

**AGRICO**

Division of Freeport-McMoran Resource Partners

Agrico Chemical Company
P. O. Box 1110
Mulberry, FL 33860
(813) 428-1431

February 14, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Willard M. Hanks
Division of Air Resources Management
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Affidavit of Publication - Notice of Intent
to Issue Permit No. AC53-207438
(Foundation Installation Project)

Dear Willard:

In accordance with Section 403.815, F.S. and DER Rule 17-103.150, F.A.C., we submit proof of publication of the above-referenced notice.

We wish to thank you and your staff for the expeditious review and issuance of the draft permit. We await receipt of the final permit following the end of the public comment period.

Should you have any additional questions, please contact me.

Sincerely,

Phillip A. Steadham
Environmental Superintendent

PAS/fbb

xc: Mr. S. L. Presnell
Mr. K. W. Watkins
Mr. R. A. Woolsey
Ms. K. G. Norgard

B. Thomas, SW Dist

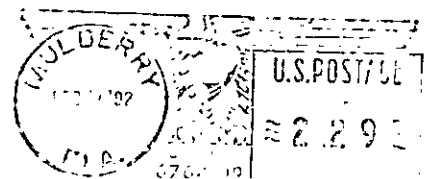
AGRICO
Division of Freeport-McMoran Resource Partners

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

CERTIFIED

P 643 740 479

MAIL



RECEIVED
Mr. Willard M. Hanks
Division of Air Resources Management
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400
FEB 18 1992
Division of Air
Resources Management



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 unconfirmed 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.

AFFIDAVIT OF PUBLICATION

The Polk County Democrat

Published Semi-Weekly
Bartow, Polk County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF POLK

Before the undersigned authority personally appeared S. L. Frisbie, IV, who on oath says that (s)he is Publisher of The Polk County Democrat, a newspaper published at Bartow, Polk County, Florida; that the attached copy of advertisement, being a DER Intent to Issue Permit in the matter of AC 53-207438 Agrico Chemical Company South Pierce Plant.

in the _____ Court, was published in said newspaper in the issues of Feb. 10, 1992

Affiant further says that The Polk County Democrat is a newspaper published at Bartow, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, each Monday and Thursday, and has been entered as second class matter at the post office in Bartow, in said Polk County, Florida, for a period of one year next preceeding 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 said newspaper.

Signed _____

The foregoing instrument was acknowledged before me this 11th day of Feb., 1992, by S. L. Frisbie, IV

who is personally known to me.


(Signature of Notary Public)

Rose Marie Rager

(Printed or typed name of Notary Public)

Notary Public

Notary Public, State of Florida
My Commission Expires Apr. 22, 1994
Bonded thru RICHARD Ins. Agency

My Commission Expires:

proceeding. This 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, 4620 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.

Feb. 10, 1992 - 0412