



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 09 2013

RECEIVED

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DIVISION OF AIR
RESOURCE MANAGEMENT

UNITED PARCEL SERVICE

Mike Petrovich, Esq.
Hopping Green & Sams
123 South Calhoun Street
Tallahassee, Florida 32301

Dear Mr. Petrovich:

This information request letter follows Robert Caplan's April 16, 2013, email to you, and formally requests that your client, CF Industries (CFI), submit updated Sulfur Dioxide (SO₂) Continuous Emissions Monitoring System data and corresponding sulfuric acid production and air flow data for the C and D Sulfuric Acid Plants (C and D SAPs) at CFI's Plant City, Florida facility, covering the period from December 1, 2012, through May 3, 2013. Please submit the data in the same Excel spreadsheet format used for the previous data submission.

This information is being requested pursuant to the authority of Section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Pursuant to Section 114(a) of the Act, the Administrator of the EPA is authorized to require any person who owns or operates any emission source, or who is subject to any requirement of the Act, to establish and maintain such records, make such reports, and provide such other information as the Administrator may reasonably require, for the purposes of determining whether such person is in violation of any provision of the Act. The Administrator has delegated this authority to the Director of the Air, Pesticides and Toxics Management Division, Region 4.

Please submit the requested information to the EPA no later than May 17, 2012. The EPA may, for good cause shown, extend in writing the deadline for responding to the request. The information should be submitted to Ms. Rosalyn Hughes at the following address:

Rosalyn Hughes
Environmental Engineer
Air and EPCRA Enforcement Branch
U.S. EPA Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Under 40 C.F.R. Part 2, Subpart B, CFI may assert a claim of business confidentiality, except that no such claim can be made with respect to emission data as defined at 40 C.F.R. § 2.301(a)(2). Any such claim should be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). The EPA will provide the public with information subject to a claim of business confidentiality only in accordance

with the procedures set forth at 40 C.F.R. Part 2, Subpart B. The EPA may use any information submitted in response to this request in an administrative, civil, or criminal action.

CFI must submit all requested information under an authorized signature of a company official with the following certification:

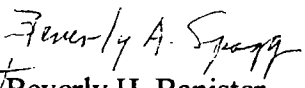
I certify that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

This required submittal of information is not subject to the provisions of the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq.

Failure to comply fully with this request for information is a violation of Section 114 of the Act and may subject CFI to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413, for the recovery of civil penalties not to exceed \$37,500 per day of violation, or for injunctive relief or both. Section 113 of the Act gives the EPA the authority to seek criminal penalties from any person who knowingly makes any false statement, representation, or certification in any report required under the Act.

Please direct any questions regarding this request for information to Mr. Robert Caplan, at (404) 562-9520, or to Ms. Rosalyn Hughes at (404) 562-9206.

Sincerely,


Beverly H. Banister

Director
Air, Pesticides, and Toxics
Management Division

cc: Jeff Littlejohn, Deputy Secretary
Regulatory Programs, FLDEP

Brian Accardo, Deputy Director
Division of Air, FLDEP

Jeff Koerner, Program Administrator
Office of Permitting and Compliance, Division of Air, FLDEP