



**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

December 5, 1995

RECEIVED

DEC 7 1995

BUREAU OF
AIR REGULATION

A. A. Linero, P. E.
Florida Department of
Environmental Protection
Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

**Re: Sulfuric Acid Plant Unit Nos. 10 and 11
Construction Permit No. AC53-199112(A)
EPA No. PSD-FL-179 (A)
Permit Nos. AO53-221846 and AO53-220555
AIRS ID No. 1050055
Unit ID Nos. 004 and 005
South Pierce Plant**

Dear Mr. Linero:

Enclosed is the Affidavit of the Notice of Intent to Issue Permit Amendment published in the Lakeland Ledger newspaper on Wednesday, November 29, 1995.

If I may be of further assistance in the matter, please do not hesitate to notify me.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. M. Baretincic".

J. M. Baretincic
Director
Environmental Services

xc: E. M. Newberg

Enclosure

cwk

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

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

.....Notice of Intent to Issue Permit.....

in the matter of

.....AC53-199112(A)/PSD-FL-179(A).....

in the

Court, was published in said newspaper in the issues of

.....November 29;.....

.....1995.....

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed

Nelson Kirkland
Classified Advertising Manager

by Nelson Kirkland who is
personally known to me

Sworn to and subscribed before me this29th.....

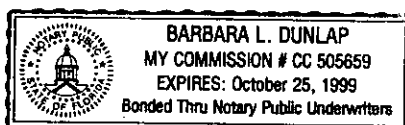
day ofNovember..... A.D. 19.....95.....

(Seal)

Notary Public

My Commission Expires10-25-99.....

Order #
303656



F 575

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PERMIT
AC53-199112 (A) / PSD-FL-179 (A)

The Department of Environmental Protection (Department) gives notice of its intent to issue an amended construction permit for two existing sulfuric acid plants to IMC-Agrico Company, P.O. Box 1035, Mulberry, Florida, 33860 in Polk County. The changes from the original permit consist of removing the nitrogen oxides (NOx) emission limit and test requirement from AC53-199112/PSD-FL-179 Specific Conditions Nos. 4 and 6 for Sulfuric Acid Plants Nos. 10 and 11 at IMC-Agrico's South Pierce facility located at its phosphate fertilizer manufacturing facility on S.R. 630 near Fort Meade, Polk County, Florida.

These sulfuric acid plants do not emit significant amounts of NOx. Removal of the limits will not result in increased emissions or ground level concentrations of NOx.

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 (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. 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, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application/request have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application/request 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Department of Environmental Protection
Southwest District
8407 Laurel Fair Circle
Tampa, Florida 33619

Polk County ESD
330 W. Church Street
Bartow, Florida 33830

Any person may send written comments on the proposed action to Administrator, New Source Review Section, at the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road - Mail Station 5505, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by any person(s). Such request must be submitted within 30 days of this notice.

F575 - 11-29-1995