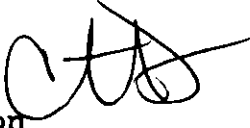


Memorandum

Florida Department of
Environmental Protection

TO: Jerry Kissel, SWD

FROM: Clair Fancy, Chief
Bureau of Air Regulation 

DATE: July 15, 1994

SUBJECT: Cargill Fertilizer, Inc. Operating without a Valid
Department Permit

I have reviewed the letter from Mr. David B. Jellerson regarding the ongoing activities at the Cargill Fertilizer, Inc. facility. Based on the contents and described events, it is my and OGC's (Pat Comer's) opinion that the operating permits have expired and the affected sources/emission units are currently operating without valid permits. To initiate an associated modification activity for a source/emission unit does not automatically extend a permit's expiration date...this has to be done through a required request/application, not by assumption or inference, as specified in Rule 17-4.090(1), F.A.C. Therefore, the company should be placed on notice of the fact that there are sources/emissions units operating without valid permits. Since the facility is a Title V Source, there are no associated fees for operating permits; however, the company is required to maintain valid permits for its operations and affected sources/emissions units.

CHF/BM/rbm

Enclosure

cc: P. Comer, Esq.
D. Beason, Esq.

FOR
CARGILL
FILE