



State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

For Routing To Other Than The Addressee	
To _____	Location: _____
To _____	Location: _____
To _____	Location: _____
From _____	Date: _____

Interoffice Memorandum

TO: Steve Smallwood
FROM: Clair Fancy *CF*
DATE: February 25, 1992
SUBJ: Approval of Construction Permit AC 53-207438
Agrico Chemical Company

Attached for your approval and signature is a permit prepared by the Bureau of Air Regulation for the above mentioned company to construct a foundation installation project.

No comments were received during the public notice period.

I recommend your approval and signature.

CF/WH/plm

Attachments

OK
[Signature]
2-25-92

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT

In the matter of an
Application for Permit by:

DER File No. AC 53-207438
Polk County

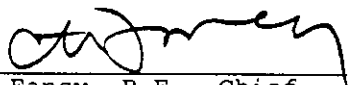
Mr. Selwyn Presnell
Agrico Chemical Company
P. O. Box 1110
Mulberry, Florida 33860

Enclosed is Permit Number AC 53-207438 to construct a foundation installation project, issued pursuant to Section(s) 403, Florida Statutes.

Any party to this Order (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 Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on 2-25-92 to the listed persons.

Clerk Stamp

FILED AND ACKNOWLEDGMENT FILED,
on this date, pursuant to
§120.52(11), Florida Statutes,
with the designated Department
Clerk, receipt of which is hereby
acknowledged.


(Clerk)

2-25-92
(Date)

Copies furnished to:
Bill Thomas, SWD
John Koogler, P.E.
U. S. Fish and Wildlife Service

P 832 538 782



Certified Mail Receipt
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Mr. Selwyn Presnell, Agrico Chemical Co.	
Street & No.	
P. O. Box 1110	
P.O., State & ZIP Code	
Mulberry, FL 33860	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	
Mailed: 2-25-92	
Permit: AC 53-207438	

PS Form 3800, June 1990

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Selwyn Presnell
Agrico Chemical Company
P. O. Box 1110
Mulberry, FL 33860

4a. Article Number

P 832 538 782

4b. Service Type

- | | |
|-----------------------------------------------|---------------------------------------------------------|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Insured |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

2-28-92

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Final Determination

Agrico Chemical Company
Polk County
Mulberry, Florida

Foundation Installation Project
Permit No. AC 53-207438

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

February 25, 1992

Final Determination

The Technical Evaluation and Preliminary Determination for the permit to construct a foundation installation project at Agrico Chemical Company's South Pierce phosphate fertilizer chemical plant located south of Mulberry on State Road 630 in Polk County, Florida, was distributed on February 7, 1992. The Notice of Intent to Issue was published in the Polk County Democrat on February 10, 1992. Copies of the evaluation were available for public inspection at the Department's Tampa and Tallahassee offices.

No comments were submitted on the Department's Intent to Issue the permit. The final action of the Department will be to issue construction permit AC 53-207438 as proposed in the Technical Evaluation and Preliminary Determination.



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

PERMITTEE:

Agrico Chemical Company
P. O. Box 1110
Mulberry, Florida 33860

Permit Number: AC 53-207438

Expiration Date: Sept. 30, 1992

County: Polk

Latitude/Longitude: 27°45'52"N
81°56'19"W

Project: Foundation Installation
Project

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 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 drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Authorization to install miscellaneous foundations, electrical wiring and piping at Agrico's South Pierce phosphate fertilizer chemical plant located on State Road 630, south of Mulberry in Polk County, Florida. The UTM coordinates of this facility are Zone 17, 407.5 km E and 3071.3 km N.

The source shall be constructed in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application received January 22, 1992.

PERMITTEE:
Agrico Chemical Company

Permit Number: AC 53-207438
Expiration Date: September 30, 1992

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 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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), Florida Statutes, 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 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, 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.

PERMITTEE:
Agrico Chemical Company

Permit Number: AC 53-207438
Expiration Date: September 30, 1992

GENERAL CONDITIONS:

6. The permittee shall 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 and at a reasonable time, 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 the conditions of the permit;
- 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 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 provide the Department with the following information:

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

PERMITTEE:
Agrico Chemical Company

Permit Number: AC 53-207438
Expiration Date: September 30, 1992

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 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 Sections 403.73 and 403.111, Florida Statutes. 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 Florida Administrative Code Rules 17-4.120 and 17-30.300, 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.

13. 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

PERMITTEE:
Agrico Chemical Company

Permit Number: AC 53-207438
Expiration Date: September 30, 1992

GENERAL CONDITIONS:

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:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. 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 corrected promptly.

SPECIFIC CONDITIONS:

1. The construction of the foundation project shall reasonably conform to the plans and schedule submitted in the application.

2. No process equipment shall be installed on the foundations nor shall the electrical wiring and piping be connected to any existing equipment without obtaining a construction permit from the Department that authorizes the installation or connections.

3. Reasonable precautions shall be taken to minimize emissions of unconfined particulate matter from the construction related activity by the application of water, as necessary.

4. Visible emissions from the construction related activities shall not exceed 20 percent opacity.

PERMITTEE:
Agrico Chemical Company

Permit Number: AC 53-207438
Expiration Date: September 30, 1992


SPECIFIC CONDITIONS:

5. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit (F.A.C. Rule 17-4.090).

6. An application for an operation permit must be submitted to the Southwest District office at least 90 days prior to the expiration date of this construction permit. To properly apply for an operation permit, the applicant shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. Rules 17-4.055 and 17-4.220).

Issued this 25th day
of February, 1992

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


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