

GARDINIER INC.

Post Office Box 3269 • Tampa, Florida 33601 • Telephone 813-677-9111 • TWX 810-876-0648 • Telex-52666 • Cable-Gardinphos

May 16, 1984

Mr. Willard Hanks
Department of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32301

DER
MAY 18 1984
BAQM

Dear Willard:

Enclosed is Page 9-C of the Wednesday, May 16, 1984 issue of the Tampa Tribune.

The "Notice of Proposed Agency Action" appears in Column 3.

Thank you again for your cooperation.

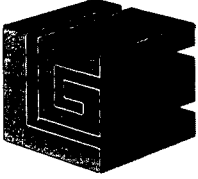
Yours very truly,

G. E. Wilkinson

GEW:rw

Enclosure

cc: Mr. Rudy J. Cabina): Less Encl
Mr. A. E. Morrison)



GARDINIER INC.

DER
JUN 7 1984
BAQM

Post Office Box 3269 • Tampa, Florida 33601 • Telephone 813-677-9111 • TWX 810-876-0648 • Telex-52666 • Cable-Gardinphos

June 4, 1984

Mr. Willard Hanks
Department of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32301

Dear Willard:

Enclosed is the "Proof of Publication" of the "Notice of Proposed Agency Action", which appeared in the May 16, 1984 issue of the Tampa Tribune.

Yours very truly,

G. E. Wilkinson

GEW:rw
Enclosure
cc: Mr. A. E. Morrison

THE TAMPA TRIBUNE

Published Daily
Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } ss.

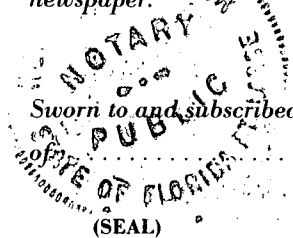
Before the undersigned authority personally appeared
R. F. Pittman, who on oath says that he is Publisher of The Tampa Tribune, a daily
newspaper published at Tampa in Hillsborough County, Florida; that the attached copy
of advertisement being a

LEGAL NOTICE

NOTICE OF PROPOSED AGENCY ACTION

.....
in the matter of The Dept. of Environmental Regulation gives
notice of its intent to issue permits to Gardinier, Inc.,
to construct a phosphate rock storage & milling facility
at its East Tampa Plant located herein. -----
was published in said newspaper in the issues of -----
-----May 16, 1984-----

Affiant further says that the said The Tampa Tribune is a newspaper published at
Tampa, in said Hillsborough County, Florida, and that the said newspaper has
heretofore been continuously published in said Hillsborough County, Florida, each day
and has been entered as second class mail matter at the post office in Tampa, in said
Hillsborough County, Florida, for a period of one year next preceding the first publica-
tion 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 the said
newspaper.



Sworn to and subscribed before me, this

24th day

May

A.D. 1984.

[Signature]
Notary Public, State of Florida at Large
My Commission Expires Jan. 25, 1986

NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Regulation gives notice of its intent to issue permits to Gardinier, Inc., to construct a phosphate rock storage and milling facility at its East Tampa Plant located six and one-half miles southeast of Tampa on U.S. Highway 41 in Hillsborough County. The facility includes a rock unloading and storage station equipped with a bag filter, a group of four phosphate rock mills ducted to a common bag filter, and two additional phosphate rock ball mills, each equipped with a bag filter. The company plans to operate the dry rock facilities only when one or both of the wet mills are inoperative because of mechanical failure.

Particulate matter emissions from all sources authorized by these permits will be less than 25 tons per year. A determination of Best Available Control Technology was not required.

A person who is substantially affected by the Department's proposed permitting decision may request a hearing in accordance with Section 120.57, Florida Statutes, and Chapters 17-1 and 28-5, Florida Administrative Code. The request for hearing must be filed in the Office of General Counsel of the Department at 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32301, within (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, Florida Statutes. The applications, Technical Evaluation and Department intent are available for public inspection during normal business hours at the following locations:

Department of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32301
Department of Environmental Regulation
Southwest District Office
601 Highway 301, North Tampa, Florida 33610
Hillsborough County Environmental Protection Commission
1900 9th Avenue
Tampa, Florida 33605

Any person may send written comments on the proposed action to Mr. Clair Fancy, at the Department's Tallahassee address. Such comments mailed within 14 days of the publication of this notice will be considered in the department's final determination.

DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32301 8241



BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

October 22, 1984

RECEIVED

OCT 22 1984

Mr. Thomas W. Reese
123 Eighth Street North
St. Petersburg, Florida 33701

Dept. of Environmental Regulation
Office of General Counsel

Dear Mr. Reese:

Pursuant to Section 403.412(2), Florida Statutes, please consider this the Department of Environmental Regulation's response to your letter of September 19, 1984, about the proposed phosphogypsum pile to be constructed by Gardinier, Inc. In your letter, you allege that the proposed phosphogypsum pile is a "stationary installation which will reasonably be expected to be a source of air ... pollution" and therefore requires an air pollution permit from the department. Section 403.087(1), Florida Statutes. You identify airborne radionuclides, gaseous fluoride, fluoride particulates and particulates as pollutants of particular concern.

While I agree that gypsum stacks such as the one proposed by Gardinier may be sources of potential pollution, I do not believe that it is necessary or appropriate to require air pollution permits for such facilities at present. There are no state air pollution standards for emissions of radionuclides or fluorides from gypsum stacks. The only applicable standard for particulate matter is contained in Florida Administrative Code Rule 17-2.610(3). That provision simply requires that the permit applicant take "reasonable precautions" to control emissions of unconfined particulate.

With respect to the pollutants identified in your letter, the department intends to take the following actions:

1) Radionuclides - The department has reviewed available information, including existing reports published by the United States Environmental Protection Agency. It does not appear, based on our review of these reports, that radionuclide emissions from gypsum stacks pose any immediate danger to the public health, safety or welfare. However, the United States Environmental Protection Agency is establishing a testing program to re-evaluate the impacts of radionuclide emissions from gypsum stacks. The department will coordinate with the EPA on the development and

Mr. Thomas W. Reece
October 22, 1984
Page Two

implementation of that study and will consider any data generated by the study. The department may decide, in light of new information obtained, to promulgate standards for radionuclide emissions and require permits for gypsum stacks.

2) Gaseous Fluorides and Fluoride Particulates - In accordance with Section 111(d) of the Clean Air Act, the department plans to conduct a comprehensive review of existing fluoride emission standards for the phosphate industry and fluoride emissions generally. As a part of that study, we will look at the impact of fluoride emissions from both phosphogypsum stacks and clay settling areas.

This review is expected to begin sometime in mid-1985 and will probably take 18 to 24 months to complete. At the end of that time the department may decide to proceed to rulemaking on fluoride standards for the industry. I invite you to participate fully in this process. If you have any questions about the timing or content of this study, please contact Steve Smallwood, Chief of the Bureau of Air Quality Management.

The department has no information now available to it to indicate that criteria for fluoride emissions from gypsum stacks should be adopted immediately.

3) Particulates - As noted previously, the department's air pollution rules contain a general emissions standard for unconfined particulate. That standard requires that reasonable precautions be taken to control such emissions.

Presently, it does not appear that emissions of unconfined particulate matter are a problem with respect to phosphogypsum stacks. If the department were to require air pollution permits for gypsum stacks, our review of the matter indicates that the reasonable precautions standard would not require any additional steps to be taken by the industry in constructing or maintaining the gypsum stacks. Therefore, I have decided not to require such permits at this time.

The conclusions expressed in this letter obviously reflect our present knowledge of the situation. As the department acquires additional data, we may find that a reasonable basis exists for requiring air pollution permits for gypsum stacks. Our position would then be modified accordingly.

Sincerely,

Victoria J. Tschinkel
Victoria J. Tschinkel
Secretary

VJT/mh

cc: Robert L. Rhodes
Gary Stephens

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32301-8241



BOB GRAHAM
GOVERNOR

VICTORIA J. TSCHINKEL
SECRETARY

November 13, 1984

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Rudy J. Cabina
Gardinier, Inc.
Post Office Box 3269
Tampa, Florida 33601

Dear Mr. Cabina:

RE: Modification of Conditions - Permit Nos. AC29-86615,
-86649, -86648, -86646

The department is in receipt of Mr. A.E. Morrison's letter, dated October 5, 1984, that requested the referenced construction permits to reactivate the existing dry rock handling system be extended until July 1, 1988. This request is acceptable and the expiration date and specific conditions of each permit are changed as noted below:

Expiration Date

From: December 28, 1984
To: July 1, 1988

Specific Condition

From: A complete application for permits to operate the sources shall be submitted to the Hillsborough County Environmental Protection Commission prior to September 28, 1984.

To: Complete applications for permits to operate the sources shall be submitted to the Hillsborough County Environmental Protection Commission within 45 days of placing the dry rock handling equipment in service or by April 1, 1988, whichever date occurs first.


Mr. Rudy J. Cabina
Page Two
November 13, 1984

Attachments to be Incorporated

Mr. A.E. Morrison's letter dated October 5, 1984.

A copy of this letter must be attached to each of the reference construction permits and shall become a part of that permit.

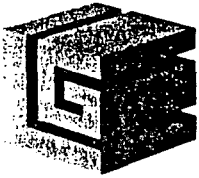
Sincerely,


Victoria J. Tschinkel
Secretary

VJT/ks

cc: Bill Thomas
Jerry Campbell

attachment: 10/5/84 letter



GARDINIER INC.

October 5, 1984

D. E. R.

OCT 9 1984

SOUTH WEST DISTRICT
TAMPA

Mr. William Thomas
Florida Department of Environmental Regulation
7601 Highway 301 North
Tampa, Florida 33610

Subject: Dry Rock Handling - Construction Permits as Listed

Dear Bill:

Gardiner is requesting an extension of the following construction permits due to expire on December 28, 1984:

AC29-86615 - Dry Rock Unloading

AC29-86649 - #6,7,8 & 10 Mills

AC29-86648 - #11 KVS Mill

AC29-86646 - #12 KVS Mill

These permits were obtained under an emergency situation when one of the wet rock mills developed a crack and was put out of operation. The other wet rock mill also showed signs of cracking.

Gardiner was able to repair the wet rock mills temporarily and the dry rock mills were not put into use. The manufacturer of the wet rock mills has agreed to furnish new shells, however, these are specialty items and the delivery time is about one year. After that, Gardiner will have to schedule shutdowns of one mill at a time during lower production periods to replace the shells. This is a major undertaking and with proper debugging, this could easily take an additional two years. The dry rock mills will not be used unless some emergency occurs.

Because of this possibility, Gardiner would like to extend the permits until July 1, 1988. By that time, there should be no possibility of needing the dry mills.

Thank you for considering this request.

Very truly yours,

A. E. Morrison
A. E. Morrison

Manager, Environmental Services

AEM:rw

cc: Mr. Rudy J. Cabina
Mr. Jerry Campbell, HCEPC
Mr. Frank Gonzalez

State of Florida
DEPARTMENT OF ENVIRONMENTAL REGULATION

INTEROFFICE MEMORANDUM

For Routing To District Offices And/Or To Other Than The Addressee		
To: _____	Loctn.: _____	
To: _____	Loctn.: _____	
To: _____	Loctn.: _____	
From: _____	Date: _____	
Reply Optional []	Reply Required []	Info. Only []
Date Due: _____	Date Due: _____	

TO: Victoria J. Tschinkel
FROM: *JW George*
for C. H. Fancy, Deputy Chief, BAQM
DATE: November 13, 1984
SUBJ: Modifications of Permit Nos. AC 29-86615, -86649,
-86648, -86646, Gardinier, Inc.

DER
NOV 16 1984
BAQM

Attached is a letter drafted for your signature that will change the expiration dates in the construction permits issued to Gardinier, Inc. that authorized them to reactivate their dry rock handling system.

The bureau recommends your approval.

CHF/WH/s