



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

March 17, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Kathy Edgemon
Environmental Superintendent
Cargill Fertilizer, Inc.
8813 Highway 41 South
Riverview, Florida 33569

Re: DEP File No. 0570008-032-AC, PSD-FL-234B
Riverview AFI Plant Modification – Continuous Mode Operation

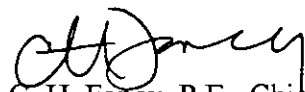
Dear Ms. Edgemon:

Enclosed is one copy of the Draft PSD permit modification for the AFI Plant located at 8813 Highway 41 South, Tampa, Hillsborough County. The Draft Permit Modification, Intent to Issue PSD Permit Modification and the Public Notice of Intent to Issue PSD Permit Modification are also enclosed.

The Public Notice of Intent to Issue PSD Permit Modification must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit modification.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact John Reynolds at 850/921-9536.

Sincerely,


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

CHF/jr

Enclosures

In the Matter of an
Application for Permit Modification by:

Cargill Fertilizer, Inc.
8813 Highway 41 South
Riverview, Florida 33569

DEP File No. 0570008-032-AC
Permit PSD-FL-234B
Hillsborough County

INTENT TO ISSUE PSD PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD permit modification for the proposed action as detailed in the Draft permit modification enclosed and for the reasons stated below.

The applicant, Cargill Fertilizer, Inc., applied on December 20, 1999, to the Department for a PSD permit modification for its AFI Plant located in Riverview Hillsborough County. The modification is to allow the three defluorination reactors to operate in either batch or continuous mode.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that a PSD permit modification is required to make the proposed changes to methods of operation

The Department intends to issue this PSD permit modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, 62-297, F.A.C. and 40CFR 52.21.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue PSD Permit Modification. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "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. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the 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 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is

permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.



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

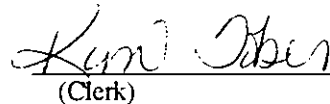
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue PSD Permit Modification (including the Public Notice of Intent to Issue PSD Permit Modification, and the Draft permit modification) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 3-20-00 to the person(s) listed:

Ms. Kathy Edgemon CFI *
Mr. Bill Thomas, SWD
Mr. Rick Kirby, EPCHC
Mr. Gregg Worley, EPA
Mr. John Bunyak, NPS

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)

3-20-00
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0570008-032-AC, PSD-FL-234B

Cargill Fertilizer, Inc.
AFI Plant
Hillsborough County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD permit modification for the Cargill Fertilizer AFI Plant located in Riverview, Hillsborough County. The applicant's mailing address is: 8813 Highway 41 South, Florida 33569. A Best Available Control Technology (BACT) Determination revision was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

This facility makes defluorinated animal feed ingredients by reacting a phosphoric acid-based solution with diatomaceous earth in three acid batch tanks resulting in the evolution of gaseous fluorides. The defluorinated product is then granulated and dried before being shipped, resulting in emissions of particulate matter. The batch tanks are presently permitted to operate in batch mode only.

The applicant proposes to operate the three batch defluorination tanks in either batch or continuous mode. Operation in continuous mode will cause no increase in emissions from the facility and no other changes are being requested.

The Department will issue the permit modification with the proposed changes to permit conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the 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 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301

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

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

Department of Environmental Protection Bureau of Air Regulation Suite 4, 111 S. Magnolia Drive Tallahassee, Florida, 32301 Telephone: 850/488-0114 Fax: 850/922-6979	Environmental Protection Commission of Hillsborough County Air Management Division 1900 Ninth Avenue Tampa, Florida 33605 Telephone: 813/272-5960 Fax: 813/272-5157	Department of Environmental Protection Southwest District 3804 Coconut Palm Drive Tampa, Florida 33619 Telephone: 813/744-6100 Fax: 813/744-6084
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The complete project file includes the application, technical evaluations, Draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

DRAFT

DRAFT

April XX, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Kathy Edgemon
Environmental Superintendent
Cargill Fertilizer, Inc.
8813 Highway 41 South
Riverview, Florida 33569

Re: Permit Modification – Continuous Operating Mode for Riverview AFI Plant
DEP File No. 0570008-032-AC (PSD-FL-234B)

Dear Ms. Edgemon:

As requested, the following permit modification [Permit 0570008-032-AC (PSD-FL-234B)] allows operation of the AFI batch reactors in continuous mode. This permit modification involves no increase in actual or allowable emissions and no substantial physical changes to process equipment. The changes to the permit are indicated below:

Specific Condition No. 4

Unless the Department determines that the initial scrubber performance test data justify a higher limit, total fluoride emissions from the AFI Plant shall not exceed 0.50 lb./batch-hr and 4.30 TPY based on 281,050 tons AFI/year and 15,768 batch-hours/year (projection based on 90% operating factor) or 7,884 double batch-hours/year. The 0.5 lb./hr limit shall also apply when any of the three defluorination reactors is operated in a continuous process mode without the remaining two in operation. When any two or more of the three defluorination reactors are operated simultaneously in a continuous process, the fluoride emission limit shall be 1.0 lb./hr and 4.3 TPY. Since the duct configuration is not appropriate for a scrubber inlet test to be done, the fluoride scrubber design requirement shall be that the minimum capability of 8.0 mass transfer units be attested to by the scrubber manufacturer in writing. Compliance with the mass transfer requirement shall be determined by the Bureau of Air Regulation in Tallahassee based on calculations using test data. If the scrubber achieves an average of 8.0 mass transfer units using normal pond water, the Department shall consider the tests as successful and shall adjust the fluoride emission limit as appropriate. [Rule 62-212.400, F.A.C.]

Specific Condition No. 9

Before this construction permit expires, and annually thereafter, the subject emissions units shall be tested for compliance with the above emission limits. If the permittee elects to demonstrate initial and/or annual compliance in the batch process mode, the initial-performance tests for the fluoride scrubber shall consist of a three-run test during a double-batch beginning within one hour of the start of the second batch. If the permittee elects to demonstrate compliance in the continuous process mode, the performance test shall consist of a three-run test while any two or more of the three defluorination reactors are operating at permitted capacity. For the duration of all tests the emission units 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 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity in the permit. [Rule 62-297.310, F.A.C.]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

This permitting decision is issued pursuant to Chapter 403, Florida Statutes. Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

DRAFT

Howard L. Rhodes, Director
Division of Air Resources Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Ms. Kathy Edgemon*
Mr. Bill Thomas, SWD
Mr. Rick Kirby, ECPHC
Mr. Gregg Worley, EPA
Mr. John Bunyak, NPS

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.

DRAFT

(clerk)

(Date)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- 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:
 Ms. Kathy Eckeman, E.S.
 Casell Fertilizer
 8813 Hwy 41 South
 Riverview, FL
 33569

4a. Article Number
 2031 391 882

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 3/23/00

5. Received By: (Print Name)
 X Roy BURNETT

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

6. Signature: (Addressee or Agent)
 X *[Signature]*

PS Form 3811, December 1994 102595-98-8-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 031 391 882

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent To:	<i>Kathy Eckeman</i>
Street & Number:	<i>Casell Fert.</i>
Post Office, State, & ZIP Code:	<i>Riverview FL</i>
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	<i>057000E-032-AC 3-20-00</i> <i>PSD-FI-234B</i>

PS Form 3800, April 1995