

Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT

Mr. John A. Brafford
Vice President & General Manager
IMC Fertilizer, Inc.
P. O. Box 1035
Mulberry, Florida 33860

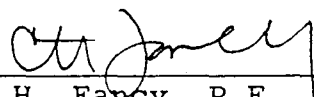
June 15, 1990

Enclosed is construction permit No. AC 53-177264 to construct an additional cooler and scrubber for the No. 2 DAP Plant at your facility in Mulberry, Polk County, Florida. This permit is issued pursuant to Section 403, Florida Statutes.

Any party to this permit has the right to seek judicial review of the permit 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 Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 days from the date this permit is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

Copy furnished to:

B. Thomas, SW District
C. Pflaum, P.E.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of buisness on 6-15-90.

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.

Kimi Deben
Clerk

6-15-90
Date

Final Determination

IMC Fertilizer, Inc.
Mulberry, Polk County, Florida

Additional Cooler and Scrubber - DAP No. 2
Permit No. AC 53-177264

Department of Environmental Regulation
Division of Air Resources Management
Bureau of Air Regulation

June 8, 1990

Final Determination

The construction permit application has been reviewed by the Department. Public Notice of the Department's Intent to Issue was published in The Ledger newspaper on May 18, 1990. The Technical Evaluation and Preliminary Determination were available for public inspection at the Department's Southwest District office in Tampa and the Bureau of Air Regulation in Tallahassee.

No comments were received during the public notice period. Therefore, the final action of the Department will be to issue the construction permit as drafted.



Florida Department of Environmental Regulation

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PERMITTEE:
IMC Fertilizer, Inc.
P. O. Box 1035
Mulberry, Florida 33860

Permit Number: AC 53-177264
Expiration Date: Dec. 31, 1991
County: Polk
Project: Additional Cooler -
DAP No. 2

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 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 drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the construction of an additional cooler and air pollution control system for the No. 2 DAP plant. This project will be located at the applicant's facility in Mulberry, Polk County, Florida. The UTM coordinates of this site are Zone 17, 396.7 km E and 3,079.4 km N.

The source shall be constructed in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application to Operate/Construct Air Pollution Sources, DER Form 17-202(1), received on March 7, 1990.

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-177264
Expiration Date: December 31, 1991

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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. Neither 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 is not 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, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; 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:
IMC Fertilizer, Inc.

Permit Number: AC 53-177264
Expiration Date: December 31, 1991

GENERAL CONDITIONS:

6. The permittee shall 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 and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor 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 provide the Department with the following information:

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

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-177264
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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 for 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 involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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 17-4.120 and 17-30.300, F.A.C., 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 or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold 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) required by the permit, copies of all reports required by this permit, and

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-177264
Expiration Date: December 31, 1991

GENERAL CONDITIONS:

records of all data used to complete the application for this permit. These materials shall be retained 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 dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. 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 corrected promptly.

SPECIFIC CONDITIONS:

1. This permit and the following specific conditions apply only to the DAP 2E cooler and its air pollution control equipment. This permit does not change any conditions of the current permits (AO 53-106293 and AO 53-134734) for this facility.
2. The construction and operation of the DAP 2E cooler and its air pollution control equipment shall be in accordance with the capacities and specifications stated in the application.
3. Product rate through the DAP 2E cooler shall not exceed 140 tons per hour and 1,103,760 tons per year.
4. The DAP 2E cooler may operate up to 7884 hours per year.
5. Particulate matter emissions from the DAP 2E cooler scrubber shall not exceed 6.2 pounds per hour and 24.5 tons per year.

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-177264
Expiration Date: December 31, 1991

SPECIFIC CONDITIONS:

6. Fluoride emissions from the DAP 2E cooler scrubber shall not result in an exceedance of the 0.06 pound per ton P₂O₅ standard which covers the entire DAP 2E unit operating at its maximum permitted operating rate. For the typical P₂O₅ content of 46 percent, the maximum fluoride emission rate for the entire process is 140 TPH x 0.46 x 0.06 = 3.86 pounds per hour (15.2 tons per year).

7. All reasonable precautions that apply under F.A.C. Rule 17-2.610(3) shall be implemented to limit unconfined emissions of particulate matter from any activity associated with this project.

8. Within 60 days after initial startup, the DAP 2E cooler scrubber shall be tested for particulate matter and fluoride emissions. Test procedures shall be in accordance with EPA reference methods 1, 2, 3, 5 and 13A or 13B as published in 40 CFR Part 60, Appendix A. The Department's Southwest District office shall be notified in writing at least 5 days prior to initial startup and at least 15 days prior to the compliance test. The test shall be conducted at permitted production capacity or no less than 90 percent thereof. P₂O₅ input, pH of scrubber water, and scrubber pressure drop shall be reported along with the test data. Results of the compliance test shall be reported to the Department's Southwest District office within 45 days of test completion.

9. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit (F.A.C. Rule 17-4.090).

10. An application for an operation permit must be submitted to the Department's Southwest District office at least 90 days prior to the expiration date of this construction permit or within 45 days after completion of compliance testing, whichever occurs first. To properly apply for an operation permit, the applicant shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. Rule 17-4.220).

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-177264
Expiration Date: December 31, 1991

Issued this 15 day
of June, 1990

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

for Steve Smallwood
STEVE SMALLWOOD, P.E.
Director
Division of Air Resources
Management