

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit

Mr. Mike Daigle
IMC Phosphates MP, Inc.
P.O. Box 2000
Mulberry, Florida 33860

DEP File No. 1050059-036-AC
PSD-FL-325

Enclosed is the FINAL Permit Number PSD-FL-325 for increasing production rate from 2,900 tons per day (TPD) to 3,400 TPD for the Nos. 1, 2 and 3 Sulfuric Acid Plants at the existing New Wales facility in Polk County. This permit is issued pursuant to Chapter 403, Florida Statutes and in accordance with Rule 62-212.400., F.A.C. - Prevention of Significant Deterioration(PSD).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



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

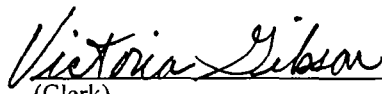
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 7/12/02 to the person(s) listed:

Mike Daigle, IMC Phosphates MP, Inc.*
Gregg Worley, EPA
John Bunyak, NPS
Jerry Kissel, DEP-SWD
John Koogler, Ph.D., P.E., Koogler & Associates

Clerk Stamp

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


(Clerk) July 12, 2002
(Date)

Memorandum

Florida Department of Environmental Protection

TO: Howard L. Rhodes
THRU: Clair Fancy *CAF*
THRU: Al Linero *aal 7/10*
FROM: Syed Arif *Syed Arif*
DATE: July 10, 2002
SUBJECT: IMC Phosphates MP, Inc.
DEP File No. 1050059-036-AC; PSD-FL-325

Attached for your approval and signature is the final construction permit to modify the existing Sulfuric acid plants 1, 2 and 3 at its phosphate fertilizer manufacturing facility located in Mulberry, Florida. The proposed changes will increase the production rates for the three plants to 3,400 tons per day. The proposed project involves upgrading and/or replacement of plant equipment to accomplish the production increases, as described in the permit application.

The Department proposed 3.5 lb/ton, 24-hr. rolling average and 4.0 lb/ton, 3-hr rolling average for SO₂ and 0.10 pounds of Sulfuric Acid Mist per ton of product as BACT for this project. The BACT emission limit established for SO₂ will be complied with a certified continuous emission monitor. A more stringent limit for SO₂ is also proposed for all three sulfuric acid plants if the converter modifications for those plants are not completed by a certain date.

The project is subject to Prevention of Significant Deterioration (PSD) review for sulfur dioxide, nitrogen oxides and sulfuric acid mist in accordance with 62-212.400, F.A.C. A Best Available Control Technology (BACT) determination is part of the review required by Rules 62-212.400 and 62-296, F.A.C.

Sulfur dioxide and sulfuric acid mist emissions from the sulfuric acid plants will be controlled by the double absorption process and mist eliminators, respectively. An air quality impact analysis was required for sulfur dioxide and nitrogen oxides.

The Public Notice was published on June 8, 2002 in the Lakeland Ledger. Comments were received from the applicant, which was satisfactorily responded to in the final determination.

July 10 is Day 28 for the project.

I recommend your approval and signature.

AAL/sa

Attachments

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Mike A. Daigle
 General Manager
 IMC Phosphates MP, Inc.
 P.O. Box 2000
 Mulberry, FL 33860

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

7-15-02

C. Signature

X *Joe Howell* Agent Addressee

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

70

PS F

102595-00-M-0952

2

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Sent To
 Mike Daigle

Street, Apt. No.,
 or P.O. Box 2000

City, State, ZIP+4
 Mulberry, FL 33860

PS Form 3800 January 2001 See Reverse for Instructions

7001 0320 0001 3692 A321

FINAL DETERMINATION

IMC Phosphates MP, Inc.

Permit No. 1050059-036-AC, PSD-FL-325

New Wales Plant

An Intent to Issue an air construction permit to IMC Phosphates MP, Inc. to modify the existing Sulfuric Acid Plants 1, 2 and 3 at its phosphate fertilizer manufacturing facility in Polk County, was distributed on June 5, 2002. The Notice of Intent was published in the Lakeland Ledger on June 8, 2002. Copies of the draft construction permit were available for public inspection at the Department offices in Tampa and Tallahassee.

Comments were received from the applicant. These comments and Department's responses are as follows:

Comments on Technical Evaluation:

1. The wording "necessary modifications to the converter" and "converter modifications" should reflect "necessary changes to the converter". Also, please note that the various possible converter changes may be conducted for a given emissions unit over a period of time, as and when it is practical and/or warranted.

Department's response:

The intent of the Department was to require IMC make necessary changes to the converter to comply with the 3.5 lb/ton SO₂ limit prior to a certain date when a stricter limit would come into effect. The changes could be from increasing the size of the converter to catalyst screening or any other appropriate changes to meet the desired limit. IMC can still delay increasing the size of the converter to increase the production capability of the plants for a later date as long as other necessary changes are done to the converter to meet the limits imposed by the Department. If IMC chooses to delay increasing the size of the converter, they will be restricted in production capacity based on the requirements of specific condition 15 of the permit. The Department will not make any changes to the technical evaluation based on this comment.

2. It is requested that references to the more stringent sulfur dioxide emission limits (3.25 lb/ton, etc.) be replaced with a requirement for submittal of a BACT review to FDEP if the current BACT limits are not met by deadlines stated in the permit. Furthermore, these numerical limits should not be referred to as BACT limits.

Department's response:

The Department does not agree with the applicant in requiring them to submit for future BACT review if the current BACT limits are not met by deadlines stated in the permit. The Department will not refer to the more stringent sulfur dioxide limits as

BACT limits, but rather as a stringent limit that IMC will have to comply with, if they do not meet the current SO₂ BACT limit of 3.5 lb/ton, 24-hour rolling average and 4.0 lb/ton, 3-hour rolling average with CEM's by the deadline stated in the permit.

Comments on Draft Permit

3. Specific Condition 6: It is requested that this condition be reworded as follows to allow IMC flexibility and still maintain the net result intended by FDEP:

“SAP No. 1 shall meet the BACT-based emission limitations by 12/31/03. If this deadline is not met, the permittee shall, within 30 days of the deadline, submit an updated BACT analysis to BAR for review and, as a result, FDEP may impose a more restrictive limitation thereafter. (Rule 62-4, F.A.C.)”

Alternatively, at a minimum, the following rewording is requested, if FDEP is unable to grant the rewording requested above:

“SAP No. 1 shall meet the BACT-based SO₂ emission limitations by 12/31/03. If the deadline is not met, a more restrictive 24-hour rolling average emission limit of 3.25 lb/ton of 100% H₂SO₄ will be imposed on the permittee. (Rule 62-4, F.A.C.)”

Please note that the above wording retains the 3-hour average SO₂ emission limitation of 4.0 lb/ton of 100% H₂SO₄ to allow for any potential minor emission variations without compromising FDEP's intention of a more restrictive annualized emission rate dictated by a more restrictive 24-hour limit.

Department's response:

The Department will not make any changes to the condition as suggested by the applicant. The Department believes that IMC will have enough time for modifications to meet the current SO₂ BACT limit of 3.5 lb/ton. The more restrictive limit of 3.25 lb/ton, 24-hour rolling average and 3.50 lb/ton, 3-hour rolling average will not come into effect until 18 months have passed from commencement of construction date. This, the Department believes is enough time for the applicant to make the necessary modifications to meet the more restrictive limit.

4. Specific Condition 7: The format and intent of Comment 3 also applies here.

Department's response:

The Department's response is same as in Comment No. 3.

5. Specific Condition 8: The format and intent of Comment 3 also applies here.

Department's response:

The Department's response is same as in Comment No. 3.

6. Specific Condition 10: The reference to SAP No. 3 was inadvertently omitted.

Department's response:

The Department will change the specific condition to:

“Emissions of nitrogen oxides from the Sulfuric Acid Plant Nos. 1, 2 and 3 each, shall not exceed 0.12 lb/ton 100% H₂SO₄, 17 lb/hr and 75 tpy. [Rule 62-212.400, F.A.C.]

Comments on BACT Determination

7. Page BD-4, Paragraph 2, Sentence 3: It is requested that this sentence be reworded as follows to allow IMC flexibility and maintain the net result intended by FDEP:

“If the BACT-based emission limits are not met by 12/31/03, FDEP will require the permittee to submit an updated BACT analysis and impose a more restrictive emission limitation, as warranted, based on the updated BACT review.”

Alternatively, at a minimum, the following rewording is requested, if FDEP is unable to grant the rewording requested above:

“If the BACT-based emission limits are not met by 12/31/03, a more restrictive 24-hour rolling average emission limit of 3.25 lb/ton of 100% H₂SO₄ will be imposed on the permittee.”

Department’s response:

The Department will remove the BACT reference for the emission limits imposed if the converter modifications are not met by 12/31/2003. The last sentence will read as follows:

“If the acid tower replacement and converter modifications are not completed by 12/31/2003, the facility will have to comply with a stricter BACT limit of 3.25 lb/ton, 24-hour rolling average and 3.5 lb/ton, 3-hour rolling average. (compliance by CEM)”

The reasons for not changing the emission limits are the same as given in the Department’s response for Comment No. 3.

8. Page BD-4, Paragraph 3, Sentences 2, 3, 4 and 5: It is requested that these sentences be reworded as follows to allow IMC flexibility and maintain the net result intended by FDEP:

“If the BACT-based emission limits are not met by 7/31/04 for SAP No. 2 and 12/1/04 for SAP No. 3, FDEP will require the permittee to submit an updated BACT analysis and impose a more restrictive emission limitation, as warranted, based on the updated BACT review.”

Alternatively, at a minimum, the following rewording is requested, if FDEP is unable to grant the rewording requested above:

“If the BACT-based emission limits are not met by 7/31/04 for SAP No. 2 and 12/1/04 for SAP No. 3, a more restrictive 24-hour rolling average emission limit of 3.25 lb/ton of 100% H₂SO₄ will be imposed on the permittee.”

Department’s response:

The Department will remove the BACT reference for the emission limits imposed if the converter modifications for SAP No. 2 & 3 are not completed within 18-months of commencement of construction date. Sentences 4 and 5 will read as follows:

“If the converter modifications is not completed in 18-months, the facility will have to comply with a stricter BACT limit for SO₂ emissions. The BACT limit beyond the 18-month period is established by the Department to be 3.25 lb/ton, 24-hour rolling average and 3.5 lb/ton, 3-hour rolling average (compliance by CEM).”

The reasons for not changing the emission limits are the same as given in the Department’s response for Comment No. 3.

9. Page BD-4, Paragraph 4: It is requested that converters and dryers be added to the list of equipment to make the list more complete.

Department’s response:

The Department will make those changes and the paragraph will read as follows:

“Additional modifications of upgrading and/or replacement of other plant equipment for SAP 1, 2 and 3 (i.e., converter, dryers, acid towers, heat exchange equipment, blowers, pumps, coolers, deaerator, furnace heat recovery system, ducts and tanks) will trigger BACT review, if construction is discontinued for a period of 18 months or more.”

10. Page BD-5: It is requested that the changes discussed above be reflected in the tabulated summary on this page for Items 2, 3 and 4, regarding the limits and the time frames.

Department’s response:

No changes are necessary in the table.

Additionally, the Department will add another column in the table for Specific Condition 5 of the permit to reflect the date of compliance with the BACT emission limits for SAP 1, 2 and 3. Specific Condition 5 will read as follows:

5. Sulfur dioxide (SO₂) emissions shall not exceed the following for each SAP [**Rule 62-212.400, F.A.C.**]:

SAP No.	lb/ton of 100% H ₂ SO ₄	lb/hr	Date of compliance by CEM	TPY
1	3.5, 24-hr rolling average	496	01/01/2004	2,172
	4.0, 3-hr rolling average	567		
2	3.5, 24-hr rolling average	496	08/01/2004	2,172
	4.0, 3-hr rolling average	567		
3	3.5, 24-hr rolling average	496	12/02/2004	2,172
	4.0, 3-hr rolling average	567		

The final action of the Department is to issue the permit and BACT with the changes noted above.



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

PERMITTEE:

IMC Phosphates MP, Inc.
3095 Highway 640 West
Mulberry, Florida 33860

Authorized Representative:

Mike Daigle
General Manager

File No.	1050059-036-AC
Permit No.	PSD-FL-325
SIC No.	2874
Project:	New Wales Plant
Expires:	June 30, 2007

PROJECT AND LOCATION:

Permit for the construction /modification of the New Wales Plant to increase production rate of the existing Sulfuric Acid Plants Nos. 1, 2 and 3 to 3400 tons per day, each. The UTM coordinates are Zone 17; 396.6 km E; 3078.9 km N.

STATEMENT OF BASIS:

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The above named permittee is authorized to modify the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

ATTACHED APPENDICES ARE MADE A PART OF THIS PERMIT:

Appendix A	Best Operational Start-up Procedures for Sulfuric Acid Plants
Appendix BD	BACT Determination
Appendix GC	Construction Permit General Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION

The New Wales Plant is an agricultural chemicals manufacturing facility. Phosphate rock is reacted with sulfuric acid to make phosphoric acid. The phosphoric acid is further processed into monoammonium phosphate (MAP), diammonium phosphate (DAP) and animal feed ingredients.

This permit is issued to allow an increase in the production rate of the existing Sulfuric Acid Plants Nos. 1, 2 and 3 to 3400 tons per day, each; and a proportionate increase in the sulfur feed rate to the three plants.

REGULATORY CLASSIFICATION

The facility is classified as a major source of air pollution or Title V source because it has the potential to emit at least 100 tons per year of sulfur dioxide and nitrogen oxides.

PERMIT SCHEDULE:

- 11-27-2001: Date of Receipt of Application
- 05-16-2002: Application Complete
- 06-05-2002: Mailed Intent to Issue Permit
- 06-08-2002: Notice published in the Lakeland Ledger

RELEVANT DOCUMENTS:

The documents listed form the basis of the permit. They are specifically related to this permitting action. These documents are on file with the Department.

- Application received 11-27-01
- Department's incompleteness letter dated 12-26-2001
- Applicant's letters received 1-29, 3-20, 4-30, 5-2, and 5-16-2002.
- Technical Evaluation and Preliminary Determination dated 5-31-2002
- Best Available Control Technology determination (issued concurrently with permit)

AIR CONSTRUCTION PERMIT 1050059-036-AC, PSD-FL-325

SECTION II. EMISSION UNIT(S) ADMINISTRATIVE REQUIREMENTS

1. Regulating Agencies: All documents related to applications for permits to operate, reports, tests, minor modifications and notifications shall be submitted to the Department's Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-8218. All applications for permits to construct or modify an emissions unit(s) *subject to the Prevention of Significant Deterioration or Nonattainment (NA) review requirements* should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP), 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399-2400 (phone number 850/488-0114).
2. General Conditions: The owner and operator is subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-212, 62-213, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
5. Expiration: This air construction permit shall expire on **June 30, 2007** [Rule 62-210.300(1), F.A.C.]. The permittee may, for good cause, 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. However, the permittee shall promptly notify the Department's Southwest District Office of any delays in completion of the project which would affect the startup day by more than 90 days. [Rule 62-4.090, F.A.C.]
6. Application for Title V Permit: An application for a Title V operating permit, pursuant to Chapter 62-213, F.A.C., must be submitted to the Department's Southwest District Office. [Chapter 62-213, F.A.C.]
7. Annual Reports: Pursuant to Rule 62-210.370(2), F.A.C., Annual Operation Reports, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. Annual operating reports using DEP Form 62-210.900(4) shall be sent to the DEP's Southwest District office by March 1st of each year.
8. Stack Testing Facilities: Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C.

SECTION II. EMISSION UNIT(S) ADMINISTRATIVE REQUIREMENTS

9. Quarterly Reports: Quarterly excess emission reports, in accordance with 40 CFR 60.7 (a)(7) (c) (1997 version), shall be submitted to the DEP's Southwest District office.

10. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

**AIR CONSTRUCTION PERMIT 1050059-036-AC AND PSD-FL-325
SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS**

COMMON CONDITIONS: 40 CFR 60 - NEW SOURCE PERFORMANCE STANDARDS

This permit addresses the following emission units:

EMISSION UNIT NO.	EMISSION UNIT DESCRIPTION
002	Sulfuric Acid Plant (SAP) No. 1
003	SAP No. 2
004	SAP No. 3

These emission units shall comply with all applicable requirements of 40 CFR 60, General provisions, Subpart A, adopted by reference in Rule 62-204.800(7), F.A.C.

- 40 CFR 60.7, Notification and record keeping
- 40 CFR 60.8, Performance tests
- 40 CFR 60.11, Compliance with standards and maintenance requirements
- 40 CFR 60.12, Circumvention
- 40 CFR 60.13, Monitoring requirements
- 40 CFR 60.19, General notification and reporting requirements

The Sulfuric Acid Plant Nos. 1, 2 and 3 are subject to the applicable requirements of the New Source Performance Standards (NSPS) under 40 CFR 60 Subpart H, Standards of Performance for Sulfuric Acid Plants.

SPECIFIC CONDITIONS :

The Specific Conditions listed in this subsection apply to the following emission units:

EMISSION UNIT NO.	EMISSION UNIT DESCRIPTION
002	SAP No. 1
003	SAP No. 2
004	SAP No. 3

1. Unless otherwise indicated, the construction and operation of the subject agricultural chemicals production facilities shall be in accordance with the capacities and specifications stated in the application. **[Rule 62-210.300, F.A.C.]**
2. The subject emissions units shall comply with all applicable provisions for Sulfuric Acid Plants, Subpart H, as applicable. **[Rule 62-204.800 F.A.C.]**
3. The maximum operation rates for SAP Nos. 1, 2 and 3, each, shall not exceed 3400 tpd 100% H₂SO₄ with a proportionate supply of sulfur from the existing sulfur system. **[Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]**
4. The subject emission units are allowed to operate continuously (8760 hours/year). **[Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]**

AIR CONSTRUCTION PERMIT 1050059-036-AC AND PSD-FL-325
SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

5. Sulfur dioxide (SO₂) emissions shall not exceed the following for each SAP [Rule 62-212.400, F.A.C.]:

SAP No.	lb/ton of 100% H ₂ SO ₄	lb/hr	Date of compliance by CEM	TPY
1	3.5, 24-hr rolling average	496	01/01/2004	2,172
	4.0, 3-hr rolling average	567		
2	3.5, 24-hr rolling average	496	08/01/2004	2,172
	4.0, 3-hr rolling average	567		
3	3.5, 24-hr rolling average	496	12/02/2004	2,172
	4.0, 3-hr rolling average	567		

6. The SO₂ emission limit for SAP No. 1 shall be 3.25 lb/ton of 100% H₂SO₄, 24-hour rolling average and 3.5 lb/ton of 100% H₂SO₄, 3-hour rolling average if the converter modification is not completed by 12/31/2003. [Rule 62-212.400, F.A.C.]
7. The SO₂ emission limit for SAP No. 2 shall be 3.25 lb/ton of 100% H₂SO₄, 24-hour rolling average and 3.5 lb/ton of 100% H₂SO₄, 3-hour rolling average if the converter modification is not completed by 7/31/2004. [Rule 62-212.400, F.A.C.]
8. The SO₂ emission limit for SAP No. 3 shall be 3.25 lb/ton of 100% H₂SO₄, 24-hour rolling average and 3.5 lb/ton, 3-hour rolling average if the converter modification is not completed by 12/1/2004. [Rule 62-212.400, F.A.C.]
9. Sulfuric acid mist emissions shall not exceed the following for each plant [Rule 62-210.200, F.A.C.]:

SAP No.	lb/ton of 100% H ₂ SO ₄	lb/hr	TPY
1	0.10	14	62
2	0.10	14	62
3	0.10	14	62

10. Emissions of nitrogen oxides from the Sulfuric Acid Plant Nos. 1 and 2 each, shall not exceed 0.12 lb/ton 100% H₂SO₄, 17 lb/hr and 75 tpy. [Rule 62-212.400, F.A.C.]
11. Visible emissions shall not exceed 10 percent opacity from the sulfuric acid plants. [Rule 62-212.400, F.A.C.]

AIR CONSTRUCTION PERMIT 1050059-036-AC AND PSD-FL-325
SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

12. Best operational practices to minimize leaks of sulfur dioxide and sulfur trioxide, or other fugitive process emissions shall be adhered to and shall include regular inspections and prompt repair or correction of any leaks or other fugitive emissions. [Rule 62-296.320, F.A.C.]
13. Sulfuric acid plants are authorized to emit excess emissions from start-up for a period of three consecutive hours provided best operational practices to minimize emissions, in accordance with the agreement titled "Best Operational Start-Up Practices For Sulfuric Acid Plants" is followed. The provisions of the agreement issued by the Department, are hereby added to this permit as Appendix A and shall be added to the Title V permit. [Rule 62-210.700, F.A.C., 40 CFR 60.7]
14. A continuous emissions monitoring system (CEMS) shall be installed, calibrated, maintained, operated, and used to determine compliance with the 3-hour and 24-hour rolling average emissions limit for SO₂. The CEMS shall be installed and certified before the initial performance test and operated in compliance with 40 CFR 60, Appendix F, Quality Assurance Procedures (2001 version) or other Department-approved QA plan; 40 CFR 60, Appendix B, Performance Specification 2 (2001 version).

The CEMS shall calculate and record emission rates in units of pounds SO₂ per ton of 100 percent sulfuric acid produced. Each operating day, the rolling averages of the SO₂ emission rate for the 3 hours and the 24 hours shall be calculated and recorded. Emissions shall be calculated in units of pounds of SO₂ per ton of 100 percent acid produced using one of the methods specified in 40 CFR 60.84. Averages are to be calculated as the arithmetic mean of each monitored operating hour in which sulfur is burned in the unit and at least two emission measurements are recorded at least 15 minutes apart. Data taken during periods of startup, or when sulfur is not burned in the unit, or when the CEMS is out of control as defined in 40 CFR 60, Appendix F, Section 5.2, shall be excluded from the 3-hour and the 24-hour rolling averages. Data recorded during periods of shutdown, malfunction, load change, and continuous operating periods shall be included in the calculation of the 3-hour and the 24-hour rolling averages.

To the extent the monitoring system is available to record emissions data, the CEMS shall be operated and shall record data at all operating hours when sulfur is burned in the unit, including periods of startup, shutdown, load change, continuous operation and malfunction. Monitor downtimes and excess emissions based on 3-hour averages, which include startup emissions, shall be reported on a quarterly basis using the SUMMARY REPORT in 40 CFR 60.7. A detailed report of the cause, duration, magnitude, and corrective action taken or preventative measures adopted for each excess emission occurrence, and a listing of monitor downtime occurrences shall accompany the SUMMARY REPORT when the total duration of excess emissions is 1% or greater or if the monitoring system downtime is 5% greater of the total monitored operating hours.

The monitoring device shall meet the applicable requirements of Chapter 62-204, F.A.C., 40 CFR 60, Appendix F, and 40 CFR 60.13, including certification of each CEMS in accordance with 40 CFR 60, Appendix B, Performance Specifications and 40 CFR 60.7(a)(5) Notification Requirements. Data on monitoring equipment specifications, manufacturer, type calibration and maintenance requirements, and the proposed location of each stack probe shall be

AIR CONSTRUCTION PERMIT 1050059-036-AC AND PSD-FL-325
SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

provided to the Department for review at least 30 days prior to installation of a new CEMS. [Rules 62-4.070(3), F.A.C. and 62-204.800, F.A.C.]

15. Before this construction permit expires, the subject emission units shall be tested for compliance with the above emission limits. For the duration of all tests the emission unit shall be operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum operating rate allowed by the permit. If it is impracticable to test at permitted capacity, then the emission unit may be tested at less than permitted capacity (i.e., 90% of the maximum operating rate allowed by the permit); in this case, subsequent emission unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emission unit is so limited, then operation at higher capacities is allowed for no more than 30 consecutive days for the purposes of additional compliance testing to regain the permitted capacity in the permit. [Rule 62-297.310, F.A.C.]
16. The Department's Southwest District office in Tampa shall be notified in writing at least 15 days prior to the compliance tests. Written reports of the test results shall be submitted to that office within 45 days of test completion. [Rule 62-297.310, F.A.C.]
17. The procedures for the initial compliance test shall be in accordance with EPA Reference Methods 1, 2, 3, 4, 6C, 7E, 8 and 9, as appropriate, as published in 40 CFR 60, Appendix A. 60, Appendix A. [Rules 62-204.800 and 62-297.310(7)(c), F.A.C.]
18. All measurements, records, and other data required to be maintained by this facility shall be retained for at least five (5) years following the data on which such measurements, records, or data are recorded. These data shall be made available to the Department upon request. [Rule 62-4.070(3), F.A.C.]
19. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320, F.A.C.]
20. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]
21. The subject emissions units shall be subject to the following:
 - Excess emissions resulting from startup, shutdown or malfunction of any source shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700, F.A.C.]
 - Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700, F.A.C.]
 - Considering operational variations in types of industrial equipment operations affected by this rule, the Department may adjust maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. [Rule 62-210.700, F.A.C.]

AIR CONSTRUCTION PERMIT 1050059-036-AC AND PSD-FL-325
SECTION III. EMISSION UNIT(S) SPECIFIC CONDITIONS

- In case of excess emissions resulting from malfunctions, each source shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700, F.A.C.]
- 22. The permittee shall submit an Annual Operating Report using DEP Form 62-210.900(4) to the Department's Southwest District office by March 1 of the following year for the previous year's operation. [Rule 62-210.370, F.A.C.]
- 23. The permittee shall notify the Bureau of Air Regulation (BAR) upon commencement of construction, as defined in 40 CFR 52.21(b)(11) with regards to each of the three sulfuric acid plants addressed by this permit and maintain a chronological record of the construction activities. The anticipated dates of commencement of construction for SAP 2 and 3 are 1/31/2003 and 5/1/2003, respectively. The permittee shall submit the construction activities schedule for approval by BAR 30 days prior to commencement of construction for SAP Nos. 2 and 3. The construction activities schedule shall provide a detailed listing of each maintenance activity and the anticipated completion date for each of those maintenance activities. The permittee shall also submit to BAR a status report covering each quarter of the construction activities after commencement of construction for SAP Nos. 1, 2 and 3. The submittal of the status report shall continue until the construction activities cease for SAP Nos. 1, 2 and 3. The permittee shall notify the Bureau of Air Regulation of any changes to the construction activities schedule that would affect the applicability of the BACT determinations. [40 CFR 52.21]
- 24. Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. [40 CFR 52.21(r)(2)].
- 25. In conjunction with extension of the 18-month periods to commence or continue construction, or extension of the permit expiration date, the permittee may be required to demonstrate the adequacy of any previous determination of best available control technology for the source. [40 CFR 52.21(j)(4)]
- 26. An application for a Title V permit revision shall be submitted, upon completion of construction, pursuant to Chapter 62-213, FAC, to the Department's Southwest District Office. [Rule 62-213, F.A.C.]
- 27. This facility shall maintain adequate fencing or physical barriers equivalent to fencing around the property boundary. [Rule 62-204.800(1)(a), F.A.C.]

APPENDIX A
BEST OPERATIONAL START-UP PRACTICES
FOR SULFURIC ACID PLANTS

1. Only one sulfuric acid plant at a facility should be started up and burning sulfur at a time. There are times when it will be acceptable for more than one sulfuric acid plant to be in the start-up mode at the same time, provided the following condition is met. It is not acceptable to initiate sulfur burning at one sulfuric acid plant when another plant at the same facility is emitting SO₂ at a rate in excess of the emission limits imposed by the permit or rule, as determined by the CEMs emission rates for the immediately preceding 20 minutes.
2. A plant start-up must be at the lowest practicable operating rate, not to exceed 70 percent of the designated operating rate, until the SO₂ monitor indicates compliance. Because production rate is difficult to measure during start-up, if a more appropriate indicator (such as blower pressure, furnace temperature, gas strength, blower speed, number of sulfur guns operating, etc.) can be documented, tested and validated, the Department will accept this in lieu of directly documenting of the suitable list of surrogate parameters to demonstrate and document the reduced operating rate on a plant-by-plant basis. Documentation that the plant is conducting start-up at the reduced rate is the responsibility of the owner or operator.
3. Sulfuric acid plants are authorized to emit excess emissions from start-up for a period of three consecutive hours provided best operational practices, in accordance with this agreement, to minimize emissions are followed. No plant shall be operated (with sulfur as fuel) out of compliance for more than three consecutive hours. Thereafter, the plant shall be shut down. the plant shall be shut down (cease burning sulfur) if, as indicated by the continuous emission monitoring system, the plant is not in compliance within three hours of startup. Restart may occur as soon as practicable following any needed repairs or adjustments, provided the corrective action is taken and properly documented.
4. Cold Start-Up Procedures.
 - a. Converter.
 - (1) The inlet and outlet temperature at the first two masses of catalyst shall be sufficiently high to provide immediate ignition when SO₂ enters the masses. In no event shall the inlet temperature to the first mass be less than 800°F or the outlet temperature to the first two masses be less than 700°F. These temperatures are the desired temperatures at the time the use of auxiliary fuel is terminated
 - (2) The gas stream entering the converter shall contain SO₂ at a level less than normal, and sufficiently low to promote catalytic conversion to SO₃.
 - b. Absorbing Towers.

The concentration, temperature and flow of circulating acid shall be as near to normal conditions as reasonably can be achieved. In no event shall the concentration be less than 96 percent H₂SO₄.

APPENDIX A
BEST OPERATIONAL START-UP PRACTICES
FOR SULFURIC ACID PLANTS

5. Warm Restart.

a. Converter

The inlet and outlet temperatures of the first two catalyst masses should be sufficiently high to ensure conversion. One of the following three conditions must be met:

- (1) The first two catalyst masses inlet and outlet temperatures must be at a minimum of 700°F; or.
- (2) Two of the four inlet and outlet temperatures must be greater than or equal to 800°F; or.
- (3) The inlet temperature of the first catalyst must be greater than or equal to 600°F and the outlet temperature greater than or equal to 800°F. Also, the inlet and outlet temperatures of the second catalyst must be greater than or equal to 700°F.

Failure to meet one of the above conditions, requires use of cold start-up procedures.

To allow for technologies improvements or individual plant conditions, alternative conditions will be considered by the Department in appropriate cases.

b. Absorbing Towers.

The concentration, temperature and flow of circulating acid shall be as near to normal conditions as reasonably can be achieved. In no event shall the concentration be less than 96 percent H₂SO₄.

APPENDIX BD
BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION (BACT)

New Wales Plant
IMC Phosphates MP, Inc.
PSD-FL-325 / 1050059-036-AC
Mulberry, Polk County

The project proposed by IMC Phosphates MP, Inc. will increase the production rate of the existing Sulfuric Acid Plants (SAP) 1, 2 and 3 to 3400 tons per day, each. The proposed project involves upgrading and/or replacement of plant equipment to accomplish the production increases, as described in the permit application. SAP 1 will undergo replacement of an interpass tower and necessary modifications to the converter to achieve the current BACT limit for sulfur dioxide (SO₂) of 3.5 lb/ton of 100% H₂SO₄, 24-hour rolling average and 4.0 lb/ton, 3-hour rolling average showing compliance with a certified continuous emission monitor.

SAP 2 and 3 have tentative turnarounds scheduled in the coming years and the facility has provided an anticipated date of commencement of construction of 1/31/2003 and 9/30/2003 for SAP 2 and 3, respectively for the turnarounds. Some of the equipments that may undergo maintenance/repair/replacement are acid towers, converter, heat exchange equipment, blowers, pumps, coolers, deaerator, furnace, heat recovery system, ducts and tanks for both SAP 2 and 3. There will be no changes in the molten sulfur throughput at the facility; however, there will be a proportionate increase in the amount of sulfur supplied to the three sulfuric acid plants. As a result of this project, increases in emissions of SO₂, sulfuric acid mist (SAM) and nitrogen oxides (NO_x) from the proposed modifications may occur.

The proposed modification will result in a significant increase in emissions of SO₂, SAM and NO_x. The project is, therefore, subject to Prevention of Significant Deterioration (PSD) review in accordance with Rule 62-212.400, Florida Administrative Code (F.A.C.). A Best Available Control Technology (BACT) determination is part of the review required by Rules 62-212.400 and 62-296, F.A.C. Descriptions of the process, project, air quality effects, and rule applicability are given in the Technical Evaluation and Preliminary Determination, accompanying the Department's Intent to Issue.

DATE OF RECEIPT OF COMPLETE BACT APPLICATION:

Original application received on November 27, 2001. BACT application was complete on May 16, 2002.

BACT DETERMINATION PROCEDURE:

In accordance with Chapter 62-212, F.A.C., this BACT determination is based on the maximum degree of reduction of each pollutant emitted which the Department of Environmental Protection (Department), on a case by case basis, taking into account energy, environmental and economic impacts, and other costs, determines what is achievable through application of production

APPENDIX BD
BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION (BACT)

processes and available methods, systems, and techniques. In addition, the regulations state that, in making the BACT determination, the Department shall give consideration to the following:

- Any Environmental Protection Agency determination of BACT pursuant to Section 169, and any emission limitation contained in 40 CFR Part 60 - Standards of Performance for New Stationary Sources or 40 CFR Part 61 and 63 - National Emission Standards for Hazardous Air Pollutants.
- All scientific, engineering, and technical material and other information available to the Department.
- The emission limiting standards or BACT determination of any other state.
- 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 unit in question, the most stringent control available for a similar or identical emission unit or emission unit category. If it is shown that this level of control is technically or economically unfeasible for the emission unit 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.

The air pollutant emissions from this facility can be grouped into categories based upon the control equipment and techniques that are available to control emissions from these emission units. Using this approach, the emissions can be classified as indicated below:

- **Combustion Products** (SO₂, NO_x, PM). Controlled generally by good combustion of clean fuels.
- **Products of Incomplete Combustion** (CO, VOC). Controlled generally by proper combustion.

Grouping the pollutants in this manner facilitates the BACT analysis because it enables the equipment available to control the type or group of pollutants emitted and the corresponding energy, economic, and environmental impacts to be examined on a common basis.

Although all of the pollutants addressed in the BACT analysis may be subject to a specific emission limiting standard as a result of PSD review, the control of "non-regulated" air pollutants is considered in imposing a more stringent BACT limit on a "regulated" pollutant (i.e., PM, SO₂, H₂SO₄, fluorides, etc.), if a reduction in "non-regulated" air pollutants can be directly attributed to the control device selected as BACT for the abatement of the "regulated" pollutants.

APPENDIX BD
BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION (BACT)

BACT EMISSION LIMITS PROPOSED BY APPLICANT:

POLLUTANT	EMISSION UNIT	EMISSION LIMIT (lb/hr)	LIMIT BASIS	CONTROL TECHNOLOGY
SO ₂	Sulfuric Acid Plant Nos. 1, 2 and 3	496	3.5 lb/ton H ₂ SO ₄ ; 24-hour 4.0 lb/ton H ₂ SO ₄ ; 3-hour	Double Absorption Process
SAM	Sulfuric Acid Plant Nos. 1, 2 and 3	17	0.12 lb/ton H ₂ SO ₄	Fiber Mist Eliminators
NO _x	Sulfuric Acid Plant Nos. 1, 2 and 3	17	0.12 lb/ton H ₂ SO ₄	Good Combustion Practice

The applicant has proposed to use the existing double absorption process and improved process parameters to achieve the proposed limits for the sulfuric acid plants.

BACT POLLUTANT ANALYSIS

The SAPs utilize double absorption technology. In the SAPs, sulfur is burned with dried atmospheric oxygen to produce SO₂. The SO₂ is catalytically oxidized to sulfur trioxide (SO₃) over a catalyst bed. The SO₃ is then absorbed in H₂SO₄ to produce additional H₂SO₄. The remaining SO₂, not previously oxidized, is passed over a final converter bed of catalyst and the SO₃ produced is then absorbed in H₂SO₄. SO₂ and SAM emissions result from the process, as well as a small amount of NO_x.

The control equipment for the SAPs consists of two systems in series. The first system is integral to the H₂SO₄ production process and is the double contact process where the converted SO₃ emissions from the sulfur combustion are absorbed by water in a tower. This process is at least 99 percent efficient at absorbing SO₃. This system is considered process equipment and not considered control equipment. The second system is a high-velocity mist eliminator, which causes moisture (droplets containing sulfuric acid mist) from the double-contact process to be removed from the air stream by impingement. This process is at least 90 percent efficient at removing SAM from the air stream and, therefore, recovering the product.

The proposed project includes an increase in the production rate of the existing SAP Nos. 1, 2 and 3 to 3400 tons per day, each. It involves upgrading and/or replacement of plant equipment to accomplish the production increases, as described in the permit application. SAP 1 will undergo replacement of an interpass tower and necessary modifications to the converter to achieve a BACT limit for sulfur dioxide (SO₂) of 3.5 lb/ton of 100% H₂SO₄, 24-hour rolling average and 4.0 lb/ton of 100% H₂SO₄, 3-hour rolling average, showing compliance by continuous emission monitor (CEM). This higher 3-hour emission rate is necessary to account for plant process fluctuations and variability.

APPENDIX BD
BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION (BACT)

Recent SO₂ compliance test data indicates that the average SO₂ emissions are between 3.2 and 3.6 lb/ton. These SO₂ levels are above the proposed 3.5 lb/ton, 24-hour average limit, but less than the proposed 3-hour limit of 4.0 lb/ton. Variable emissions result from changing operating rates, process variables, and catalyst aging. Since, this project is a modification at an existing plant, the proposed BACT limit for SO₂ of 3.5 lb/ton, 24-hour average and 4.0 lb/ton, 3-hour average, is reasonable based on recent BACT determinations for similar plants. The Department might have made a different determination if this was a new facility.

SAP 1 will undergo turn-around by October 2002; acid tower replacement and converter modifications are planned during the turn-around. The Department believes that SAP 1 should meet the current BACT limit of 3.5 lb/ton, 24-hour rolling average and 4.0 lb/ton, 3-hour rolling average by 12/31/2003. If the acid tower replacement and converter modifications are not completed by 12/31/2003, the facility will have to comply with a stricter limit of 3.25 lb/ton, 24-hour rolling average and 3.5 lb/ton, 3-hour rolling average. (compliance by CEM)

SAP 2 and 3 have turn-arounds tentatively scheduled in 2004 and 2005, respectively and the facility has provided an anticipated date of commencement of construction of 1/31/2003 and 9/30/2003 for SAP 2 and 3, respectively for the turn-arounds. The Department believes that the commencement of construction date for SAP 3 can be moved ahead to 5/2003 and an 18-month construction period is a reasonable time for converter modifications planned for each plant. Both these plants will meet the current BACT limit of 3.5 lb/ton, 24-hour rolling average and 4.0 lb/ton, 3-hour rolling average (compliance by CEM) if the converter modifications are completed within 18-months of commencement of construction date. If the converter modification is not completed in 18-months, the facility will have to comply with a stricter limit for SO₂ emissions. The limit beyond the 18-month period is established by the Department to be 3.25 lb/ton, 24-hour rolling average and 3.5 lb/ton, 3-hour rolling average (compliance by CEM).

Additional modifications of upgrading and/or replacement of other plant equipment for SAP 1, 2 and 3 (i.e., converter, dryers, acid towers, heat exchange equipment, blowers, pumps, coolers, deaerator, furnace heat recovery system, ducts and tanks) will trigger BACT review, if construction is discontinued for a period of 18 months or more.

Recent SAM compliance test data indicates that the average SAM emissions are between 0.04 and 0.06 lb/ton. These SAM levels are below the future allowable emissions of 0.10 lb/ton for the Nos. 1, 2 and 3 SAP.

The applicant will achieve the proposed emissions limits by improving the sulfur dioxide conversion of the traditional double absorption plant. The improvement will likely be accomplished by an increase in the catalyst loading. The emission limit of 3.5 lb/ton, 24-hour average and 4 lb/ton, 3-hour average was recently imposed on the modified sulfuric acid plants at Cargill, Riverview.

APPENDIX BD
BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION (BACT)

Control options involving production of by-products or wastes have been rejected as BACT. There is no indication that add-on control methods are competitive with process improvements that result in production of additional sulfuric acid. Recovery of sulfuric acid mist is an economic necessity as well as an environmental requirement. High efficiency mist eliminators are considered BACT for sulfuric acid mist.

The Department agrees with the applicant that the sulfur burning process utilized in the sulfuric acid plant inherently produces low NO_x emissions, and is considered BACT for NO_x.

BACT DETERMINATION BY THE DEPARTMENT:

Based on the information provided by the applicant, the above analysis and other information available to the Department, the following emission limits are established employing the top-down BACT approach.

POLLUTANT	EMISSION UNIT	EMISSION LIMIT (lb/hr)	LIMIT BASIS	CONTROL TECHNOLOGY
SO ₂	Sulfuric Acid Plant No. 1	496	3.5 lb/ton H ₂ SO ₄ , 24-hr rolling average	Double Absorption Process
		567	4.0 lb/ton H ₂ SO ₄ , 3-hr rolling average	
SO ₂	Sulfuric Acid Plant No. 1 (if converter modification goes beyond 12/31/2003)	460	3.25 lb/ton H ₂ SO ₄ , 24-hr rolling average	Double Absorption Process
		496	3.5 lb/ton H ₂ SO ₄ , 3-hr rolling average	
SO ₂	Sulfuric Acid Plant Nos. 2 & 3 (if converter modification is completed within 18 months of commencement of construction)	496	3.5 lb/ton H ₂ SO ₄ , 24-hr rolling average	Double Absorption Process
		567	4.0 lb/ton H ₂ SO ₄ , 3-hr rolling average	
SO ₂	Sulfuric Acid Plant Nos. 2 & 3 (if converter modification goes beyond 18 months of commencement of construction)	460	3.25 lb/ton H ₂ SO ₄ , 24-hr rolling average	Double Absorption Process
		496	3.5 lb/ton H ₂ SO ₄ , 3-hr rolling average	
SAM	Sulfuric Acid Plant Nos. 1, 2 and 3	14	0.10 lb/ton H ₂ SO ₄	Fiber Mist Eliminators
NO _x	Sulfuric Acid Plant Nos. 1, 2 and 3	17	0.12 lb/ton H ₂ SO ₄	Good Combustion Practice

The Department made a determination that the BACT limit for SAM should be 0.10 lb/ton of 100% H₂SO₄. This was based on an earlier BACT determination done for Cargill, Riverview (PSD-FL-315, issued November 21, 2001) and the recent SAM compliance test data submitted by IMC. A SAM emission level lower than 0.10 lb/ton may not be achievable on a continuous basis without significant changes to the mist elimination system, particularly in light of the

APPENDIX BD
BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION (BACT)

potential effects of higher production, gas velocities, and other process variables. Such changes would require substantial physical modifications to the plants.

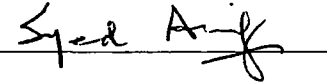
COMPLIANCE:

Compliance with the sulfur dioxide emission limit (3.5 lb/ton, 24-hour rolling average and 4.0 lb/ton, 3-hour rolling average) shall be demonstrated with a certified continuous emission monitor. Start-up excess emissions shall be permitted for three hours for the sulfuric acid plants as endorsed in an agreement titled "Best Operational Start-Up Practices For Sulfuric Acid Plants", which is attached as Appendix A of the permit.

Annual compliance testing with the sulfur dioxide, sulfuric acid mist and nitrogen oxides limits shall be demonstrated using EPA Reference Methods 1, 2, 3, 4, 6C, 7E, 8 and 9 as appropriate, and contained in 40 CFR 60, Appendix A.

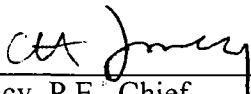
DETAILS OF THE ANALYSIS MAY BE OBTAINED BY CONTACTING:

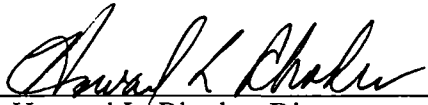
Syed Arif, P.E., Permit Engineer, New Source Review Section
Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400



Recommended By:

Approved By:


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


Howard L. Rhodes, Director
Division of Air Resources Management

Date:

7/10/02

Date:

7/11/02

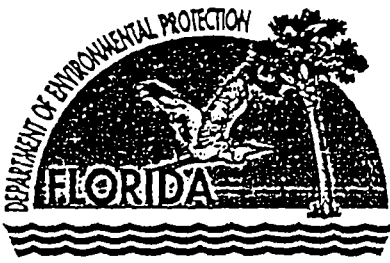
APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and 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 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.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment 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.
- G.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.
- G.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.
- G.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 and 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.
- G.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.

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

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.

- G.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.
- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, 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.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology (*X*)
 - (b) Determination of Prevention of Significant Deterioration (*X*); and
 - (c) Compliance with New Source Performance Standards (*X*).
- G.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 or 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.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.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.



Florida
Department of
Environmental Protection



Jeb Bush
Governor

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

David Struhs
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 7/12/02 @ 9:35 AM

TO: Mr. Dave Turley

PHONE: _____

FAX: 863-428-7162

FROM: Vickie Tibson

PHONE: 850-921-9504

Division of Air Resources Management

FAX: 850.922.6979

RE: Final Permit

CC: _____

Total number of pages including cover sheet: 2

Message

Mr. Syed Araf requested that I fax
this final permit copy to you this
morning. Have a great weekend.

If there are any problems with this fax transmittal, please call the above phone number.

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

Printed on recycled paper