]

11. Daily records shall be completed within 5 business days and monthly records shall be completed by the end of the next month. These records shall be kept at the facility for at least 5 years and made available to the Department and applicable local program upon request.

[Rule 62-4.070(3), F.A.C.]

Test Methods and Procedures.

12. Each material transfer point associated with the railcar and truck unloading and transfer operation shall be tested for visible emissions within 30 days of achieving the maximum railcar and truck unloading and transfer rate of 130.0 tons per hour. The test reports shall be submitted within 45 days of testing to the Air Compliance Section of the Southwest District Office of the Department.

[Rules 62-297.310(7) and 62-297.310(8), F.A.C.]

13. Testing of emission must be conducted within 90-100% of the maximum permitted material unloading and transfer rate of 130.0 tons per hour. Failure to submit the material transfer rate (tons per hour), the type of material transferred (e.g. DAP, MAP or GTSP), documentation that dust suppressant was applied as well as the type of suppressant applied in each test report may invalidate the test and fail to provide reasonable assurance of compliance.

[Rules 62-070(3) and 62-297.310(8), F.A.C.]

14. Compliance with the visible emission limitation of Specific Condition 8 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Chapter

PERMITTEE:
CF Industries, Inc.
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DRAFT Permit No.: 1050052-009-AC
Project: Addition of Truck
Unloading and Transfer Operation

62-297, F.A.C. Each visible emissions test shall be conducted by a certified observer and be a minimum of 30 minutes in duration. The minimum requirements for stationary point source emission test procedures and reporting shall be in accordance with Chapter 62-297, F.A.C. and 40 CFR 60 Appendix A.

[Chapter 62-297, F.A.C.]

15. The permittee shall notify the Air Compliance Section of the Southwest District Office of the Department at least 15 days prior to the date on which each compliance test is to begin of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted.

[Rule 62-297.310(7)(a)9, F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Michael G. Cooke, Director
Division of Air Resource Management

MGC/jkp/rlb