



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

February 7, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

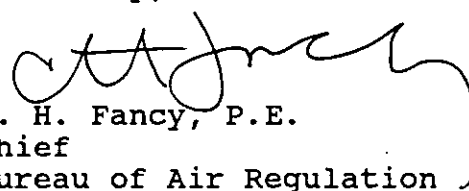
Mr. Selwyn Presnell, Environmental Manager
Agrico Chemical Company
P. O. Box 1110
Mulberry, Florida 33860

Dear Mr. Presnell:

Attached is one copy of the Technical Evaluation and Preliminary Determination and proposed permit to construct the foundation installation project at Agrico's South Pierce phosphate fertilizer chemical plant located south of Mulberry on State Road 630 in Polk County, Florida.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Mr. Preston Lewis of the Bureau of Air Regulation.

Sincerely,


C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/WH/plm

Attachments

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

P 832 538 772



Certified Mail Receipt

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

Sent to	
Mr. Selwyn Presnell, Agrico	
Street & No. Chemical Co.	
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: 2-7-92	
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 next to the article number.

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

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

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

4a. Article Number

P 832 538 772

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

2-10-92

5. Signature (Addressee)

6. Signature (Agent)

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

PS Form 3811, October 1990

☆ U.S. GPO: 1990-273-861

DOMESTIC RETURN RECEIPT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

DER File No. AC 53-207438
Polk County

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

INTENT TO ISSUE

The Department of Environmental Regulation 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 in the attached Technical Evaluation and Preliminary Determination.

The applicant, Agrico Chemical Company, applied on January 22, 1992, to the Department of Environmental Regulation for a permit to construct the foundation installation project at Agrico's South Pierce phosphate fertilizer chemical plant located south of Mulberry on State Road 630 in Polk County, Florida.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes and Florida Administrative Code (F.A.C.) Chapters 17-2 and 17-4. The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

Pursuant to Section 403.815, Florida Statutes and Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "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. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 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 permit.

The Department will issue the permit with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. 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. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. 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, Florida Statutes.

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

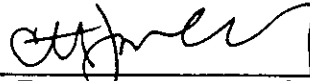
(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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 intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application 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 receipt of this intent 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, F.A.C.

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, Florida 32399
904-488-1344

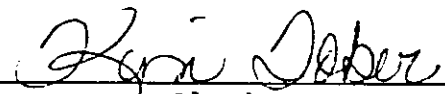
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed by certified mail before the close of business on 2-7-92 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

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

 2-7-92
Clerk Date

Copies furnished to:

Bill Thomas, SWD
John Koogler, P.E.
U.S. Fish and Wildlife Service

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

The Department of Environmental Regulation gives notice of its intent to issue a permit (AC 53-207438) to Agrico Chemical Company, P. O. Box 1110, Mulberry, Florida 33860, to construct a foundation installation project which includes some electrical lines and piping, at Agrico's South Pierce phosphate fertilizer chemical plant located south of Mulberry on State Road 630 in Polk County, Florida. Fugitive dust caused by the construction will be controlled by the application of water. The regulations do not require a Best Available Control Technology (BACT) or Lowest Achievable Emission Rate (LAER) determination for this project. The unconfined emissions will not violate any ambient air quality standards. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

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. 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, Florida Statutes.

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

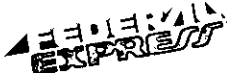
final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements 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, F.A.C.

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:

Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Department of Environmental Regulation
Southwest District
4520 Oak Fair Blvd.
Tampa, Florida 33610-7347

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.



QUESTIONS? CALL 800-238-5355 TOLL FREE.

AIRBILL
PACKAGE
TRACKING NUMBER

3515964270

3515964270

RECIPIENT'S COPY

From (Your Name) Please Print P. A. Steadham Company Agrico Chemical Company Street Address Old Hwy 37 Pierce Polk County City Mulberry FL		Your Phone Number (Very Important) (813) 428-2662 Department/Floor No	To (Recipient's Name) Please Print Mr. C. H. Fancy Company Florida Dept. of Environmental Reg Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes) 2600 Blair Stone Road City Tallahassee FL	Recipient's Phone Number (Very Important) (904) 488-0130 Department/Floor No 32399-2400
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YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 24 characters will appear on invoice.)		IF HOLD FOR PICK-UP, Print FEDEX Address Here Street Address City State ZIP Required
PAYMENT 1 <input checked="" type="checkbox"/> Bill Sender 2 <input type="checkbox"/> Bill Recipient's FedEx Acct No 3 <input type="checkbox"/> Bill 3rd Party FedEx Acct No 4 <input type="checkbox"/> Bill Credit Card 5 <input type="checkbox"/> Cash/Check		

4 SERVICES (Check only one box)		5 DELIVERY AND SPECIAL HANDLING (Check services required)		6 PACKAGES WEIGHT in Pounds Only YOUR DECLARED VALUE		Emp No <input type="checkbox"/> Cash Received <input type="checkbox"/> Return Shipment <input type="checkbox"/> Third Party <input type="checkbox"/> Chg. To Del <input type="checkbox"/> Chg. To Hold Street Address City State Zip Received By X Date/Time Received FedEx Employee Number		Federal Express Use Base Charges Declared Value Charge Other 1 Other 2 Total Charges			
Priority Overnight (Delivery by next business morning) 11 <input type="checkbox"/> YOUR PACKAGING 16 <input type="checkbox"/> FEDEX LETTER [®] 12 <input checked="" type="checkbox"/> FEDEX PAK [®] 13 <input type="checkbox"/> FEDEX BOX 14 <input type="checkbox"/> FEDEX TUBE Economy Two-Day (Delivery by second business day) 30 <input type="checkbox"/> ECONOMY		Standard Overnight (Delivery by next business afternoon) 51 <input type="checkbox"/> YOUR PACKAGING 56 <input type="checkbox"/> FEDEX LETTER [®] 52 <input type="checkbox"/> FEDEX PAK [®] 53 <input type="checkbox"/> FEDEX BOX 54 <input type="checkbox"/> FEDEX TUBE Government Overnight (Delivery by next business afternoon) 46 <input type="checkbox"/> GOVT LETTER 41 <input type="checkbox"/> GOVT PACKAGE		1 <input type="checkbox"/> HOLD FOR PICK-UP (if in Box H) 2 <input checked="" type="checkbox"/> DELIVER WEEKDAY 3 <input type="checkbox"/> DELIVER SATURDAY (Extra charges) 4 <input type="checkbox"/> DANGEROUS GOODS (Extra charges) 5 <input type="checkbox"/> 6 <input type="checkbox"/> DRY ICE Lbs 7 <input type="checkbox"/> OTHER SPECIAL SERVICE 8 <input type="checkbox"/> 9 <input type="checkbox"/> SATURDAY PICK-UP (Extra charges) 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> HOLIDAY DELIVERY (if observed) (Extra charges)		Total Total Total DIM SHIPMENT (Chargeable Weight) <input type="checkbox"/> lbs. X X = Received At 1 <input type="checkbox"/> Regular Stop 2 <input checked="" type="checkbox"/> On-Call Stop 3 <input type="checkbox"/> Drop Box 4 <input type="checkbox"/> BSC 5 <input type="checkbox"/> Station		Release Signature Date/Time		REVISION DATE 6/91 PART #137205 GBFE FORMAT #099 099 © 1990-91 FEDEX PRINTED IN USA	

Freight Service (for Extra Large or any package over 150 lbs.)
 70 ☐ OVERNIGHT FREIGHT[®]
 80 ☐ TWO-DAY FREIGHT[®]
 *Declared Value Limit \$100
 **Call for delivery schedule

MULTIPLE PACKAGE SERVICE

**IF YOU ARE
MAKING AN MPS
SHIPMENT, APPLY
THE SELF ADHESIVE
MPS COPY HERE**

DEFINITIONS

On this Airbill, we, our and us refer to Federal Express Corporation, its employees and agents. You and your refer to the sender, its employees and agents.

AGREEMENT TO TERMS

By giving us your package to deliver, you agree to all the terms on this Airbill and in our current Service Guide, which is available on request. If there is a conflict between the current Service Guide and this Airbill, the Service Guide will control. No one is authorized to alter or modify the terms of our Agreement.

RESPONSIBILITY FOR PACKAGING AND COMPLETING AIRBILL

You are responsible for adequately packaging your goods and for properly filling out this Airbill. Omission of the number of packages and weight per package from this Airbill will result in a billing based on our best estimate of the number of packages received from you and an estimated "default" weight per package, as determined and periodically adjusted by us.

AIR TRANSPORTATION TAX INCLUDED

Our basic rate includes a federal tax required by Internal Revenue Code Section 4271 on the air transportation portion of this service.

LIMITATIONS ON OUR LIABILITY AND LIABILITIES NOT ASSUMED

Our liability for loss or damage to your package is limited to your actual damages or \$100, whichever is less, unless you pay for and declare a higher authorized value. We do not provide cargo liability insurance, but you may pay an additional charge for each additional \$100 of declared value. If you declare a higher value and pay the additional charge, our liability will be the lesser of your declared value or the actual value of your package.

In any event, we will not be liable for any damages, whether direct, incidental, special or consequential in excess of the declared value of a shipment, whether or not Federal Express had knowledge that such damages might be incurred, including, but not limited to, loss of income or profits.

We won't be liable for your acts or omissions, including but not limited to improper or insufficient packing, securing, marking or addressing, or for the acts or omissions of the recipient or anyone else with an interest in the package. Also, we won't be liable if you or the recipient violates any of the terms of our agreement. We won't be liable for loss of or damage to shipments of prohibited items.

We won't be liable for loss, damage or delay caused by events we cannot control, including but not limited to acts of God, perils of the air, weather conditions, acts of public enemies, war, strikes, civil commotions or acts or omissions of public authorities (including customs and quarantine officials) with actual or apparent authority.

DECLARED VALUE LIMITS

The highest declared value we allow for FedEx Letter and FedEx Pak shipments is \$100. For other shipments, the highest declared value we allow is \$25,000 unless your package contains items of "extraordinary value," in which case the highest declared value we allow is \$500. Items of "extraordinary value" include artwork, jewelry, furs, precious metals, negotiable

TERMS AND CONDITIONS

instruments, and other items listed in our current Service Guide.

If you send more than one package on this Airbill, you may fill in the total declared value for all packages, not to exceed the \$100, \$500 or \$25,000 per package limit described above. (Example: 5 packages can have a total declared value of up to \$125,000.)

If more than one package is shipped on this airbill, our liability for loss or damage will be limited to the actual value of the package(s) lost or damaged (not to exceed the lesser of the total declared value or the per package limits described above). You have the responsibility of proving the actual loss or damage.

FILING A CLAIM

ALL CLAIMS MUST BE MADE BY YOU IN WRITING. You must notify us of your claim within strict time limits. See current Service Guide.

We'll consider your claim filed if you call and notify our Customer Service Department at 800-238-5355 and notify us in writing as soon as possible.

Within 90 days after you notify us of your claim, you must send us all relevant information about it. We are not obligated to act on any claim until you have paid all transportation charges, and you may not deduct the amount of your claim from those charges.

If the recipient accepts your package without noting any damage on the delivery record, we will assume that the package was delivered in good condition. In order for us to process your claim, you must, to the extent possible, make the original shipping cartons and packing available for inspection.

RIGHT TO INSPECT

We may, at our option, open and inspect your packages prior to or after you give them to us to deliver.

NO C.O.D. SERVICES

NO C.O.D. SERVICES ON THIS AIRBILL. If C.O.D. Service is required, please use a Federal Express C.O.D. airbill for this purpose.

RESPONSIBILITY FOR PAYMENT

Even if you give us different payment instructions, you will always be primarily responsible for all delivery costs, as well as any costs we may incur in either returning your package to you or warehousing it pending disposition.

RIGHT OF REJECTION

We reserve the right to reject a shipment at any time, when such shipment would be likely to cause damage or delay to other shipments, equipment or personnel, or if the transportation of which is prohibited by law or is in violation of any rules contained in this Airbill or our current Service Guide.

MONEY-BACK GUARANTEE

In the event of untimely delivery, Federal Express will, at your request and with some limitations, refund or credit all transportation charges. See current Service Guide for further information.

Technical Evaluation
and
Preliminary Determination

Agrico Chemical Company
Polk County, Florida

Foundation Installation Project
Permit No.: AC 53-207438

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

February 7, 1992

I. Applicant Information

A. Applicant

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

B. Project

The Department received an application for a permit to construct the foundations, electrical wiring and piping that can be used for future plant modifications at Agrico's existing chemical complex located south of Mulberry, Polk County, Florida on January 22, 1992. The application was deemed complete on the day it was received.

C. Classification/Location

The applicant's facility (SIC Code 2819) is located on State Road 630 south of Mulberry, Polk County, Florida. The UTM coordinates of the site are: Zone 17, 407.5 km east and 3071.3 km north.

II. Project Description/Emissions

Agrico proposes to install the foundations, electrical wiring and piping that can be used for future plant modifications. No process related equipment installation or modifications is covered by this application.

The proposed foundation installation will result in emissions of unconfined particulate matter. The unconfined particulate matter emissions will be controlled by the application of water, as necessary.

III. Rule Applicability

The construction permit application is subject to review under Chapter 403, Florida Statutes, and Florida Administrative Code (F.A.C.) Chapters 17-2 and 17-4. The facility is located in an area classified as attainment for each of the regulated air pollutants. The proposed project is subject to the preconstruction review requirements of F.A.C. Chapter 17-2. Specifically, the project will be required to take reasonable precautions to minimize the emissions of unconfined particulate matter in accordance with F.A.C. Rule 17-2.610(3). The proposed project will also be subject to the general visible emissions standard of 20 percent opacity in accordance with F.A.C. Rule 17-2.610(2).

IV. Ambient Air Impact

No ambient air quality impact analysis was required or deemed necessary for the proposed project.

V. Conclusion

Based on the information provided by Agrico Chemical Company, the Department has reasonable assurance that the proposed project, as described in this evaluation and subject to the conditions proposed herein, will not cause or contribute to a violation of any air quality standard, PSD increment, or any other technical provision of Chapter 17-2 of the Florida Administrative Code. The approval of the foundation work project shall not be considered an indication that the Department will approve the installation of any process equipment on these foundations. A separate construction permit must be obtained from the Department prior to the installation of any process equipment on these foundations.

Spencer Lewis
#41755



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 _____ day
of _____, 1992

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

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