



*Certified Copy
Return Receipt Requested*

January 10, 1991

*Mr. Barry Andrews
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400*

RECEIVED

JAN 14 1991

Dear Mr. Andrews:

DER - BAQM

RE: FDER File No. AC53-187665

Attached to this letter is an "Affidavit of Publication" for the Department's Intent to Issue for the above draft permit. This notice was placed in the Polk County Democrat which is published in Bartow, FL. Our Noralyn facility is also located in Bartow, FL.

The notice was published on January 7, 1991. Proof of publication was received in my office on January 10, 1991.

We have the following comments pertaining to the draft permit:

1. Specific condition 2 of the draft permit states that "phosphate rock input shall not exceed the nominal 50 tons per hour as stated in the application". On page 4 of the original application (Section III.B.1) we stated that the total process input rate was 50 tons/hr. This information is a typographical error. Section III.A above and Attachment A of the application clearly state that the process rate is 723 tons/hr. Specific condition 2 of the draft permit should be modified to correct this error. We apologize for the inconvenience caused by this error.

Please contact us at your convenience with any questions regarding this submittal.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Greg Williams", written over a faint, illegible typed name.

*G. Greg Williams
Environmental Superintendent*

Attachment

*cc: J. N. Allen, Jr. - IMCF
J. V. Burluson - IMCF
T. F. Joyce - IMCF*

*J. H. Nolen - IMCF
L. F. Thurner - IMCF
J. Reynolds
B. Thorne, SW Dist*



G. G. WILLIAMS
FERTILIZER, INC.

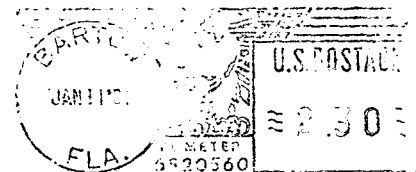
IMC Fertilizer, Inc., Minerals Operations
P.O. Box 867, Bartow, Florida 33830

CERTIFIED

P 231 446 901

MAIL

RETURN RECEIPT REQUESTED



MR. BARRY ANDREWS
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL

32399-2400

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ENVIRONMENTAL SERVICES

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
REGULATION
NOTICE OF

INTENT TO ISSUE

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit to IMC Fertilizer, Inc., Noralyn Mine Road, Bartow, Florida 33830 to relocate an existing scrubber at their Noralyn phosphate rock processing facility near Bartow in Polk County. A determination of Best Available Control Technology (BACT) was not required. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person 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 contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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 position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of

AFFIDAVIT OF PUBLICATION

The Polk County Democrat

Published Semi-Weekly
Bartow, Polk County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF POLK

Before the undersigned authority personally appeared _____

S. L. Frisbie, IV, who on oath says that (s)he is

Publisher of The Polk County Democrat, a newspaper

published at Bartow, Polk County, Florida; that the attached copy of advertisement, being a Notice of Intent to Issue in the

matter of Department of Environmental Regulation hereby gives notice of its intent to issue a permit to IMC Fertilizer, Inc.

in the _____ Court, was published in said newspaper in the issues of Jan. 7, 1991

Affiant further says that The Polk County Democrat is a newspaper published at Bartow, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, each Monday and Thursday, and has been entered as second class matter at the post office in Bartow, in said Polk County, Florida, for a period of one year next preceeding the first publication 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 said newspaper.

Signed _____

8th day of

January, 1991

Notary Public

Notary Public, State of Florida
My Commission Expires Apr. 22, 1994
Bonded thru PICHARD Ins. Agency

My Commission Expires:

Any person may send written comments on the proposed action to Mr. Berry Andrews at the Department's Tallahassee address. All comments mailed within 14 days of the publication of this notice will be considered in the Department's final determination.
Jan. 7, 1991-0012

the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S. and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.
The application is available for public inspection during business hours, 8:00 a. m. to 5:00 p. m., Monday through Friday, except legal holidays, at Department of Environmental Regulation, Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Department of Environmental Regulation, Southwest District, 4520 Oak Fair Boulevard, Tampa, Florida 33610-7347.

