

PO. Drawer L.  
Plant City, Florida 33564-9007  
Telephone: 813/782-1591



**CF Industries, Inc.**  
Plant City Phosphate Complex

May 31, 2005

RECEIVED

JUN 02 2005

BUREAU OF AIR REGULATION

Ms. Cindy Phillips  
Project Engineer  
Bureau of Air Regulation  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Subject: DEP File No. 0570005-020-AC and 0570005-017-AV  
Renewal and Revision of Title V Operation Permit,  
Plant City Phosphate Complex

Dear Ms. Phillips:

Enclosed is the proof of publication of the "Public Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit" for the CF Industries, Inc., Plant City Phosphate Complex.

Sincerely,

J. Michael Messina  
Chief, Environmental Services

Enclosure

**THE TAMPA TRIBUNE**  
Published Daily  
Tampa, Hillsborough County, Florida

State of Florida }  
County of Hillsborough } ss.

Before the undersigned authority personally appeared C. Offner, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of  
MAY 25, 2005

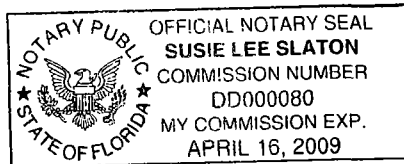
Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

C. Offner

Sworn to and subscribed by me, this 26 day  
of MAY, A.D. 20 05

Personally Known  or Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

Susie Lee Slaton



**PUBLIC NOTICE OF INTENT  
TO ISSUE AIR  
CONSTRUCTION PERMIT  
AND TITLE V AIR  
OPERATION PERMIT**

Florida Department of  
Environmental Protection  
DRAFT Air Construction  
Permit No. 0570005-020-AC  
DRAFT Title V Air Operation  
Permit No. 0570005-017-AV  
CFI Industries, Inc. - Plant  
City Phosphate Complex  
Hillsborough County

**Applicant:** The applicant for this project is CFI Industries, Inc., Plant City Phosphate Complex, P.O. Box Drawer L, Plant City, FL 33565. The applicant's responsible official is Mr. Herschel E. Morris, Vice President - Phosphate Operations/ General Manager.

**Facility Location:** The applicant operates a Phosphate Complex which is located at 10608 Paul Buchman Highway, Plant City, in Hillsborough County, Florida.

**Project:** The applicant submitted an application for a Title V air operation permit revision and an application for an air construction permit revision to remove obsolete conditions and add clarifying conditions. Also, the applicant also submitted an application for the renewal of the Title V Air Operation Permit for this facility. The Title V Operation Permit Renewal will incorporate a revision to add the applicable NESHAP requirements of 40 CFR 63 Subparts AA and BB to affected emissions units.

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to operate the facility. The FDEP Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: FDEP Bureau of Air Regulation at 111 S. Magnolia, Suite 4, Tallahassee, FL 32301. The Permitting Authority's mailing address is: FDEP Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, the applications, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Permits and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/products/ards/>. A copy of the complete project file is also available at the following offices: FDEP Southwest District Office, 8407 Laurel Fair Circle, Tampa, FL 33610 (Telephone: 850/488-0114/); and Environmental Protection Commission of Hillsborough County, 1410 North 21 Street, Tampa, FL 33605 (Telephone: 813/272-5605).

**Notice of Intent to Issue A Permit:** The Permitting Authority gives notice of its intent to issue permits to

the applicant for the projects described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296 and 62-297, F.A.C. The Permitting Authority will issue FINAL Title V Air Construction Permit, a PROPOSED Title V Operation Permit and subsequent FINAL Title V Operation Permit in accordance with the conditions of the DRAFT Permits unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the Draft Permits for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all e-mail or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, e-mail or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tthora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permits, the Permitting Authority shall issue Revised DRAFT Permits and require, if applicable, another Public Notice. All comments filed will be made available for Public Inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons under than those entitled to written notice under Section 120.60(3), must be filed within 14 (fourteen) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), however, any person who has asked the Permitting Authority for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the F.A.C.

modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority action is based, shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

**Objections:** In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

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A petition that disputes the material facts on which the EPC's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number if known; (b) The name, address, and telephone number of the petitioner and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of specific rules or statutes the petitioner contends requires reversal or