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BUREAU OF
AIR REGULATION

January 12, 1996

Mr. A. A. Linero, P.E.
Bureau of Air Regulation
Florida Department of
Environmental Protection
Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400


RE: Sulfuric Acid Plants Nos. 1 - 5
Nitrogen Oxides Testing Requirements
Permit No. AC53-1922221(A)
PSD No. PSD-FL-170(A)
New Wales Plant

Dear Mr. Linero:

Enclosed is the Affidavit of the Notice of Intent to issue a Construction Permit published in the Lakeland Ledger newspaper on Tuesday, January 9, 1996.

If I may be of further assistance in the matter, please do not hesitate to notify me.

Sincerely,


J. M. Baretincic
Director
Environmental Services

Enclosure

xc: A. L. Girardin
J. Kissel (FDEP - Tampa)
E. M. Newberg
C. D. Turley

cwk
jmb96

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

.....Notice of Intent.....

in the matter of

.....Issue Permit.....

in the

Court, was published in said newspaper in the issues of

.....January 9;.....

.....1996.....

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 this9th.....

day ofJanuary..... A.D. 19.....96.....

(Seal)



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
ACS3-192221 (A)/(PSD-FL-170(A))

The Department of Environmental Protection (Department) gives notice of its intent to issue an amended permit to IMC-Agrico Company, P.O. Box 2000, Mulberry, Florida 33860 reducing the nitrogen oxides (NOx) emission testing frequency requirement at Sulfuric Acid Plants Nos. 1, 2, 3, 4 and 5 at IMC-Agrico's New Wales fertilizer facility located near Mulberry in Polk County, Florida. No changes in NOx emissions or ground level concentrations are expected as a result of this amendment.

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 (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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 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, F.S.

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/request 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 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, Florida Administrative Code.

The application/request 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Department of Environmental Protection
Southwest District
8407 Laurel Fair Circle
Tampa, Florida 33619

Any person may send written comments on the proposed action to Administrator, New Source Review at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

F683-1-9; 1996

P 576 121 999

J. M. Baretincic- New Wales

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for international Mail (See reverse)

Sent to	MR. A. A. LINERO, P.E.
Street	FDEP
Post Office, State & ZIP Code	2600 BLAIR STONE ROAD TALLAHASSEE, FL 32399-2400
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