

Florida Department of
Environmental Protection

Memorandum

TO: Michael Cooke, Director, Division of Air Resources Management

THROUGH: Trina Vielhauer, Chief, Bureau of Air Regulation

FROM: Jim Pennington *JKP*

DATE: August 26, 2004

SUBJECT: IMC Phosphates Company
Project No. 1050059-044-AC
Multifos Plant Expansion/Kiln C
Synthetic Minor Source Permit

The final permit is attached for your approval and signature to authorize the construction of Kiln C as a Synthetic minor source to avoid PSD applicability at the existing Multifos Plant of the IMC New Wales facility. The project will consist of limiting the production of kiln C to 17 tons per hour of throughput and emission levels that do not trigger PSD for any applicable pollutant.

On August 10, 2004, the Department distributed a draft permit package. The "Public Notice of Intent to Issue Permit" was published in the Lakeland Ledger on August 10, 2004. The Department received the proof of publication on August 11, 2004. There were no requests for extensions or petitions filed on this project.

There were no changes to the draft permit as summarized in the attached Final Determination.

I recommend your approval and signature.

Attachments

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

IMC Phosphates Company
New Wales Facility
P.O. Box 2000
Mulberry, Florida 33860-1100

Project No. 1050059-044-AC
Multifos Plant Expansion/Kiln C
Synthetic Minor Source Permit
Polk County, Florida

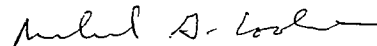
Authorized Representative:

M. A. Daigle, Vice President, Florida Concentrates

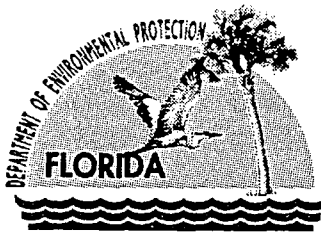
Enclosed is the Final Permit Number 1050059-044-AC. This permit authorizes construction of a Synthetic minor source for the expansion/modification of the Multifos Plant by constructing a 17 TPH kiln (Kiln C), pug mill, cooler, crusher, screens, mills and associated processing and air pollution control equipment at the IMC Phosphates (New Wales) facility, 3095 Highway 640, Mulberry, Polk County, Florida. As noted in the Final Determination (attached), the Florida Department of Environmental Protection (DEP, or "the Department") made no changes to the Final Permit. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; 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 thirty (30) days from the date this order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Michael G. Cooke, Director
Division of Air Resource
Management



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

PERMITTEE:

IMC Phosphates Company
P. O. Box 2000
Mulberry, Florida 33860-1100

DEP Permit No.:	1050059-044-AC
Project:	Mulfos Plant Expansion/Kiln C Synthetic Minor Source Permit
SIC No.:	2874
Expiration:	August 31, 2005

Authorized Representative:

M. A. Daigle
Vice President, Florida Concentrates

PROJECT AND LOCATION:

Synthetic minor source permit for the expansion/modification of the Mulfos Plant by constructing a 17 TPH kiln (Kiln C), pug mill, cooler, crusher, screens, mills and associated processing and air pollution control equipment at the IMC Phosphates (New Wales) facility, 3095 Highway 640, Mulberry, Polk County, Florida. UTM Coordinates are Zone 17; 396.6 km E; 3078.9 km N.

STATEMENT OF BASIS:

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The above named permittee is authorized to modify the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

Appendices and attachments made a part of this permit:

Appendix GC Construction Permit General Conditions

Michael G. Cooke, Director
Division of Air Resource
Management

"More Protection, Less Process"

Printed on recycled paper.

Final Determination

IMC Phosphates Company

Project No.: 1050059-044-AC

I. Public Notice and Comments.

The Public Notice of the permitting project was published in The Ledger on August 10, 2004. There were no written comments received in the commenting period (14-days), which concluded at the close of business of August 24th. Therefore, it is recommended that the Final air construction permit be issued.

II. Conclusion.

It is recommended to issue the Final air construction permit as drafted and public noticed.

AIR CONSTRUCTION PERMIT 1050059-044-AC

SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION

The existing Multifos animal feed ingredient facility consists of a common mixed feed preparation section for feeding phosphate-containing material to two rotary defluorination kilns and associated processing and handling equipment. This permit is for an expansion project to increase the capacity of the existing 30 tons per hour plant to 47 tons per hour by installing a new kiln and higher capacity mixing equipment to prepare the feed material for all three kilns.

REGULATORY CLASSIFICATION

The Multifos Plant is classified as a "Major or Title V Source" per Rule 62-210.200, F.A.C., Definitions, because at least one regulated air pollutant from the facility exceeds 100 tons per year (TPY).

Phosphate processing plants are listed as a Major Facility Category in Table 62-212.400-1, F.A.C., "Major Facility Categories." Therefore, stack and fugitive emissions of over 100 TPY of a regulated pollutant are sufficient to classify the Multifos Plant as a "Major Facility" per the definitions in Rule 62-210.200, F.A.C., subject to the Significant Emission Rates given in Table 62-212.400-2, F.A.C. and the requirements of Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD) and Best Available Control Technology (BACT). To avoid PSD and BACT applicability for the installation of Kiln C as a synthetic minor modification of the facility as defined by Rule 62-210.200(283), F.A.C., emissions must be maintained below the Significant Emission Rates by federally enforceable limits.

The New Wales Operations Facility is also classified as a "Major Source" per 40 CFR 63.2, Definitions [adopted and incorporated by reference by the Department at Paragraph 62-204.800(11)(d)] because it consists of a group of stationary sources located within a contiguous area and under common control that emit or have the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants. If additional testing and modeling demonstrate that the facility is not and has never been a major source of hazardous air pollutants since at least June 10, 2002, the permittee shall have the right to request that the Department revise the permit to remove those requirements and conditions that are applicable because the facility is a major source of hazardous air pollutants as determined by the Department.

PERMIT SCHEDULE:

- 09/26/03 Synthetic Minor Application received
- 10/24/03 Department's Incompleteness Letter mailed
- 01/12/04 Applicant's Response Letter received
- 01/15/04 Department's Letter confirming Applicant's Agreement on Additional Testing to Revise BACT Limits/Retain 25 TPH Capacity
- 06/10/04 Synthetic Minor Approach Reactivated by Applicant
- 07/23/04 Distributed Intent to Issue Permit
- 08/10/04 Notice of Intent Published
- 08/11/04 Received Notice of Publication

AIR CONSTRUCTION PERMIT 1050059-044-AC

SECTION I. FACILITY INFORMATION

RELEVANT DOCUMENTS:

The documents listed below are the basis of the permit. They are specifically related to this permitting action but do not supersede the conditions stated in the permit. These documents are on file with the Department.

- Synthetic Minor Permit Application 1050059-044-AC received September 26, 2003
- Department's Incompleteness Letter mailed October 24, 2003
- Applicant's Incompleteness response received January 12, 2004
- Department's letter mailed January 15, 2004 extending expiration date of permit PSD-FL-244 and confirming agreement with applicant to retest scrubbers for PSD permit revision
- Applicant's letter received February 9, 2004 proposing a protocol and schedule for testing the scrubbers for PSD permit revision
- Applicant's letter received June 10, 2004 requesting extension of PSD-FL-244 for reactivation of Synthetic Minor Permit Application 1050059-044-AC (see Permitting Note below)

PERMITTING NOTE:

This Synthetic Minor Source Permit supersedes all conditions of Permit No. 1050059-024-AC/PSD-FL-244 that are applicable to Kiln C. However, Permit No. 1050059-024-AC shall continue to apply to the common feed preparation section and other sections of the Multifos Plant and Kilns A and B. Permit No. 1050059-024-AC contains conditions and requirements that resolve past permitting issues applicable to the rest of the Multifos facility that would otherwise have triggered PSD review had those issues been addressed prior to the issuance of PSD-FL-244. The Bureau of Air Regulation in Tallahassee should be consulted regarding future permit applications for physical modification of or a change in the method of operation of Kiln C or associated equipment.

AIR CONSTRUCTION PERMIT 1050059-044-AC

SECTION II. EMISSION UNIT(S) GENERAL REQUIREMENTS

Regulating Agencies: All documents related to applications for permits to operate, reports, tests, minor modifications and notifications shall be submitted to the Department's Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. All applications for permits to construct or modify an emissions unit(s) subject to the Prevention of Significant Deterioration or Nonattainment (NA) review requirements should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP), 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399-2400 (phone number 850/488-0114).

General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]

Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.

Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. The facility is subject to all applicable provisions of the Code of Federal Regulations Title 40, Part 63, Subpart BB. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]

Expiration: This air construction permit shall expire on **August 31, 2005** [Rule 62-210.300(1), F.A.C.]. The permittee may, for good cause, 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. However, the permittee shall promptly notify the Department's Southwest District Office of any delays in completion of the project, which would affect the startup day by more than 90 days. [Rule 62-4.090, F.A.C.]

Application for Title V Permit: An application for a Title V operating permit, pursuant to Chapter 62-213, F.A.C., must be submitted to the Department's Southwest District Office by October 1, 2004. [Chapter 62-213, F.A.C.]

Permit Approval: Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, or if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. [40 CFR 52.21(r)(2)].

Annual Reports: Pursuant to Rule 62-210.370(2), F.A.C., Annual Operation Reports, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. Annual operating reports using DEP Form 62-210.900(4) shall be sent to the DEP's Southwest District office by March 1st of each year.

Stack Testing Facilities: Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C.

Quarterly Reports: Quarterly excess emission reports, in accordance with 40 CFR 60.7 (a)(7) (c) (1997 version), shall be submitted to the DEP's Southwest District office.

New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

AIR CONSTRUCTION PERMIT 1050059-044-AC

SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

SPECIFIC CONDITIONS – KILN C MULTIFOS PRODUCTION:

The following Specific Conditions apply only to the following Kiln C emission units:

EMISSION UNIT NO.	EMISSION UNITS DESCRIPTION
074	Kiln C Scrubber Stack
075	Kiln C Cooler Baghouse
076	Kiln C Milling & Sizing Baghouse

- The above emission units shall comply with all applicable provisions of Chapter 62-296, Stationary Sources - Emission Standards, Florida Administrative Code (F.A.C.).
- The Kiln C emission units shall not exceed the following limits: [Rules 62-204.800(7)(b)10; 62-210.200; 62-212.400, F.A.C.]

POLLUTANT	EMISSION LIMIT	LIMIT BASIS
F (Stack)	0.66 lb/hr ⁽¹⁾ and 2.90 TPY	Synthetic minor status
PM/PM ₁₀ (Stack)	5.68 lb/hr ⁽²⁾ and 24.90 TPY	Synthetic minor status
PM ₁₀ (Stack)	3.40 lb/hr ⁽³⁾ and 14.90 TPY	Synthetic minor status
SO ₂ (Stack)	9.11 lb/hr and 39.90 TPY	Synthetic minor status
NO _x (Stack)	9.11 lb/hr and 39.90 TPY	Synthetic minor status
VE (Stack)	15% opacity	Test Data
VE (Baghouses)	5% opacity	Test Data

⁽¹⁾ 2.90 tons/yr x 2000 lb/ton x yr/8760 hr = 0.66 lb/hr (a new PSD permit will be required if this limit is not met)

⁽²⁾ includes PM₁₀, i.e., if PM₁₀ = 3.40 lb/hr, PM can be no more than 5.68 – 3.40 = 2.28 lb/hr

⁽³⁾ Based on March 10-11, 2004 test data, PM₁₀ accounts for 50-60 percent of PM/PM₁₀.

- The input rate of mixed feed to Kiln C shall not exceed 17 tons per hour and 148,920 tons per year. Since the most recent test (March 2004) was at 11 tons of feed per hour, the production rate is limited to 110 percent of that rate, or 12.1 tons of feed per hour, above which additional compliance testing is required to gain a higher rate. For purposes of testing at higher production rates as required by this paragraph, the permittee shall provide as much advance notice of such testing to the southwest district as possible. Such advance notice shall not be less than ten (10) days [Rule 62-210.200, Rule 62-297.310(2), F.A.C. (Definitions - Potential Emissions)]
- The above emission units shall be allowed to operate continuously (8760 hours/year). [Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]
- A new stack shall be installed for the Kiln C exhaust. To control Kiln C emissions, the permittee shall install and operate a pond water/caustic scrubbing system designed for 99.9+% removal of fluorides and 98.0+% removal of SO₂. To prevent recovered SO₂ from being stripped out of acidic pond water that may be recirculated to other scrubbers, no effluent from caustic scrubbing shall be discharged to the existing process water pond system or any other acidic waste water that can be recirculated to any scrubber. Spent caustic solution from the Kiln C scrubbing system shall be routed to the scrubbing systems for Kilns A and B. The 50% caustic makeup flow to the Kiln C caustic scrubber shall be measured and recorded by an inline totalizing flowmeter with certified accuracy of ± 5%. The disposition of caustic scrubber

AIR CONSTRUCTION PERMIT 1050059-044-AC

SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

effluent shall be in accordance with the applicant's letter dated June 16, 1999. [Rule 62-212.400, F.A.C., PSD-FL-244]

6. Kiln C shall be fired with natural gas unless it is not available, in which case only new No. 2 fuel oil having a maximum sulfur content of 0.5% (wt.) may be fired for up to 1,225 hours per year. The maximum fuel firing rate of Kiln C shall be 56 MMBTU/hr. [Rule 62-212.400, F.A.C., PSD-FL-244]
7. As provided in the current operation permit, for disposal purposes, petroleum contaminated soils from the cleanup of on-site spills of petroleum products may be added to the kiln feed at a maximum rate of 220 ft³ per week for all three kilns combined. Each kiln receiving petroleum contaminated soil shall be operating normally at a minimum feed rate of 8 tons per hour when the soil is fed to the kiln. [Rule 62-210.200, F.A.C., PSD-FL-244]
8. Annual compliance with the emission limits for F, PM/PM₁₀, PM₁₀, SO₂, NO_x and VE shall be determined using the following reference methods as described in 40CFR60, Appendix A and 40CFR51, Appendix M, adopted by reference in Chapter 62-204, F.A.C. Quarterly compliance testing for total fluorides is required for the first year prior to obtaining a Title V permit, then annual testing thereafter.

Method 5	Determination of Particulate Emissions from Stationary Sources
Method 7E	Determination of Nitrogen Oxides Emissions from Stationary Sources
Method 8	Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources
Method 9	Visual Determination of Opacity of Emissions from Stationary Sources
Method 13A/B	Determination of Total Fluoride Emissions from Stationary Sources
Method 5 ¹	Determination of PM ₁₀ Emissions

The permittee shall provide reasonable assurance of compliance by maintaining a continuous written record (log) of the operating parameters for the Kiln C scrubbers. At a minimum, the following information shall be manually recorded during each hour of operation: scrubber liquid flow rates, scrubber gas pressure drop, fan motor amperage, name of person recording the information. The log shall be maintained as required by Specific Condition No. 10 below. [Rules 62-297.401 and 204.800, F.A.C., PSD-FL-224]

9. The above emissions units shall comply with all applicable requirements of Rule 62-297.310, F.A.C., General Test Requirements and 40 CFR 60.8 Performance Tests. Testing of emissions shall be conducted with the emissions units operating at permitted capacity, which is defined as 90-100% of the maximum operating rate allowed by the permit. This also applies to the mixed feed preparation section. If it is impracticable to test at permitted capacity, then the unit may be tested at less than 90% of the maximum operating rate allowed by the permit; in this case, subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than thirty consecutive days that include the fifteen days allowed by rule and the fifteen days to notify the Compliance Authority of the test, for the purpose of additional compliance testing to regain the permitted capacity in the permit. Quarterly compliance testing for total fluorides is required for the first year under this permit, followed by annual testing thereafter. [Rules 62-4.070, 62-

(1)

- (1) ¹ Method 5 will be used in lieu of Method 201A due to the problems encountered in sampling a wet stack per EPA's September 9, 1991EMC TID-009.

AIR CONSTRUCTION PERMIT 1050059-044-AC

SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

204.800, 62-297.310, 62-297.400, 62-297.401, F.A.C., and 40 CFR 60 Appendix A and 40 CFR 60.8, Subpart A).

10. This facility shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to this permit. For all air pollution control equipment affected by this permit, the permittee shall keep a daily operation and maintenance log to include, at a minimum, calibration logs for all instruments, maintenance/repair logs for any work performed on equipment or instruments, all measurements, records, and any other data required to be maintained by the permittee shall be retained for at least five (5) years following the data on which such measurements, records, or data are recorded. These data shall be made available to Department staff upon request. **[Rule 62-204.800, F.A.C., PSD-FL-224]**
11. Plant and emission control equipment operating parameters determined during compliance testing and/or inspection that will establish the proper operation of Kiln C shall be included in the Title V permit. **[Rule 62-297.310, F.A.C. and 62-4.070, F.A.C.]**
12. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. **[Rule 62-296.320, F.A.C., PSD-FL-224]**
13. The permittee shall not allow any air pollution control device to be circumvented or allow the emission of air pollutants while the applicable air pollution control device is operating improperly. **[Rule 62-210.650, F.A.C., PSD-FL-224]**
14. The subject emissions units shall be subject to the following:
 - Excess emissions resulting from startup, shutdown or malfunction of any source shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. **[Rule 62-210.700, F.A.C., PSD-FL-224]**
 - Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. **[Rule 62-210.700, F.A.C., PSD-FL-224]**
 - Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. **[Rule 62-210.700, F.A.C., PSD-FL-224]**
 - In case of excess emissions resulting from malfunctions, each source shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. **[Rule 62-210.700, F.A.C., PSD-FL-224]**
15. The permittee shall submit an Annual Operating Report using DEP Form 62-210.900(4) to the Department's Southwest District office by March 1 of the following year for the previous year's operation. **[Rule 62-210.370, F.A.C., PSD-FL-224]**

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and 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 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.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment 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.
- G.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.
- G.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.
- G.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 and 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.
- G.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.
- 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.
- G.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 prescribed by Sections 403.73 and 403.111, Florida

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, 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.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- a) Determination of Best Available Control Technology ()
 - b) Determination of Prevention of Significant Deterioration ()
 - c) Compliance with New Source Performance Standards ()
 - d) Compliance with National Emission Standards for Hazardous Air Pollutants ()
- G.14 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 records of all data used to complete the application or 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:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.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 corrected promptly.

7000 0297 0000 0000 0000 0000 0000 0000

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Mr. M.A. Daigle, Vice President
 Florida Concentrates
Street, Apt. No., or PO Box No.
 IMC Phosphates Co.
 Post Office Box 2000
 Mulberry, Florida 33860-1100
PS Form 3800, May 2000 See Reverse for Instructions

SENDER'S USE ONLY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. M.A. Daigle, Vice President
 Florida Concentrates
 IMC Phosphates Company
 New Wales Facility
 Post Office Box 2000
 Mulberry, Florida 33860-1100

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name)
 M.A. Daigle

C. Date of Delivery
 8-3-04

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Mail (extra fee)
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0013 3110 0271 0002

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Send To **E.M. Newberg**
IMC Phosphates Company
 Street, Apt. No. or PO Box No.
Post Office Box 2000
Mulberry, Florida 33860-1100

PS Form 3800, May 2000

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7000 1670 0013 3110 0271 0002

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Send To **Mr. Segundo J. Fernandez, Esq.**
Oertel, Hoffmann, Fernandez & Cole, PA
 Street, Apt. No. or PO Box No.
Post Office Box 1110
Tallahassee, Florida 32302-1110

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. Segundo J. Fernandez, Esq.
Oertel, Hoffmann, Fernandez & Cole, P.A.
Post Office Box 1110
Tallahassee, Florida 32302-1110

2. Article Number
 (Transfer from service label) **7000 1670 0013 3110 3087**

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 BWB Agent
 Addressee

B. Received by (Printed Name) **Brian Beggery** C. Date of Delivery **SEP - 2 2004**

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. E.M. Newberg
IMC Phosphates Company
New Wales Facility
Post Office Box 2000
Mulberry, Florida 33860-1100

2. Article Number
 (Transfer from service label) **7000 1670 0013 3109 8543**

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 [Signature] Agent
 Addressee

B. Received by (Printed Name) **[Signature]** C. Date of Delivery **9-2-04**

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Chair, Polk County Commission
 330 W. Church Street
 Post Office Box 9005
 Drawer CA03
 Bartow, Florida 33831

2. Article Number
 (Transfer from service label) 7000 1670 0013 3110 3032

COMPLETE THIS SECTION ON DELIVERY

A. Signature
PAUL HARRIS Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 SEP 02 2004

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7000 1670 0013 3110 3032

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 Chair, Polk County Commission
 Post Office Box 9005, Drawer CA03
 Bartow, Florida 33831
City, State, ZIP+4