

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION  
NOTICE OF PERMIT

In the matter of an  
Application for Permit by:

DER File No. AC53-222859  
Polk County


Mr. John A. Brafford  
IMC Fertilizer, Inc.  
P. O. Box 1035  
Mulberry, Florida 33860

Enclosed is Permit Number AC53-222859 (PSD-FL-199) to construct an air classifier and air pollution control system at the IMC Animal Feed Ingredient facility, issued pursuant to Section(s) 403, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

  
C. H. Fancy, P.E., Chief  
Bureau of Air Regulation  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on 6-10-93 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED,  
on this date, pursuant to  
§120.52(11), Florida Statutes,  
with the designated Department  
Clerk, receipt of which is hereby  
acknowledged.

  
(Clerk) 6-10-93  
(Date)

Copies furnished to:  
B. Thomas, SWD  
C. Turley, P.E.

P 230 524 363



### Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, June 1991

Sender <i>John Brufford</i>	
Street and No. <i>IMC FERT.</i>	
P.O., Suite and ZIP Code <i>Mulberry FL</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <i>6-10-93</i> <i>PC 53-222 859</i>	

Is your RETURN ADDRESS completed on the reverse side?

#### SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*John a. Brufford*  
*IMC Fertilizer, Inc*  
*P O BOX 1035*  
*Mulberry, FL 33860*

4a. Article Number  
*P 230 524 363*

4b. Service Type

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

7. Date of Delivery  
*Ch 6/14/93*

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)  
*M J Wano*

Thank you for using Return Receipt Service.

Final Determination

IMC Fertilizer, Inc.  
Mulberry, Polk County, Florida

Air Classifier/Bag Collector  
Animal Feed Ingredients Plant  
Permit No. AC53-222859  
(PSD-FL-199)

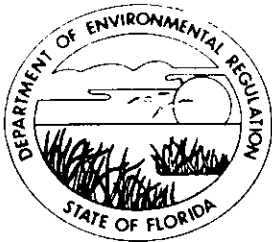
Department of Environmental Regulation  
Division of Air Resources Management  
Bureau of Air Regulation

May 24, 1993

## Final Determination

The Technical Evaluation and Preliminary Determination for the permit to construct an air classifier and air pollution control system at the IMC Animal Feed Facility in Mulberry, Polk County, Florida, was distributed on March 1, 1993. The Notice of Intent to Issue was published in The Ledger newspaper on April 2, 1993. Copies of the evaluation were available for public inspection at the Department's offices in Tampa and Tallahassee.

No adverse comments were submitted on the Department's Intent to Issue the permit. The final action of the Department will be to issue construction permit AC53-222859 (PSD-FL-199) as proposed in the Technical Evaluation and Preliminary Determination.



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

**PERMITTEE:**  
**IMC Fertilizer**  
**P. O. Box 1035**  
**Mulberry, Florida 33860**

**Permit Number: AC53-222859**  
**PSD-FL-199**  
**Expiration Date: Jan. 31, 1994**  
**County: Polk**  
**Project: Air Classifier Bag**  
**Collector - AFI**  
**Plant**

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 17-212 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the construction of an air classifier system and bag collector for the Animal Feed Ingredients plant. This project will be located at the applicant's facility in Mulberry, Polk County, Florida. The UTM coordinates of this site are Zone 17, 396.7 km E and 3,079.4 km N.

The source shall be constructed in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application to Operate/Construct Air Pollution Sources, DER Form 17-202(1), received on December 7, 1992.
2. Letter from USDOE dated January 5, 1993.
3. Letter from USEPA dated January 25, 1993.
4. Letter from IMC dated March 29, 1993.
5. Letter from USEPA dated April 5, 1993.
6. Letter to IMC dated April 23, 1993.
7. Letter from IMC dated May 11, 1993.

PERMITTEE:  
IMC Fertilizer, Inc.

Permit Number: AC 53-222859  
PSD-FL-199  
Expiration Date: January 31, 1994

**GENERAL CONDITIONS:**

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.

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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any 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 of 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.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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.

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.

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.

PERMITTEE:  
IMC Fertilizer, Inc.

Permit Number: AC 53-222859  
PSD-FL-199  
Expiration Date: January 31, 1994

**GENERAL CONDITIONS:**

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 any 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.

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.

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

PERMITTEE:  
IMC Fertilizer, Inc.

Permit Number: AC 53-222859  
PSD-FL-199  
Expiration Date: January 31, 1994

**GENERAL CONDITIONS:**

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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-30.300, 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (x) Determination of Best Available Control Technology (BACT)
- (x) Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards (NSPS)

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 for 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.



PERMITTEE:  
IMC Fertilizer, Inc.

Permit Number: AC 53-222859  
PSD-FL-199  
Expiration Date: January 31, 1994

**GENERAL CONDITIONS:**

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

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.

**SPECIFIC CONDITIONS:**

1. The construction and operation of the air classifier system and its air pollution control equipment shall be in accordance with the capacities and specifications stated in the application.
2. Product rate through the air classifier shall not exceed 125 tons per hour and 1,095,000 tons per year.
3. The air classifier may operate up to 8760 hours per year.
4. Visible emissions from the air classifier stack shall not exceed 5 percent opacity.
5. Particulate matter emissions from the air classifier stack shall not exceed 7.5 pounds per hour and 32.7 tons per year (based on 0.015 gr/SCF).
6. All reasonable precautions that apply under F.A.C. Rule 17-296.310 shall be implemented to limit unconfined emissions of particulate matter from any activity associated with this project.
7. Within 60 days after initial startup, the air classifier bag collector stack shall be tested for particulate matter. The first compliance test shall be in accordance with EPA Method 5. Test procedures thereafter shall be in accordance with DER Method 9. The Department's Southwest District office shall be notified in writing at least 5 days prior to initial startup and at least 15 days prior to the compliance test. The test shall be conducted at

PERMITTEE:  
IMC Fertilizer, Inc.

Permit Number: AC 53-222859  
PSD-FL-199  
Expiration Date: January 31, 1994

**SPECIFIC CONDITIONS:**

permitted production capacity or no less than 90 percent thereof. Results of the compliance test shall be reported to the Department's Southwest District office within 45 days of test completion.

8. The permittee, for good cause, may 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 (F.A.C. Rule 17-4.090).

9. An application for an operation permit must be submitted to the Department's Southwest District office at least 90 days prior to the expiration date of this construction permit. To properly apply for an operation permit, the applicant shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. Rules 17-4.055 and 17-4.220).

Issued this 9th day  
of June, 1993

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

Virginia B. Wetherell  
Virginia B. Wetherell, Secretary  
Department of Environmental  
Regulation

Best Available Control Technology (BACT) Determination  
IMC Fertilizer, Inc.  
Polk County

The applicant proposes to construct an air classifier with bag collector at their Animal Feed Ingredients Plant located near Mulberry in Polk County, Florida. The project will consist of an air classifier for the sizing of product, a cyclone, a bag collector and associated equipment.

A BACT determination is required for all regulated air pollutants emitted in amounts equal to or greater than the significant emission rates listed in Table 500-2 of Florida Administrative Code (F.A.C.) Rule 17-212.400. Particulate matter (PM/PM<sub>10</sub>) is the only regulated air pollutant to be emitted from this project.

Date of Receipt of a Complete Application: December 7, 1992

BACT Determination Requested by Applicant

Control Technology: Fabric Filter

Emission Limit: PM/PM<sub>10</sub> 0.02 gr/SCF, 9.9 lb/hr

BACT Determined by the Department

Control Technology: Fabric Filter

Emission Limit: PM/PM<sub>10</sub> 0.015 gr/SCF, 7.5 lb/hr, 5% opacity

BACT Determination Procedure

In accordance with Florida Administrative Code Chapter 17-212, Best Available Control Technology Determination, Stationary Source-Preconstruction Review, this BACT determination is based on the maximum degree of reduction of each pollutant emitted which the Department, on a case by case basis, taking into account energy, environmental and economic impacts, and other costs, determines is achievable through application of production processes and available methods, systems, and techniques. In addition, the regulations state that in making the BACT determination the Department shall give consideration to:

- (a) Any Environmental Protection Agency determination of Best Available Control Technology pursuant to 40 CFR 52.21, and any emission limitation contained in 40 CFR Part 60 (Standards of Performance for New Stationary Sources) or 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants).
- (b) All scientific, engineering, and technical material and other information available to the Department.

BACT-IMC Fertilizer, Inc.  
AC53-222589 (PSD-FL-199)

- (c) The emission limiting standards or BACT determinations of any other state.
- (d) The social and economic impact of the application of such technology.

The EPA currently stresses that BACT should be determined using the "top-down" approach. The first step in this approach is to determine for the emission source in question the most stringent control available for a similar or identical source or source category. If it is shown that this level of control is technically or economically infeasible for the source in question, then the next most stringent level of control is determined and similarly evaluated. This process continues until the BACT level under consideration cannot be eliminated by any substantial or unique technical, environmental, or economic objections.

Bact Determination Rationale

From the standpoint of equipment selection (bag collector vs. scrubber), the Department agrees that the applicant selected the best control technology available based on permit requirements for similar facilities. However, the applicant's proposed emission limit basis of 0.02 grain per cubic foot is no longer representative of BACT emission limits. Application of the "top-down" approach requires the most stringent justifiable limit after considering technical and economic factors. Sufficient data are available to show that a fabric filter collector can consistently achieve a grain loading of 0.015 or lower in similar applications. Also, the applicant has submitted test data for similar installations at the New Wales facility showing emission levels in the range of 0.01-0.015 grain per cubic foot. One example in particular is the bag collector for the DAP No. 2 plant at New Wales. Therefore, the Department will require 0.015 as the BACT limit along with an opacity limit of 5 percent.

Details of the Analysis May be Obtained by Contacting:

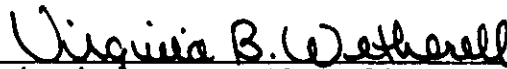
Doug Outlaw P.E., BACT Coordinator  
Department of Environmental Regulation  
Bureau of Air Regulation  
2600 Blairstone Road, Rm 338  
Tallahassee, Florida 32399-2400

Recommended by:

Approved by:



C. H. Fancy, P.E. Chief  
Bureau of Air Regulation



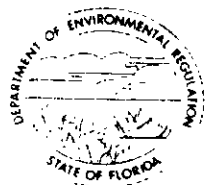
Virginia B. Wetherell, Secretary  
Dept. of Environmental Regulation

MAY 26, 1993

Date

June 9, 1993

Date



State of Florida  
DEPARTMENT OF ENVIRONMENTAL REGULATION

For Routing To Other Than The Addressee	
To _____	Location _____
To _____	Location _____
To _____	Location _____
From _____	Date _____

# Interoffice Memorandum

TO: Virginia B. Wetherell  
FROM: Howard L. Rhodes *HLR*  
DATE: May 27, 1993  
SUBJ: Approval of Construction Permit AC53-222859 (PSD-FL-199)  
IMC Fertilizer, Inc.

Attached for your approval and signature is a Prevention of Significant Deterioration (PSD) permit prepared by the Bureau of Air Regulation for the above mentioned company to construct an air classifier with bag collector at their existing Animal Feed Facility near Bartow. An air classifier is a mechanical device which separates unwanted fine-sized material from the solid granules.

As provided by F.A.C. Rule 17-212.400, an existing major facility undergoing a modification resulting in a significant net emissions increase (equal to or greater than 25 tons per year of particulate matter) is required to comply with PSD review requirements which include a determination of Best Available Control Technology (BACT). The purpose of this requirement is to ensure that air quality in the attainment area does not deteriorate significantly.

This project is not controversial. The pollution control device functions by causing the classifier exhaust stream to be filtered through a bank of tubes covered by fabric which removes the fine-sized particles. These tubes are housed in a box-type device known as a "bag collector". This technology is considered the most effective means of controlling particulate matter emissions. The bag collector has a removal efficiency of 99%.

I recommend your approval and signature.

HLR/JR/plm

Attachments