



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, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. C. David Turley
Sr. Environmental Engineer
Environmental Services-Concentrate
IMC-Agrico Company
Post Office Box 2000
Mulberry, Florida 33860-1100

Re: DEP File No. 1050057-005-AC (PSD-FL-204)
IMC-Agrico Company (Nichols) - DAP Plant

Dear Mr. Turley:

The Department has reviewed your letter of November 21 requesting an extension of the expiration date of the above referenced permit. The purpose of the extension is to allow completion of the authorized project and submission of completion of construction information to the Southwest District office in Tampa.

This request is acceptable and the expiration date is hereby amended from January 1, 1998 to June 1, 1998.

A person whose substantial interests are affected by this permit amendment 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: 850/488-9730, fax: 850/487-4938. Petitions must be filed within fourteen days of receipt of this permit amendment. 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. Mediation is not available for this action.

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 contends require reversal or modification of the Department's action or proposed action; and (g) A

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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.

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 permit amendment. 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.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this permit amendment.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permit amendment is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit amendment will not be effective until further order of the Department.

When the Order (Permit Amendment) is final, any party to the Order has the right to seek judicial review of the Order 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

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

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 12-12-97 to the person(s) listed:

Mr. C. David Turley, IMC-Agrico*
Mr. Jerry Kissel, SWD
Mr. John B. Koogler, K&A

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.

Kym Joben
(Clerk)

12-12-97
(Date)

P 265 659 267

no green card 7/98

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

PS Form 3800, April 1995

Sent to		David Turley
Street & Number		1 MC - Azico
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		12-17-97
1050057-005-AC P30-F1-204 - Nichols		



Certified Mail
Return Receipt Requested

December 4, 1997

Mr. Cleveland Holladay
Florida Department of
Environmental Protection
Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED
DEC 08 1997
BUREAU OF
AIR REGULATION

RE: DAP Plant
Construction Permit Nos. AC53-232681, PSD-FL-204
AIRS ID No. 1050057
Unit ID Nos. 002, 003, and 004
Nichols Plant

Dear Mr. Holladay:

Based on our conversation of December 3, 1997, I am submitting the following Ammonia Impact Determination for the IMC-Agrico, Nichols Plant. This determination was required by Specific Condition 5. It was based on the included test results and was conducted using the EPA Models, BPIP and ISCST using Tampa meteorological data for the years 1987-1991. Based on this determination, the annual concentration of ammonia will not exceed 100 micrograms/cubic meters at the boundaries of this plant.

Thank you for your attention in this matter. If you need additional information, please contact me at 941-428-7153.

RECEIVED
DEC 08 1997
BUREAU OF
AIR REGULATION

Sincerely,

C. David Turley
Sr. Environmental Engineer
Environmental Services - Concentrates

Attachments

xc: G. K. Kissel - FDEP - Tampa
P. Raval - (K&K) w/o att.
P. A. Steadham - w/o att.

cdt



KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 ■ FAX 377-7158

KA 124-94-06

October 28, 1996

Mr. Martin Costello
Florida Department of
Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: IMC-Agrico Company, Nichols Plant
Request for Extension of Permit Expiration Date
DAP Plant Reactor/Granulator
AC53-232681, PSD-FL-204

Dear Mr. Costello:

This is a follow up to your conversation with Pradeep Raval on September 25, 1996, for an extension of the expiration date of the above referenced permit.

The extension to January 1, 1998 is requested as IMC-Agrico will need additional time to troubleshoot/debug the plant in order to perform within 90 percent of the permitted rate. Compliance testing has been postponed for the same reason.

Enclosed is a check in the amount of \$50 (permit extension fee).

If you have any questions, please call Pradeep Raval or me.

Very truly yours,

KOOGLER & ASSOCIATES

John B. Koogler, Ph.D., P.E.

JBK:par

c: C. D. Turley, IMC-Agrico

RECEIVED

NOV 1 1996

BUREAU OF
AIR REGULATION

KOOGLER & ASSOCIATES

4014 N.W. 13TH ST., 377-5822
GAINESVILLE, FL 32609

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63-2/630
00320

10/30 19 96

PAY
TO THE
ORDER OF

Florida Dept of Environmental Protection

\$ 50⁰⁰

Fifty and 00/100

DOLLARS



FIRST UNION

First Union National Bank
of Florida
Gainesville, Florida
24 Hour Information Service
1-800-735-1012

FOR

IMC permit Extension

David Lee Jones

⑈008072⑈ ⑆063000021⑆2132000456902⑈

AMERICAN SAVINGS & LOAN ASSOCIATION



bcc:

J. D. Curtis
R. W. Howe
R. A. Woolsey

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECEIVED

SEP 23 1996

BUREAU OF
AIR REGULATION

September 19, 1996

Mr. Gerald J. Kissel
Florida Department of
Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

RE: REQUEST FOR GMAP TESTING
DAP Plant
Permit Nos. AO53-180228, AO53-180229, AO53-180230 and AC53-232681
AIRS ID No. 1050057
Unit ID Nos. 002, 003 and 004
Nichols Plant

Dear Mr. Kissel:

This is a request to authorize the operation of the above-referenced plant for a testing period of two weeks to produce GMAP rather than DAP. This is accomplished by changing the chemical reaction in the reactor. Emissions testing will be conducted to establish the impact of this change. As you are aware, the New Wales DAP 1 Plant is permitted to produce GMAP and has demonstrated compliance with the applicable emission limits. We expect similar results for this test. If possible, we propose to begin the testing October 1 and conclude by November 1. This would allow for any delay periods.

This plant is currently under a PSD construction permit, which authorized an increase in the production rate. We believe that the test operation is outside the scope of that permit since the maximum rate is specified as Diammonium Phosphate. However, the maximum rate is also expressed as tons of P₂O₅ per hour. The emission limits, particulate and fluoride, are based on

Mr. Gerald J. Kissel
September 19, 1996
Page 2

lbs/ton P₂O₅. As the Title V permitting proceeds, we feel that the new permit can be made consistent with the SCC codes which refer to "ammoniated phosphates." This would cover both products. Please inform us if this will be sufficient or whether additional action is needed in this matter.

Thank you for your attention to this matter. If you have any questions, please contact C. D. Turley at 941-428-7153 or me at 941-428-7106.

Sincerely,



P. A. Steadham
Chief Environmental
Services - Concentrates

xc: ~~A. A. Linero, FDEP Tallahassee~~
P. Raval, Koogler and Associates
C. D. Turley

cwk
(pas96)

KA 124-95-04
MEMORANDUM

RECEIVED
DEC 17 1995
BUREAU OF
AIR REGULATION

TO: Martin Costello, FDEP
FROM: Pradeep Raval
DATE: December 14, 1995
SUBJECT: Permit Amendment Request
IMC-Agrico Company
Nichols Plant
DAP Dryer, Permit No. AC53-232681

This is a follow up to our conversation regarding the request for an amendment of the above referenced permit.

Based on our discussions, the above request is being withdrawn at this time with the understanding that there is a one-time only requirement for ammonia sampling and subsequent emissions modeling.

If you have any questions, please give me a call.

par

c: C. D. Turley, IMC-Agrico





KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

PROJECT 124-95-04

FAX TRANSMITTAL FORM

TO: Marty Costello
DARM

FAX NO.: _____

FROM: Pradeep Raval

DATE: 12-14-95 SENT BY: PR

FAX PHONE: 904-377-7158 VOICE PHONE: 904-377-5822

The text being transmitted consists of 1 pages PLUS this one.

REMARKS: Here's the memo I promised on
the DAP dryer.

On this ammonia issue I am quite
disappointed with FDER's decision to
retain even the one-time test/modeling
requirement. Especially, when it is known
to be a wasted effort in light of the
facts.

There is still time for a change of
heart. After all it is Yours!

Regards, PR