



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

March 2, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. P. A. Steadham
Chief - Environmental Services Concentrates
IMC-Agrico Company
P.O. Box 2000
Mulberry, Florida 33860

Re: File No. 1050059-020-AC (PSD-FL-241)
New Wales Facility, DAP Plant No. 2

Dear Mr. Steadham:

This is in response to your letter received on February 17 regarding the above permit. Based on the actual test data provided, the Department cannot agree that the particulate matter limit is overly restrictive. In the absence of major process changes, particulate matter control systems, when properly designed, operated and maintained, do not normally exhibit the wide range of performance results that IMC-Agrico indicated. The data show that the PM limit is being achieved with a 100% safety factor. Therefore, the Department must consider an exceedance of the PM limit as a violation of the permit, for obvious reasons.

The Final Determination statement about the limit being open for re-evaluation "if reasonable grounds exist" might be best clarified by example. Reasonable grounds may exist if, for example, process changes occurred causing a much higher percentage of submicron-size particles to be generated. The existing scrubber is not designed for this and cannot be operated in such a manner that the same performance would be achieved. Thus, "reasonable grounds" might be any situation that results in demands on the scrubber that are clearly outside the range that it was designed to perform in. If such a change occurs, IMC-Agrico could document this and request a re-evaluation of the BACT limit.

If you have any questions on this matter, please call me or John Reynolds at 850/488-1344.

Sincerely,

A. A. Linero, P.E., Administrator
New Source Review Section

AAL/JR

cc: Bill Thomas, SWD
John Koogler, P.E.
Brian Beals, EPA

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

P 265 659 301

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Receipt for Certified Mail

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PS Form 3800, April 1995

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P.A. Steadham	
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IMC-Asiaco	
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Mulberry, FL	
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Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
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1050059-020-AC	
P50-FL-241-DAP #2	

Fold at line over top of envelope to the right of the return address

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Consult postmaster for fee.

3. Article Addressed to:
Mr. P.A. Steadham
IMC-Asiaco
PO Box 2000
Mulberry, FL 33540

4a. Article Number
P 265 659 301

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 Return Receipt for Merchandise COD

7. Date of Delivery
3-6-98

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D. Steadham

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PS



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Certified Mail P 059 403 697
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FFR 17 1998

**BUREAU OF
AIR REGULATION**

February 9, 1998

Mr. A. A. Linero
Florida Department of
Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

**RE: DAP II Plant
Permit No. 1050059-020-AC20 and PSD-FL-241
Clarification of Particulate Matter Emissions Limitation
New Wales Plant**

Dear Mr. Linero:

IMC-Agrico has received the final construction permit for the DAP II Plant. The one issue of great concern is that of an overly restrictive particulate matter (PM) limit.

The Department's final determination explains how the FDEP permitting staff used a two year period, as opposed to a four year period used by IMC-Agrico, to project a reasonable PM emissions limit. Based on our statistical analysis, the PM limit determined by FDEP has a high probability of being violated. We appreciate the Department accommodating our concern by allowing the PM emissions limit to be re-evaluated if reasonable grounds exist for doing so. This statement, which appears in the final determination, is not included in the text of the final permit.

Our concern is that the very compliance test information which would support IMC-Agrico's request for a PM emission limit revision, would likely reflect PM emissions in excess of the permit limit. In this particular instance, FDEP compliance and enforcement staff in the Tampa District office need to be aware of the decision-making process used by the Tallahassee permitting section. Accordingly, an exceedance of the PM limit should not be considered a violation, if such a test is what provides reasonable grounds for revising the permit limit.

We would appreciate your concurrence on this issue at your earliest convenience. If you have any questions, please contact me.

cc: J. Reynolds, BAR

Sincerely,

P. A. Steadham
Chief Environmental
Services Concentrates



KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 ■ FAX/377-7158

KA 124-97-01

December 18, 1997

RECEIVED

DEC 19 1997

BUREAU OF
AIR REGULATION

Mr. A. A. Linero
Florida Department of
Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: IMC-Agrico Company (New Wales)
DAP 2 Plant Production Increase
Draft Permit No. 1050059-020-AC, PSD-FL-241

Dear Mr. Linero:

Your prompt review of the subject permit application and issuance of a draft permit is very much appreciated. In reviewing FDEP's draft permit, we have the following comments for your kind consideration:

Page 5 of 7, Specific Condition (SC) No. 3

It is requested that the operation rate of each train be limited based on P205 input, consistent with NSPS requirements and FDEP's BACT limitations, not based on the fertilizer production rate. Accordingly, each train will be limited to a maximum operation rate of 80 tph P205 input while producing either MAP or DAP.

Page 5 of 7, SC No. 6

In our opinion, the proposed particulate matter emissions limit for each train (based on just 1997 test data), is unreasonably low. Reviewing just the most recent three year PM emissions history of the plant at lower operation rates (presented in the permit application), it can be seen that the proposed PM limit is 38% less than past test results on the West train and just 12% above past test results on the East train.

It is requested that the proposed PM limit for each train be revised to 16 lbs/hr, based on 0.2 lb/ton P205, to accommodate fluctuations in emissions during normal operations. The revised PM emissions limit would still be less than half of FDEP's previous BACT-based PM emissions limit for this plant of 0.5 lb/ton P205. At the currently proposed level, it would be only a matter of time before IMC-Agrico would be forced to apply to FDEP for a revision of the PM limit to avoid non-compliance.

Mr. A. A. Linero
Florida Department of
Environmental Protection

December 18, 1997
Page 2

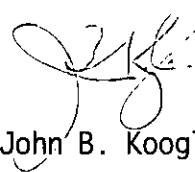
Page 6 of 7, SC No. 15

We request that EPA Method 7E be included in the list of acceptable compliance test methods for nitrogen oxides emissions.

Please let us know if you need any additional information in order to accommodate the above comments. If you have any questions, please call Pradeep Raval or me.

Very truly yours,

KOGLER & ASSOCIATES



John B. Koogler, Ph.D., P.E.

JBK:par

c: C.D. Turley, IMC-Agrico

cc: *J. Reynolds, BAR*
EPA
NPS
SWD





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DEC 15 1997

BUREAU OF
AIR REGULATION

Certified Mail
Return Receipt Requested

December 12, 1997

C. H. Fancy, P. E., Chief,
Bureau of Air Regulation
Florida Department of
Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: DAP II Plant
Construction Permit No. 1050059-020-AC
Permit No. PSD-FL-241
New Wales Plant

Dear Mr. Fancy:

Enclosed is the Affidavit of Publication of the Notice of Intent to Issue Permit published in the Lakeland Ledger on Wednesday, December 10, 1997 as required by the Department.

Should you have any questions regarding the enclosed comments, please contact Dave Turley at 941-428-7153.

Sincerely,

P. A. Steadham
Chief Environmental
Services - Concentrates

Enclosures
cwk
pas97-2

cc: J. Reynolds, BAR
EPA
NPS
SWD

xc: J. B. Koogler (K&A)

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice of Intent

in the matter of

DEP File No. 1050059-020-AC(PSD-FL-241)

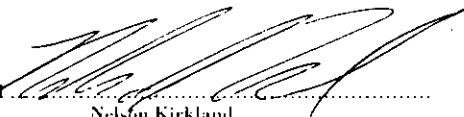
in the

Court, was published in said newspaper in the issues of

December 10;

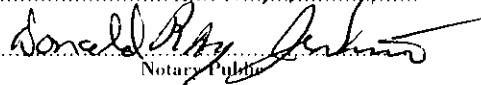
1997.

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding 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 the said newspaper.

Signed 
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is personally known to me

Sworn to and subscribed before me this 11TH

day of DECEMBER A.D. 1997

(Seal) 
Notary Public

My Commission Expires

DONALD RAY JENKINS
MY COMMISSION # CC 586345
EXPIRES: September 18, 2000
Bonded Third Notary Public Underwriters

Order#679247
IMC-Agrico

B34

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 1050059-020-AC (PSD-FL-241)

Diammonium Phosphate (DAP) Plant No. 2
IMC-Agrico Company - New Wales Plant
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to IMC-Agrico Company to increase the production rate and hours of operation of the diammonium phosphate (DAP) Plant No. 2 and to make monoammonium phosphate. The plant is located at 3095 Highway 640, Mulberry, Polk County. A Best Available Control Technology (BACT) determination was required for fluorides and particulate matter, pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: IMC-Agrico Company, 3095 Highway 640, Mulberry, Florida 33860.

The production rate will be increased from 280 to 340 tons per hour. Hours of operation will be increased from 7:20 to 8:00, and monoammonium phosphate (MAP), a product similar to DAP, will be produced alternately in the same equipment. Controls for fluoride emissions consist of scrubbers using process pond water. Particulate emissions are controlled by scrubbers or a baghouse. There will be no predicted violations of any ambient air quality standards or PSD increments.

An air quality impact analysis was conducted. The project is predicted to have no significant impact in the vicinity of the facility or on the Chassahowitzka National Wilderness Area PSD Class I area located approximately 100 kilometers northwest of the plant.

The Department will issue the FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for public meetings concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #565, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The Department will issue FINAL Permit with the conditions of the DRAFT Permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for the action.

A person whose substantial interests are affected by the Department's 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) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner must 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 the 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 28.5-207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the 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 the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Polk County Public Works Department - Air Division 4189 Ben Durrance Road Bartow, Florida 33830 Telephone: 941/534-7377 Fax: 941/534-7374	Dept. of Environmental Protection Bureau of Air Regulation 1111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-1344 Fax: 850/922-6979	Dept. of Environmental Protection Southwest District 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 813/744-6100 Fax: 813/744-6084
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The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

B-34 - 12-10 - 1997