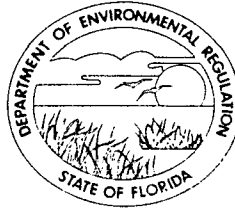


STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

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



BOB GRAHAM
GOVERNOR
VICTORIA J. TSCHINKEL
SECRETARY

March 29, 1985

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. J. A. Brafford
Vice-President and General Manager
International Minerals and Chemical Corp.
New Wales Operations
Post Office Box 1035
Mulberry, Florida 33860


Dear Mr. Brafford:

Attached is one copy of the Technical Evaluation and Preliminary Determination, and proposed permit to increase production of your No. 3 phosphoric acid plant in Polk County, Florida.

Before final action can be taken on your draft permit, you are required by Florida Administrative Code Rule 17-103.150 to publish the attached Notice of Proposed Agency Action in the legal advertising section of a newspaper of general circulation in Polk County no later than fourteen days after receipt of this letter. The department must be provided with proof of publication within seven days of the date the notice is published. Failure to publish the notice may be grounds for denial of the permit.

Please submit, in writing, any comments which you wish to have considered concerning the department's proposed action to Mr. Bill Thomas of the Bureau of Air Quality Management.

Sincerely,


C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

CHF/pa
Attachments
cc: Craig A. Pflaum, P.E.
Bill Thomas

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of an)
Application for Permit by:)
)
International Minerals and)
Chemical Corp.) DER File No. AC 53-099108
New Wales Operations)
Post Office Box 1035)
Mulberry, Florida 33860)

INTENT TO ISSUE

The Department of Environmental Regulation hereby gives notice of its Intent to Issue, and proposed order of issuance for, a permit pursuant to Chapter 403, Florida Statutes, for the proposed project as detailed in the application specified above. The Department is issuing this Intent to Issue for the reasons stated in the attached Technical Evaluation and Preliminary Determination.

The applicant, International Minerals and Chemical Corporation, New Wales Operations, applied on February 4, 1985, to the Department of Environmental Regulation for a permit to increase production of the No. 3 phosphoric acid plant that is located near the intersection of Highway 640 and County Line Road in Polk County, Florida.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes and Florida Administrative Code Rules 17-2 and 17-4. The project is not exempt from permitting procedures. The applicant was officially notified by the Department that an air construction permit was required for the proposed work.

This intent to issue shall be placed before the Secretary for final action unless an appropriate petition for a hearing pursuant to the provisions of Section 120.57, Florida Statutes, is filed within fourteen (14) days from receipt of this letter or

publication of the public notice (copy attached) required pursuant to Rule 17-103.150, Florida Administrative Code, whichever occurs first. The petition must comply with the requirements of Section 17-103.155 and Rule 28-5.201, Florida Administrative Code (copy attached) and be filed pursuant to Rule 17-103.155(1) in the Office of General Counsel of the Department of Environmental Regulation at 2600 Blair Stone Road, Tallahassee, Florida 32301.

Petitions which are not filed in accordance with the above provisions are subject to dismissal by the Department. In the event a formal hearing is conducted pursuant to Section 120.57(1), all parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross-examination of witnesses and submit rebuttal evidence, to submit proposed findings of facts and orders, to file exceptions to any order or hearing officer's recommended order, and to be represented by counsel. If an informal hearing is requested, the agency, in accordance with its rules of procedure, will provide affected persons or parties or their counsel an opportunity, at a convenient time and place, to present to the agency or hearing officer, written or oral evidence in opposition to the agency's action or refusal to act, or a written statement challenging the grounds upon which the agency has chosen to justify its action or inaction, pursuant to Section 120.57(2), Florida Statutes.

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 proposed agency action. Therefore, persons who may not wish to file a petition, may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207 at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of

Administrative Hearings, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

Executed the 21 day of MARCH, 1985, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management

Copies furnished to:

J. A. Brafford
Vice-President and General Manager
IMCC New Wales Operations
Post Office Box 1035
Mulberry, Florida 33860

Craig A. Pflaum, P.E.
IMCC New Wales Operations
Post Office Box 1035
Mulberry, Florida 33860

Bill Thomas
Department of Environmental Regulation
Southwest District
7601 Highway 301 North
Tampa, Florida 33610

BEST AVAILABLE COPY

CERTIFICATION

This is to certify that the foregoing Intent to Issue and all copies were mailed before the close of business on March 29, 1985.

C. H. Fancy

C. H. Fancy, P.E.
Deputy Chief
Bureau of Air Quality
Management
2600 Blair Stone Road
Tallahassee, Florida 32301

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to §120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Patricia A. Adams March 29, 1985
Clerk Date

Technical Evaluation
and
Preliminary Determination

International Minerals & Chemical Corporation
New Wales Operations
Polk County

No. 3 Phosphoric Acid Plant
Proposed Permit Number
AC 53-099108

Florida Department of Environmental Regulation
Bureau of Air Quality Management
Central Air Permitting

March 27, 1985

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action on Permit Application

The Department gives notice of its intent to issue a permit to International Minerals & Chemical Corporation, New Wales Operations, to authorize an increase in production of the No. 3 phosphoric acid plant that is located near the intersection of Highway 640 and County Line Road in Polk County.

Maximum allowable production of the No. 3 phosphoric acid plant will be increased from 1,500 to 2,000 TPD P₂O₅. Fluoride emissions will increase by up to 2.3 TPY.

A Best Available Control Technology determination was not required for the proposed project. The 24-hour ambient air impact of the fluoride emissions is estimated to increase by 2 ug/m³, which is less than 0.1 percent of the published TWA value.

Persons 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 conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32301, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period constitutes a waiver any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

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 proposed agency action. Therefore, persons who may not wish to file a petition may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207 at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida, 32301. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

The application, technical evaluation, and Department's intent for the proposed project are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the following locations:

Dept. of Environmental Regulation
SW District
7601 Highway 301 N
Tampa, Florida 33610

Dept. of Environmental
Regulation
Bureau of Air Quality
Management
2600 Blair Stone Road
Tallahassee, Florida 32301

Any person may send written comments on the proposed action to Mr. Clair Fancy at the Department's Tallahassee address. All comments mailed within 30 days of the publication of this notice will be considered in the Department's final determination.

RULES OF THE ADMINISTRATIVE COMMISSION
MODEL RULES OF PROCEDURE
CHAPTER 28-5
DECISIONS DETERMINING SUBSTANTIAL INTERESTS

28-5.15 Requests for Formal and Informal Proceedings

- (1) Requests for proceedings shall be made by petition to the agency involved. Each petition shall be printed typewritten or otherwise duplicated in legible form on white paper of standard legal size. Unless printed, the impression shall be on one side of the paper only and lines shall be double spaced and indented.
- (2) All petitions filed under these rules should contain:
 - (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name and address of the petitioner or petitioners;
 - (c) All disputed issues of material fact. If there are none, the petition must so indicate;
 - (d) A concise statement of the ultimate facts alleged, and the rules, regulations and constitutional provisions which entitle the petitioner to relief;
 - (e) A statement summarizing any informal action taken to resolve the issues, and the results of that action;
 - (f) A demand for the relief to which the petitioner deems himself entitled; and
 - (g) Such other information which the petitioner contends is material.

I. Project Description

A. Applicant

International Minerals & Chemical Corporation
New Wales Operations
Post Office Box 1035
Mulberry, Florida 33860

B. Project and Location

The applicant proposes to increase the production of their existing No. 3 phosphoric acid plant (SIC 2874) from 1,500 to 2,000 TPD P₂O₅. The application was completed on February 25, 1985. No physical changes are needed for the plant to operate at the higher production rate. The plant is located in western Polk County near the intersection of Highway 640 and County Line Road. The UTM coordinates of the plant are 17,396.7 km E and 3079.4 km N.

C. Air Pollutant Emissions

Phosphoric acid plants are a source of fluoride emissions. Emissions from the applicant's No. 3 phosphoric acid plant are controlled by a 25,000 ACFM Davy designed crossflow scrubber. Tests on the plant show the emissions are below the new source performance standard of 0.02 lb F/T P₂O₅ input. The applicant has agreed to distribute the allowable fluoride emissions among the clarifier and phosphoric acid plant scrubbers. The permitted emission limit for the acid plant will be 41 lb F/D and 0.019 lb F/T P₂O₅ input.

The actual fluoride emission of the existing plant has been measured at 28.5 lb/D. Thus, the increased production could result in a 12.5 lb/D or 2.3 TPY increase in fluoride emissions.

II. Rule Applicability

The proposed project, increasing production of an existing phosphoric acid plant, is subject to preconstruction review under the provisions of Chapter 403, FS, and Chapter 17-2, FAC.

As the only regulated pollutant emitted by the proposed source is fluorides, the Area Designation (17-2.400), Prevention of Significant Deterioration (17-2.500), and New Source Review for Nonattainment Areas (17-2.510) sections of Chapter 17-2, FAC, are not applicable.

A Best Available Control Technology determination (17-2.630) was not required because phosphoric acid plants have a specific emission limiting standard (17-2.600(3)(a)1.), and the increase

in fluoride emissions is less than the significant emissions rate listed in Table 500-2.

The proposed project is subject to Rule 17-2.520, FAC, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements. The plant will be required to comply with 40 CFR 60, Subpart T-Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.

III. Technical Evaluation

New Source Performance Standards for phosphoric acid plants limit total fluoride emissions to 0.02 lb/ton P_2O_5 input. The No. 3 phosphoric acid plant was originally permitted to emit 0.019 lb F/ton P_2O_5 input. The emissions from the No. 3 plant were measured on August 9, 1984, while it had 1,710 TP P_2O_5 input, at 0.016 lb F/TP P_2O_5 input. Thus, test results show the existing air pollution control equipment readily meets the emission standards specified for this plant. The control equipment should be able to meet the same emission standards at a higher production rate.

A production rate of 2,000 TPD P_2O_5 requires an input of 2,151 TPD P_2O_5 . New source performance standards for phosphoric acid plants would allow 43 lb F/D emission. However, the Company has agreed to allot 2 lb F/D of the allowable emissions to the phosphoric acid clarification scrubber (AO 53-49080). This will result in the allowable emissions from the modified plant being 0.019 lb F/TP P_2O_5 input.

The maximum emissions from the modified plant will be 7.46 TPY. Actual emissions from the existing plant are 5.20 TPY. Therefore, the net increase in fluoride emissions will be 2.26 TPY.

IV. Air Quality Impact

Screening modeling shows the maximum ambient air impact of fluoride emissions from the No. 3 phosphoric acid plant at 2,000 TPD P_2O_5 production is 6.4 ug/m³. The maximum impact of the actual emissions from the existing plant is 4.4 ug/m³. Therefore, the higher production could increase the impact of the fluoride emissions from this plant by 2 ug/m³. The published TWA value for fluoride is 2,500 ug/m³.

V. Conclusion

Based on the information submitted by IMCC in their application dated January 31, 1985, and the letter dated February 22, 1985, the department has concluded that the production of the No. 3 phosphoric acid plant can be increased from 1,500 to 2,000 TPD

P₂O₅ (2,151 TPD P₂O₅ input) without violating any state or federal air pollution control regulation. The department proposes to issue a construction permit that will authorize the increase in production and fluoride emissions. The General and Specific Conditions listed in the proposed permit (attached) will assure compliance of the modified source with the air pollution control regulations.

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

PERMITTEE:
International Minerals &
Chemical Corporation
New Wales Operations
P. O. Box 1035
Mulberry, FL 33860

Permit Number: AC 53-099108
Expiration Date: August 1, 1985
County: Polk
Latitude/Longitude: 27° 50' 13"N
82° 02' 56"W/
Project: No. 3 Phosphoric Acid
Plant Modification

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 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 increase production at the existing No. 3 phosphoric acid plant whose emissions are controlled by a Davy designed crossflow scrubber with cyclonic entrainment separator that uses cooling pond water to remove fluorides. Production will increase from 1,500 to 2,000 TPD P_2O_5 (2,151 TPD P_2O_5 input). No physical modifications are required for the plant to achieve the higher production rates.

The plant is located in western Polk County at the intersection of Highway 640 and County Line Road. The UTM coordinates of this site are 17,396.7 km East and 3079.4 km North.

This construction permit replaces permit No. AO 53-92685.

The modification shall be in accordance with the application for a permit to construct the Third Phosphoric Plant with Crossflow Scrubber that was signed by Mr. J. A. Brafford on February 1, 1985, and the information supplied by Mr. A. L. Girardin in a letter dated February 22, 1985.

Attachments:

1. Application
2. DER 2/15/85 letter
3. IMCC 2/22/85 letter

PERMITTEE:
International Minerals &
Chemical Corporation

Permit Number: AC 53-099108
Expiration Date: August 1, 1985

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.

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. Nor 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 does not constitute 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, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, 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:
International Minerals &
Chemical Corporation

Permit Number: AC 53-099108
Expiration Date: August 1, 1985

GENERAL CONDITIONS:

6. The permittee shall at all times 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring 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 notify and provide the department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

PERMITTEE:
International Minerals &
Chemical Corporation

Permit Number: AC 53-099108
Expiration Date: August 1, 1985

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 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 arising under the Florida Statutes or department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.

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 17-4.12 and 17-30.30, 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 is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards.

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the department, during the course of any unresolved enforcement action.

PERMITTEE:
International Minerals &
Chemical Corporation

Permit Number: AC 53-099108
Expiration Date: August 1, 1985

GENERAL CONDITIONS:

- b. The permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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 date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

15. 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 submitted or corrected promptly.

SPECIFIC CONDITIONS:

1. The No. 3 phosphoric acid plant shall comply with all requirements of 40 CFR 60, Subpart T-Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
2. Phosphorus bearing feed material to the modified plant shall not exceed 2,151 ton per day P_2O_5 input (2,000 TPD P_2O_5 product) and 92 TPH P_2O_5 production. Raw material input shall be monitored as required by 40 CFR 60.203. All records shall be kept for a minimum of 2 years.

PERMITTEE:
International Minerals &
Chemical Corporation

Permit Number: AC 53-099108
Expiration Date: August 1, 1985

SPECIFIC CONDITIONS:

3. Total fluoride emissions from the No. 3 phosphoric acid plant shall not exceed 0.019 lb F/T P_2O_5 input and 41 lb/day. Compliance with this condition shall be determined by the test methods and procedures specified in 40 CFR 60.204 while the plant is operating at the permitted capacity of 2,151 TPD P_2O_5 input (+ 10%). Scrubber water pressure, scrubber water flow, and gas pressure drop shall be monitored during any compliance test and a summary of this data included in any emissions test report. The Southwest District shall be notified at least 15 days in advance of any compliance test.
4. The plant may operate continuously, 8,760 hours per year.
5. The Company shall submit a complete application for permit to operate the No. 3 phosphoric acid plant, which will include an emission test report on the plant, to the Southwest District office at least 90 days prior to the expiration date of this construction permit or 45 days after reaching the permitted production capacity, whichever date occurs first. If the compliance tests are conducted at an operating rate of less than 90 percent of the permitted capacity, then any permit to operate issued for the plant shall restrict its maximum production to not more than 10 percent above the production rate that existing during the compliance test.
6. Upon obtaining a permit to operate, the Company will be required to make periodic compliance tests and to submit annual operation reports to the Southwest District which shall include as a minimum: The amount of material processed during the preceding year, a recent fluoride emissions test report, the annual emissions (note calculation basis), and any changes to the plant described in the information contained in the permit application.

PERMITTEE:
International Minerals &
Chemical Corporation

Permit Number: AC 53-099108
Expiration Date: August 1, 1985

Issued this _____ day of _____, 19__

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL REGULATION

VICTORIA J. TSCHINKEL, Secretary

_____ pages attached.