

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

3. DAR4

1. ROBBY BULL

4. MS# 5505

2. FOEP - TALLAHASSEE

5. _____

PLEASE PREPARE REPLY FOR:

____ SECRETARY'S SIGNATURE

____ DIV/DIST DIR SIGNATURE

____ MY SIGNATURE

____ YOUR SIGNATURE

____ DUE DATE _____

ACTION/DISPOSITION

____ DISCUSS WITH ME

____ COMMENTS/ADVISE

____ REVIEW AND RETURN

____ SET UP MEETING

FOR YOUR INFORMATION

____ HANDLE APPROPRIATELY

____ INITIAL AND FORWARD

____ SHARE WITH STAFF

____ FOR YOUR FILES

COMMENTS:

*Per your request
let me know if you
need anything else.*

RECEIVED

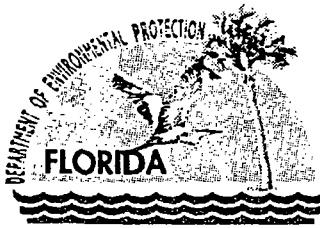
OCT 11 2004

BUREAU OF AIR REGULATION

FROM: JOSE FORNITTA

DATE: 10-6-04

813-744-6100
PHONE: x117



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

DEP File No.: 1050052-006-AC
County: Polk

Mr. Paul R. Roberts
Operations Manager
CF Industries, Inc.
P.O. Box 1480
Bartow, FL 33831

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, CF Industries, Inc., applied on October 25, 2001, to the Department of Environmental Protection for a permit to increase the DAP/MAP/GTSP railcar unloading/transfer rate from 80 to 130 TPH.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 and 62-4.

Pursuant to Section 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice will be published one time only within 30 days of receipt of this Intent to Issue, in the legal ad section of a newspaper of general circulation in the area affected. For the purposes of this rule "publication in a newspaper of general circulation in the affected area" 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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the

Department at the address or telephone number listed above. The applicant shall provide proof of publication to the Department, at 3804 Coconut Palm Drive, Tampa Florida 33619 within 7 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 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 14 days of publication of the public notice or within 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 Department for notice of agency action may file a petition within 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 Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's action; and

- (f) A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply 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, 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.

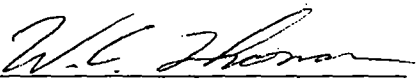
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will 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 EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the Department that are relevant to the permit decision. In addition any person may send written comments on the proposed permitting action. All requests and comments should be sent to this office at the address referenced above to the attention of Mr. Gerald Kissel (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1030158-004-AC. All comments received within 14 days of receipt of this Intent to Issue will be considered in the Department's final determination.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W.C. Thomas, P.E.
District Air Program Administrator

Attachment

cc: John B. Koogler, Ph.D., P.E., Koogler & Associates

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on JAN 22 2002 to the listed persons, unless otherwise noted.

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

Patricia A. Webb
Clerk

JAN 22 2002
Date

4814
7000 0520 0016 2334 4814
U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Postage \$

Mr. Paul R. Roberts
Operations Manager
CF Industries, Inc
P.O. Box 1480
Bartow, FL 33831

City, State, ZIP+ 4

PS Form 3800, February 2000 See Reverse for Instructions

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (Permit File No. 1050052-006-AC) to CF Industries, Inc. to increase the DAP/MAP/GTSP railcar unloading/transfer rate from 80 to 130 TPH at the facility located at Bonnie Mine Road, West of Bartow, Polk County. MAILING ADDRESS - CF Industries, Inc., P.O. Box 1480, Bartow, FL 33831 to the attention of Mr. Paul R. Roberts, Operations Manager.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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 days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department 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 Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;

- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's action; and
- (f) A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation is not available in this proceeding.

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 8407 Laurel Fair Circle, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Gerald Kissel (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1050052-006-AC. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

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

DRAFT

Permit No.: 1050052-006-AC
County: Polk
Effective Date:
Expiration Date: February 1, 2004
Project: Increase Hourly Railcar
Unloading and Transfer Rate

This 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 to increase the unloading and transfer rate from 80.0 tons per hour to 130.0 tons per hour. This operation 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.

Location: 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.: 1050052-004-AV

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

PERMITTEE:
CF Industries, Inc.
Page 2 of 4

DRAFT

Permit No.: 1050052-006-AC
Project: Increase Hourly Railcar
Unloading and Transfer Rate

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.
[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 unloading and transfer rate shall not exceed 130.0 tons per hour (daily average) and 700,800 tons 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 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 watering of plant and unpaved areas as needed.
[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]

DRAFT

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 unloading and transfer operation shall be tested for visible emissions within 30 days of achieving the maximum railcar 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 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.]

PERMITTEE:
CF Industries, Inc.
Page 4 of 4

DRAFT

Permit No.: 1050052-006-AC
Project: Increase Hourly Railcar
Unloading and Transfer Rate

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.]

16. Operation Permit Application. An application for an operating permit (DEP Form 62-210.900(1)) shall be submitted to the Southwest District Office of the Department within 45 days of completed construction or at least 180 days prior to the expiration date of this construction permit, whichever occurs first. Included in the operating permit application should be copies of at least one month of records as required in Specific Conditions 9 and 10.

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

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

W.C. Thomas, P.E.
District Air Program Administrator
Southwest District

DRAFT

ATTACHMENT - GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

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), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither 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 is not 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 this permit.

4. Not applicable to Air Permits.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; 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.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are 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 and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;

DRAFT

GENERAL CONDITIONS:

- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable 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 provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including 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. 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 for 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 involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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 Rule 62-4.120 and 62-730.300 F.A.C., 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 or a copy thereof shall be kept at the work site of the permitted activity.

DRAFT

GENERAL CONDITIONS:

13. This permit also constitutes:

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

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold 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) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained 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:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. 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 the 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 corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619
813-744-6100, ext. 107
Fax: 813-744-6458

Virginia B. Wetherell
Secretary

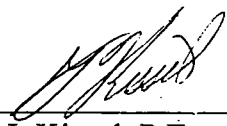
P.E. Certification Statement

Permittee: *CF - Bartow*

Permit No.: *105 0052-006AC*


Project Description: *increase rail transfer rate*


I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).



G.J. Kissel, P.E. *1/16/02*
Date
Registration Number: 41958

DATE: January 14, 2002

TO: Gerald Kissel, P.E. 
District Air Permitting Supervisor

FROM: Ann Quillian, P.E. 
Permit Engineer

SUBJECT: Company: CF Industries, Inc.
Permit No.: 1050052-006-AC
County: Polk
Project: Increase Hourly Railcar Unloading and Transfer Rate
Default Date (Day 90): 1/23/02

From the information below, I recommend that the Intent to Issue for CF Industries, Inc. Permit 1050052-006-AC be signed. Day 90 is January 23, 2002.

On October 25, 2001, the Department received from CF Industries, Inc. an air pollution construction permit application to increase the hourly unloading/transfer rate from 80 tons per hour to 130 tons per hour for the DAP/MAP/GTSP railcar unloading and transfer operation located at the CF Industries, Bartow Facility.

A limitation on the annual amount of product transferred to equal that of 80 TPH for 8760 hours per year (700800 TPY) was added. This limitation is to meet the applicant's proposal that at 130TPH, the number of railcars will remain unchanged, but the time to unload each railcar will increase.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION
FOR

CF Industries, Inc.

Polk County

Construction Permit Application Number

1050052-006-AC

Florida Department of Environmental Protection

Southwest District

Tampa, FL

January 8, 2002

Prepared by: Ann Quillian, P.E.

I. Project Description:

A. Applicant:

Mr. Paul R. Roberts
Operations Manager
CF Industries, Inc.
P.O. Box 1480
Bartow, FL 33831

B. Engineer:

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

C. Project and Location:

The applicant proposes to increase the DAP/MAP/GTSP railcar unloading/transfer rate from 80 to 130 TPH. The rate increase will result from the opening the unloading gate wider to allow more material to pass through to the conveyor belt in less time. The overall throughput to the building is expected to stay the same (e.g. no increase in number of rail cars).

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

D. Process and Controls:

The particulate emissions from this unloading/transfer operation are considered fugitive. The product arrives already pretreated with dust suppressant oil.

E. Application Information:

Received on: October 25, 2001
Application Complete: October 25, 2001

II. Rule Applicability

This project is subject to the reconstruction review requirements of Chapter 403, Florida Statutes and Chapters 62-204 through 62-297, Florida Administrative Code (F.A.C.), as indicated below:

Subject to:	Y/N	Comments
Rule 62-212.300, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C.	Y	Not exempt from air permitting requirements, because of previous AC.
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 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. (NSPS)	N	Not a covered source category
Rule 62-204.800, National Emission Standard for Hazardous Air Pollutants, F.A.C. (Part 61 & 63 NESHAPS)	N	Not a covered source category
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 - Emissions Monitoring, F.A.C.	Y	Annual VE testing required

III. Summary of Emissions

The potential to emit (PTE) was estimated at 0.05 lb/hour and 0.2 TPY PM using an emission factor of 0.0035 lb/ton based upon aggregate handling from AP-42, Chapter 13.2.4.

The actual PM emissions estimated for the AOR were 2.8 TPY and 3.1 TPY for the reporting years 1999 and 2000 respectively. The method used for the AOR used a D rated factor from AP-42, Chapter 8.5.3 of 0.06 lb/ton, which from the footnote of Table 8.5.3-1 is based on one sample.

As a result, the application's method was considered more representative. Using the emission factor of 0.0035 lb/ton and the total tons transferred reported in the AOR, the actual emissions can be estimated to be 0.16 TPY and 0.18 TPY for the reporting years 1999 and 2000 respectively.

No significant emissions increase is noted, therefore, the current visible emissions limitation of 5% will remain unchanged. In addition, a limitation on the annual amount of product transferred to equal that of 80 TPH for 8760 hours per year (700800 TPY) will be added. This limitation is to meet the permittee's proposal that at 130TPH, the number of railcars will remain unchanged, but the time to unload each railcar will increase.

IV. Conclusions

The emission limits proposed by the applicant will meet all of the requirements of Chapter 62-296, F.A.C.

The general and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204 through 62-297, F.A.C.

V. Proposed Agency Action

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