



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

December 10, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

C. D. Turley
Environmental Coordinator
IMC - Agrico Company
Post Office Box 1035
Mulberry, Florida 33860

Re: Amendment of Construction Permit No. AC53-232681, PSD-FL-204
Nichols Plant, DAP Plant Reactor/Granulator

Dear Mr. Turley:

The Department has reviewed IMC-Agrico's October 28 letter requesting an extension of the expiration date of the above referenced permit. This request is acceptable and the expiration date is changed as shown below:

Permit No. AC53-232681 is extended from January 1, 1996 to January 1, 1998 to allow IMC-Agrico additional time to troubleshoot/debug the plant in order to perform within 90 percent of the permitted rate.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9730, fax: 904/487-4938. Petitions 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. A petitioner must 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the 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 the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner

Mr. C. D. Turley
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contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources Management

HLD/hh

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this AMENDMENT was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 12-13-96 to the person(s) listed:

Mr. C D. Turley, IMC-Agrico *
Mr. John Koogler, P.E.
Mr. Jerry Kissel, SWD

Clerk Stamp

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

Rene Eber
(Clerk)

12-13-96
(Date)

Fold at line over top of envelope to

Is your RETURN ADDRESS completed on the reverse side?

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 will show to whom the article was delivered and the date delivered.

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:
 C. D. Jurling, Env. Coord.
 IMC-Asisco Co.
 PO Box 1035
 Mulberry, FL 33860

4a. Article Number
P 265 659 104

- 4b. Service Type
- Registered Insured
 - Certified COD
 - Express Mail Return Receipt for Merchandise

7. Date of Delivery
12-17

5. Signature (Addressee)
C. D. Jurling

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

P 265 659 104

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	C. D. Jurling
Street & Number	IMC-Asisco
Post Office, State & ZIP Code	Mulberry, FL
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	12-13-96
	AC53-232481
	P50-F1-204

PS Form 3800, April 1995

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes

THRU: Clair Fancy *CHF*

FROM: Al Linero *Al Linero 12/11*

DATE: December 11, 1996

SUBJECT: Permit Extension AC53-232681, PSD-FL-204
IMC-Agrico, Nichols Facility DAP Plant

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Attached for your review and signature is an construction permit extension amendment allowing IMC-Agrico additional time to test their DAP Plant at full load. Because of low production at the rest of the facility, they have not been able to supply sufficient feedstock to the DAP plant to allow it to run and be tested at 90-100 percent of full capacity.

They confirmed that the plant can in fact handle the permitted load if and when the feedstock is available. They confirmed that they will continue to conduct annual compliance tests in the interim. There is one scheduled next week.

CHF/aal/l

Attachment