

# Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

August 11, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Ozzie Morris  
Environmental Manager  
Cargill Fertilizer, Inc.  
8813 Highway 41 South  
Riverview, Florida 33569

Dear Mr. Morris:

Attached is one copy of the proposed modification of permit for Cargill Fertilizer, Inc. to increase the production rate of the No. 5 Diammonium Phosphate plant at their facility in Riverview, Florida.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Mr. Preston Lewis of the Bureau of Air Regulation.

Sincerely,

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

CHF/JR/plm

Attachments

c: B. Thomas, SWD  
J. Campbell, EPCHC  
J. Harper, EPA  
C. Shaver, NPS  
D. Buff, P.E.

P 062 921 877



### Receipt for Certified Mail

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

Sent To		Ozzie Morris
Street and No.		Cargill Fert.
P.O., State and ZIP Code		Riverview, Fl
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	AC 29-196763 PSD-FI-178 8/12/92	

PS Form 3800, June 1991

PS Form 3811, July 1983/447-945

**SENDER: Complete items 1, 2, 3 and 4.**  
Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1.  Show to whom, date and address of delivery.  
2.  Restricted Delivery.

3. Article Addressed to:  
Ozzie Morris, Encl. Mgr.  
Cargill Fertilizer  
8813 Hwy 413  
Riverview, Fl 33569

4. Type of Service:  
 Registered  Insured  
 Certified  COD  
 Express Mail

Article Number: P062921877

Always obtain signature of addressee or agent and  
**DATE DELIVERED**

5. Signature of Addressee: *[Signature]*  
6. Signature of Agent: *[Signature]*  
7. Date of Delivery: 8-14-92

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

DOMESTIC RETURN RECEIPT

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

CERTIFIED MAIL

In the Matter of an  
Application for Modification  
of Permit by:

DER File No. AC 29-196763  
PSD-FL-178  
Hillsborough, County

Mr. Ozzie Morris  
Environmental Manager  
Cargill Fertilizer, Inc.  
8813 Highway 41 South  
Riverview, Florida 33569

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INTENT TO ISSUE

The Department of Environmental Regulation gives notice of its intent to issue a modification of permit (copy attached) for the project as detailed in the request specified above.

The applicant, Cargill Fertilizer, Inc., applied on July 20, 1992, to the Department of Environmental Regulation for modification of a permit to increase the production rate of the No. 5 Diammonium Phosphate plant at their facility in Riverview, Hillsborough County, Florida, without any increase in allowable emissions.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes and Florida Administrative Code (F.A.C.) Chapters 17-2 and 17-4. The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

Pursuant to Section 403.815, Florida Statutes and Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit modification unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

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. 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. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. 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, Florida Statutes.

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

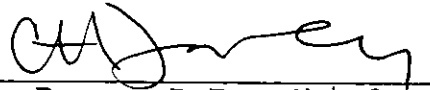
(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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 intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application 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 receipt of this intent 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, F.A.C.

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, Florida 32399  
904-488-1344

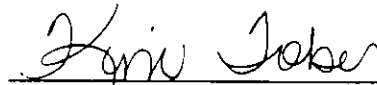
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed by certified mail before the close of business on 8-12-92 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

8-12-92  
Date

Copies furnished to:

- B. Thomas, SWD
- J. Campbell, EPCHC
- J. Harper, EPA
- C. Shaver, NPS
- D. Buff, P.E.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION  
NOTICE OF INTENT TO ISSUE MODIFICATION OF PERMIT

The Department of Environmental Regulation hereby gives notice of its intent to issue a modification of permit to Cargill Fertilizer, Inc., 8813 Highway 41 South, Riverview, Florida 33569, to increase the production rate of the No. 5 Diammonium Phosphate plant at their facility in Riverview, Hillsborough County, Florida, without any increase in allowable emissions. The project will increase total allowable diammonium phosphate production at the Cargill facility by approximately 9%. The Department is issuing this Intent to Issue modification to satisfy requirements for federal enforceability of the modified production rate.

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. 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, Florida Statutes.

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 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, F.A.C.

The modification 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 Regulation  
Bureau of Air Regulation  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Department of Environmental Regulation  
Southwest District Office  
4520 Oak Fair Blvd.  
Tampa, Florida 33610-7347

Environmental Protection Commission  
of Hillsborough County  
1900 - 9th Avenue  
Tampa, Florida 33605

Any person may send written comments on the proposed action to Mr. Preston Lewis 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.

Further, a public hearing can be requested by any person. Such requests must be submitted within 30 days of this notice.



# Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

August 11, 1992

**DRAFT**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ozzie Morris, Environmental Manager  
Cargill Fertilizer, Inc.  
8813 Highway 41 South  
Riverview, Florida 33569

Dear Mr. Morris:

Re: Modification of Permit AC 29-196763, PSD-FL-178  
No. 5 DAP Plant

This is in response to Cargill's July 20, 1992, request for modification of the above permit to allow a 9.4% increase in the permitted production rate without any increase in allowable emissions. The request is acceptable. Specific Condition No. 1 shall be changed as follows:

FROM:

1. Maximum permitted production rate for the No. 5 diammonium phosphate plant shall be 67.2 TPH  $P_2O_5$  input. If the production rate ..... days.

TO:

1. Maximum permitted production rate for the No. 5 diammonium phosphate plant shall be 73.5 TPH  $P_2O_5$  input. If the production rate ..... days.

This letter shall become Attachment 14, while Cargill's letters of December 26, 1991; January 22, 1992; and July 20, 1992; and EPCHC's letter of January 9, 1992, shall become Attachments 10, 11, 12, and 13, respectively.

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. 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. Petitions filed by the



**DRAFT**

permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. 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, Florida Statutes.

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- (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;
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Mr. Ozzie Morris  
Page 3 of 3  
August 11, 1992  
Modification of AC 29-196763 (PSD-FL-178)

**DRAFT**

Sincerely,

Carol M. Browner  
Secretary

CMB/plm

Attachments

cc: W. Thomas, SWD  
C. Shaver, NPS  
J. Campbell, EPCHC  
D. Buff, P.E.  
J. Harper, EPA