



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

MAR - 7 2001

David B. Struhs
Secretary

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

DEP File No.: 0570008-030-AC
County: Hillsborough

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

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Cargill Fertilizer, Inc., applied on May 12, 1999, to the Department of Environmental Protection for a synthetic non-PSD air pollution construction permit to modify their existing permitted molten sulfur storage and handling operations at 8813 Highway 41 South, Riverview. The existing operations are currently permitted on Permit Nos. 0570008-014-AV and 0570008-029-AC.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). The project is not exempt from permitting procedures. The Department has determined that an air pollution construction permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 & 62-4.

Pursuant to Section 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice will be published one time only within 30 days of receipt of this Intent to Issue, in the legal ad section of a newspaper of general circulation in the area affected. For the purposes of this rule "publication in a newspaper of general circulation in the affected area" 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. Where there is more than one newspaper of general

circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed above. The applicant shall provide proof of publication to the Department, at 3804 Coconut Palm Drive, Tampa Florida 33619 within 7 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 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, F.S. 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 14 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), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 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, F.A.C.

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 action; and
 - (f) A statement of 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, F.A.C.

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 of intent. 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.

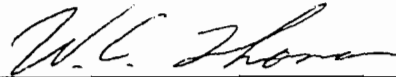
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will 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 EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the Department that are relevant to the permit decision. In addition any person may send written comments on the proposed permitting action. All requests and comments should be sent to this office at the address referenced above to the attention of Mr. Jerry Kissel (phone no. 813-744-6100 ext. 107) referencing Permit File No. 0570008-030-AC. All comments received within 14 days of receipt of this Intent to Issue will be considered in the Department's final determination.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W.C. Thomas, P.E.
District Air Program Administrator

Attachment

cc: Ms. Diana Lee, P.E. - EPCHC
Mr. Cleve Holladay - FDEP, DARM, Tallahassee
✓ Mr. David Buff, P.E. - Golder Associates Inc.
Mr. Stephen Smallwood, P.E. - Air Quality Services
Ms. Gracy Danois - USEPA (wo/attachment)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on MAR 05 2001 to the listed persons, unless otherwise noted.

FILING AND ACKNOWLEDGEMENT FILED,
on this date, pursuant to Section
120.52(7), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.



Clerk

MAR 05 2001
Date

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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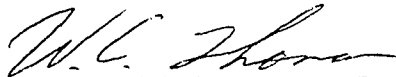
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Clerk

MAR 05 2001
Date

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (Permit File No. 0570008-030-AC to Cargill Fertilizer, Inc. for the construction modification of their existing permitted molten sulfur handling and storage operations at 8813 Highway 41 South, Riverview. The most significant modifications include the following:

- Increase the maximum molten sulfur receiving rate from a ship to molten sulfur storage tanks.
- Construct a new molten sulfur truck loading station.
- Install a new scrubber to control sulfur particulate emissions from the new truck loading station and the molten sulfur storage tanks.
- Increase the maximum total molten sulfur throughput rate from all of the molten sulfur storage and handling operations from 1,477,081 to 2,277,081 tons per any consecutive 12 month period.

The proposed permit will contain federally enforceable specific limitations that will result in potential air pollutant emissions less than the Prevention of Significant Deterioration (PSD) threshold limits of Rule 62-212.400, F.A.C. MAILING ADDRESS - Cargill Fertilizer, Inc., 8813 Highway 41 South, Riverview, FL 33569 to the attention of Ms. Kathy Edgemon, P.E., Environmental Superintendent.

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, F.S. 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), F.S., 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), F.S., 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, F.A.C.

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 action; and
- (f) A statement of 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, F.A.C.

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 permit. 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.

The application 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 8407 Laurel Fair Circle, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, 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 Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jerry Kissel (phone no. 813-744-6100 ext. 107) referencing Permit File No. 0570008-030-AC. 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.



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

DRAFT

David B. Struhs
Secretary

PERMITTEE:
Cargill Fertilizer, Inc.
8813 Highway 41 South
Riverview, FL 33569

Permit No.: 0570008-030-AC
County: Hillsborough
Effective Date:
Expiration Date: 06/16/2004
Project: Molten Sulfur Storage
& Handling Operations

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-204 through 62-297 & 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

For the synthetic non-PSD modifications to existing permitted molten sulfur storage and handling operations subject to Rules 62-212.600 and 62-296.411, F.A.C. The operations are currently permitted on Permit Nos. 0570008-014-AV and 0570008-029-AC.

Since the permittee has requested molten sulfur throughput limitations and emission control equipment (for sulfur particulate emissions) as part of the modifications shown below, the modifications are synthetic:

- A. Increase the maximum molten sulfur receiving rate from a ship to the 3 Molten Sulfur Storage Tank Nos. 1, 2, and 3 from 492,450, 738,675, and 738,675, respectively, to a combined maximum total of 2,277,081 tons of molten sulfur per any consecutive 12 month period. For example, this increase equates to each tank receiving 759,027 tons of molten sulfur per any consecutive 12 month period.
- B. Increase the maximum molten sulfur transfer rate from a ship to a molten sulfur storage tank from 1,433 tons/hr. to 2,240 tons/hr. (daily average). Since any combination of the 3 tanks may receive molten sulfur simultaneously, the combined maximum total molten transfer rate from a ship to the 3 tanks shall not exceed 2,240 tons/hr. (daily average).

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

- C. Construct a new molten sulfur truck loading station, which has a maximum molten sulfur throughput rate of 800,000 tons per any consecutive 12 month period. The new truck loading station is capable of loading a combined total maximum of 336 tons/hr. of molten sulfur, since 2 trucks may be loaded simultaneously at a maximum of 168 tons/hr. per truck.
- D. Install a new scrubber to control sulfur particulate emissions from the new truck loading station and the 3 molten sulfur storage tanks. The scrubber will be designed to have an outlet of 522 dscfm (454 dscfm from a molten sulfur storage tank and 68 dscfm from the truck loading station).
- E. Increase the maximum total molten sulfur throughput rate from all of the molten sulfur storage and handling operations from 1,477,081 to 2,277,081 tons per any consecutive 12 month period. (800,000 for new truck loading station + 1,477,081 for total of 3 pits, which receive molten sulfur from the 3 storage tanks and/or trucks) Note, the molten sulfur throughput rate of the pits is not changing.
- F. Incorporate Emission Unit Nos. 064 - Molten Sulfur Storage Tank No. 2 and 065 - Molten Sulfur Storage Tank No. 3 into Emission Unit No. 063. Emission Unit No. 063 was for Molten Sulfur Storage Tank No. 1, now this emission unit will serve the 3 tanks as a group of tanks, since the tanks are vented to a common scrubber.
- G. Delete Emission Unit No. 069 - Molten Sulfur Ship Unloading, since there are no emissions from the ship itself during the transferring of molten sulfur to 1 of 3 molten sulfur storage tanks. The ship's molten sulfur transfer system is a closed system.

DRAFT

PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

When the above modifications are completed, the molten sulfur storage and handling operations shall be described as follows:

For the operation of a molten sulfur storage and handling operation which consists of the following:

Emission Unit ID No.	Brief Description
063	Molten Sulfur Storage Tank No. 1, capacity 19,845 tons Molten Sulfur Storage Tank No. 2, capacity 19,845 tons Molten Sulfur Storage Tank No. 3, capacity 19,845 tons
066	Molten Sulfur Storage Pit No. 7, capacity 127 tons
067	Molten Sulfur Storage Pit No. 8, capacity 127 tons
068	Molten Sulfur Storage Pit No. 9, capacity 160 tons
074	Molten Sulfur Truck Loading Station

Molten sulfur from ships are transferred by submerged filling to any combination of up to 3 molten sulfur storage tanks at a combined maximum total rate of 2,240 tons/hr. (daily average). The group of 3 tanks may receive a combined maximum total of 2,277,081 tons of molten sulfur per any consecutive 12 month period. Sulfur particulate emissions generated when the tanks are being loaded with molten sulfur from a ship, are controlled by a scrubber that has a design outlet rate of 522 dscfm. Of the 522 dscfm, 454 dscfm is from the molten storage tank(s) and 68 dscfm is from the truck loading station (see description below). Note, the scrubber may or may not be operating when the tanks are not being loaded. Therefore, when the scrubber is not operating, emissions from each tank are exhausted through its own separate stack equipped with a rain cap. The tanks do not have side vents. Molten sulfur from the 3 molten sulfur tanks is transferred to either 1 of 3 molten sulfur storage pits or a molten sulfur truck loading station.

Each of the 3 molten sulfur storage pits receives molten sulfur from the 3 molten sulfur storage tanks at a constant rate of 336 tons/hr. and/or by truck. Molten Sulfur Storage Pit Nos. 7, 8, and 9 each transfer molten sulfur to Sulfuric Acid Plant Nos. 7, 8, and 9, respectively, at a maximum throughput rate of 492,361 tons per any consecutive 12 month period. Emissions from loading the 3 molten sulfur storage pits are uncontrolled (although they are equipped with covers).

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

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068	Molten Sulfur Storage Pit No. 9, capacity 160 tons
074	Molten Sulfur Truck Loading Station

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

When the above modifications are completed, the molten sulfur storage and handling operations shall be described as follows:

For the operation of a molten sulfur storage and handling operation which consists of the following:

Emission Unit ID No.	Brief Description
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068	Molten Sulfur Storage Pit No. 9, capacity 160 tons
074	Molten Sulfur Truck Loading Station

Molten sulfur from ships are transferred by submerged filling to any combination of up to 3 molten sulfur storage tanks at a combined maximum total rate of 2,240 tons/hr. (daily average). The group of 3 tanks may receive a combined maximum total of 2,277,081 tons of molten sulfur per any consecutive 12 month period. Sulfur particulate emissions generated when the tanks are being loaded with molten sulfur from a ship, are controlled by a scrubber that has a design outlet rate of 522 dscfm. Of the 522 dscfm, 454 dscfm is from the molten storage tank(s) and 68 dscfm is from the truck loading station (see description below). Note, the scrubber may or may not be operating when the tanks are not being loaded. Therefore, when the scrubber is not operating, emissions from each tank are exhausted through its own separate stack equipped with a rain cap. The tanks do not have side vents. Molten sulfur from the 3 molten sulfur tanks is transferred to either 1 of 3 molten sulfur storage pits or a molten sulfur truck loading station.

Each of the 3 molten sulfur storage pits receives molten sulfur from the 3 molten sulfur storage tanks at a constant rate of 336 tons/hr. and/or by truck. Molten Sulfur Storage Pit Nos. 7, 8, and 9 each transfer molten sulfur to Sulfuric Acid Plant Nos. 7, 8, and 9, respectively, at a maximum throughput rate of 492,361 tons per any consecutive 12 month period. Emissions from loading the 3 molten sulfur storage pits are uncontrolled (although they are equipped with covers).

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

The molten sulfur truck loading station receives a maximum total of 800,000 tons per any consecutive 12 month period of molten sulfur from the 3 molten sulfur storage tanks at a constant rate of 336 tons/hr. The station can load 2 trucks simultaneously, each at a constant rate of 168 tons/hr. Sulfur particulate emissions from the loading of a truck are captured by the use of an evacuated loading arm and evacuation hose then routed to the same common scrubber that controls the 3 molten sulfur storage tanks at a design rate of 68 dscfm. Note, the scrubber may or may not be operating when trucks are not being loaded.

The maximum potential sulfur particulate emissions from the common scrubber occur when 1 of 3 molten sulfur storage tanks and 2 trucks are being loaded at the same time.

Note, the Truck Loading Station - Emission Unit No. 074, addressed in Title V permit 0570008-014-AV was erroneously shown, since the station was not built at the time of the permit issuance.

Location: 8813 U.S. Highway 41 South, Riverview

UTM: 17-362.9E 3082.5N

Facility ID: 0570008

Emission Unit ID Nos.: (see table above)

NOTE: Please reference the Permit No., Facility ID, and Emission Unit ID in all correspondence, test report submittals, applications, etc.

Modifies Permit Nos.: 0570008-029-AC & 0570008-014-AV

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions.
[Rule 62-4.160, F.A.C.]
2. Issuance of this permit does not relieve the permittee from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.
[Rule 62-210.300, F.A.C.]

Essential Potential to Emit (PTE) Parameters

3. Capacity. Molten sulfur from ships may be transferred to any combination of 3 molten sulfur storage tanks at a combined maximum total rate of 2,240 tons/hr. (daily average).
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C., Definitions - (PTE)]

4. Capacity. The 3 molten sulfur storage tanks may receive from ships a combined maximum total of 2,277,081 tons of molten sulfur per any consecutive 12 month period.

{Permitting Note: The emissions from the 3 tanks shown in Table 3-3 of the permittee's letter dated December 28, 2000, represent a worst case scenario when tanks receive an equate amount of molten sulfur ($3 \times 759,027 = 2,277,081$). Thus, when 1 tank receives more than 759,027 tons per any consecutive 12 month period, the overall emissions from the 3 tanks combined will be less than if the 3 tanks received equal amounts.}

[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C., Definitions - (PTE)]

5. Capacity. Each of the 3 molten sulfur storage pits may receive molten sulfur from the 3 molten sulfur storage tanks at a **constant** rate of 336 tons/hr. and/or by truck. The constant rate is based on the pump's operating specifications.
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62.210.200, F.A.C., Definitions - (PTE)]

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions.
[Rule 62-4.160, F.A.C.]

2. Issuance of this permit does not relieve the permittee from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.
[Rule 62-210.300, F.A.C.]

Essential Potential to Emit (PTE) Parameters

3. Capacity. Molten sulfur from ships may be transferred to any combination of 3 molten sulfur storage tanks at a combined maximum total rate of 2,240 tons/hr. (daily average).
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C., Definitions - (PTE)]

4. Capacity. The 3 molten sulfur storage tanks may receive from ships a combined maximum total of 2,277,081 tons of molten sulfur per any consecutive 12 month period.

{Permitting Note: The emissions from the 3 tanks shown in Table 3-3 of the permittee's letter dated December 28, 2000, represent a worst case scenario when tanks receive an equate amount of molten sulfur ($3 \times 759,027 = 2,277,081$). Thus, when 1 tank receives more than 759,027 tons per any consecutive 12 month period, the overall emissions from the 3 tanks combined will be less than if the 3 tanks received equal amounts.}

[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C., Definitions - (PTE)]

5. Capacity. Each of the 3 molten sulfur storage pits may receive molten sulfur from the 3 molten sulfur storage tanks at a constant rate of 336 tons/hr. and/or by truck. The constant rate is based on the pump's operating specifications.
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62.210.200, F.A.C., Definitions - (PTE)]

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PERMITTEE:
Cargill Fertilizer, Inc.

PERMIT NO.: 0570008-030-AC
PROJECT: Molten Sulfur Storage
& Handling Operations

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions.
[Rule 62-4.160, F.A.C.]
2. Issuance of this permit does not relieve the permittee from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.
[Rule 62-210.300, F.A.C.]

Essential Potential to Emit (PTE) Parameters

3. Capacity. Molten sulfur from ships may be transferred to any combination of 3 molten sulfur storage tanks at a combined maximum total rate of 2,240 tons/hr. (daily average).
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C., Definitions - (PTE)]
4. Capacity. The 3 molten sulfur storage tanks may receive from ships a combined maximum total of 2,277,081 tons of molten sulfur per any consecutive 12 month period.

{Permitting Note: The emissions from the 3 tanks shown in Table 3-3 of the permittee's letter dated December 28, 2000, represent a worst case scenario when tanks receive an equate amount of molten sulfur ($3 \times 759,027 = 2,277,081$). Thus, when 1 tank receives more than 759,027 tons per any consecutive 12 month period, the overall emissions from the 3 tanks combined will be less than if the 3 tanks received equal amounts.}

[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C., Definitions - (PTE)]

5. Capacity. Each of the 3 molten sulfur storage pits may receive molten sulfur from the 3 molten sulfur storage tanks at a constant rate of 336 tons/hr. and/or by truck. The constant rate is based on the pump's operating specifications.
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62.210.200, F.A.C., Definitions - (PTE)]

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6. Capacity. Molten Sulfur Storage Pit Nos. 7, 8, and 9 are each allowed to transfer molten sulfur to Sulfuric Acid Plant Nos. 7, 8, and 9, respectively, at a maximum throughput rate of 492,361 tons per any consecutive 12 month period.
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C. - Definitions - (PTE)]

7. Capacity. The molten sulfur truck loading station may receive molten sulfur from the 3 molten sulfur storage tanks at a constant rate of 336 tons/hr. The constant rate is based on the pump's operating specifications.
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C. - Definitions - (PTE)]

8. Capacity. The molten sulfur truck loading station may load 2 trucks simultaneously, each at a constant rate of 168 tons/hr. The constant rate is based on the pump's operating specifications.
[Rule 62-210.200, F.A.C. - Definitions - (PTE)]

9. Capacity. The molten sulfur truck loading station may receive from the 3 molten sulfur storage tanks a maximum total of 800,000 tons of molten sulfur per any consecutive 12 month period.
[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-210.200, F.A.C. - Definitions - (PTE)]

10. Capacity. The molten sulfur storage tanks may receive molten sulfur from a ship at the same time molten sulfur is being loaded into trucks.
[Rule 62-210.200, F.A.C. - Definitions - (PTE)]

11. Capacity. The scrubber shall be operating when trucks are being loaded with molten sulfur.
[Rule 62-210.650, F.A.C. and Rule 62-210.200, F.A.C. - Definitions - (PTE)]

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12. Capacity. The scrubber associated with this permit shall be operating when a molten sulfur storage tank receives molten sulfur from a ship. This requirement becomes effective for all 3 molten sulfur storage tanks when any of the 3 or combination of tanks receives molten sulfur from a ship at a rate greater 1,433 tons/hr. (daily average) or upon the date the scrubber becomes operational, whichever occurs first.

{Permitting Note: This permit 0570008-030-AC modifies permit 0570008-029-AC, which also required a scrubber to control the emissions from the 3 molten sulfur storage tanks.}

[Rule 62-210.650, F.A.C. and Rule 62-210.200, F.A.C. - Definitions - (PTE)]

13. Hours of Operation. The hours of operation are not restricted.
[Requested by permittee in letter dated December 28, 2000; Rule 62-210.200, F.A.C. - Definitions - (PTE)]

Emission Limitations and Operating Standards

14. Sulfur particulate emissions from the scrubber controlling the group of 3 molten sulfur storage tanks and the molten sulfur truck loading station shall not exceed 0.03 grains per dry standard cubic feet (gr/dscfm). Based on 522 dscfm (454 + 68), the maximum sulfur particulate emissions from the scrubber are equivalent to 0.134 pounds/hour and 0.59 tons/year when molten sulfur storage tank(s) and 2 trucks are being loaded simultaneously.

PERMITTING NOTE: This limitation in conjunction with the other potential sulfur particulate emissions from the emission units is more stringent than Rule 62-296.411(1)(c), F.A.C., which establishes a limit of 0.03 pounds per hour per thousand tons of storage capacity. (also see Specific Condition No. 22 regarding "optional testing") Also note that regarding the molten sulfur pits, per Condition J.4. of Title V permit 0570008-014-AV and Rule 62-296.411(5)(b), F.A.C., there is no weight limitation for sulfur particulate emissions, since the potential emissions from each pit are less than 1 ton/year.

[Requested by permittee in Table 3-3 of letter dated December 28, 2000; Rule 62-296.411(1)(c), F.A.C.]

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15. All molten sulfur transfer shall be through enclosed piping systems where feasible and practical. In user facilities, molten sulfur may be transferred by covered trench or a movable spout which is positioned over a receiving pit. Contact surfaces between moveable unloading arms and stationary pipes shall seat effectively around the entire circumference to minimize spillage. [Rule 62-296.411(1)(a), F.A.C.]

16. All areas surrounding points where molten sulfur pipes are routinely disconnected and areas where molten sulfur is transferred to trucks or railcars shall be paved and curbed within 20 feet of the point of disconnection or transfer to contain any spilled molten sulfur, or shall be provided with noncorrosible drip pans or other secondary containment, positioned to collect spills, that are adequate to contain amounts of sulfur that may escape during routine disconnect, reconnection or operation of the piping system. [Rule 62-296.411(1)(b), F.A.C.]

17. All spilled molten sulfur shall be collected and properly disposed of whenever the containment area is filled to one-half its containment capacity, or monthly, whichever is more frequent. Spills of molten sulfur outside of a containment area, or where subject to vehicular traffic, shall be collected and disposed of as soon as possible, but no later than 24 hours after the spill occurs. Drip pans or other secondary containment shall be cleaned as needed to prevent exceedance of capacity, but at least weekly. [Rule 62-296.411(1)(d), F.A.C.]

18. All vent surfaces shall be cleaned monthly to remove captured particulates. [Rule 62-296.411(1)(e), F.A.C.]

19. Visible emissions from any emission point in a molten sulfur facility shall not exceed 10% opacity (six-minute average), except visible emissions of sulfur particulate matter during ship unloading shall not exceed 15% opacity (six-minute average). Note, when the scrubber controls emissions from trucks being loaded with molten sulfur and a molten sulfur storage tank being loaded from a ship simultaneously, visible emissions shall not exceed 10% opacity (six-minute average). [Rules 62-296.411(1)(g) and (i), F.A.C.]

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20. The following operational procedures shall be performed to minimize spills from any moveable loading arm or pipe upon disconnection, reconnection or operation:

- A. Ship to Molten Sulfur Storage Tanks - Cargill Fertilizer, Inc.'s "Sulfur Unloading Procedure" revised January 3, 2000 attached to the permittee's letter dated December 28, 2000.
- B. Truck to Pits - Cargill Fertilizer, Inc.'s "Operating Procedure Sulfur Truck Unloading", which states:

Sulfur trucks can be unloaded at the sulfur pits in the acid plants. Each truck is weighed in at the front gate, gate personnel notify acid plant operator of truck arrival. The truck driver then follows the following procedures to minimize spillage during connection, operation, and disconnection of the truck unloading operation:

- back truck to pit
- ensure the pit high level alarm light is not on
- remove pit chute cover
- remove hose cap and affix unloading hose to pit chute
- open valve on truck to begin unloading sulfur
- monitor sulfur pit level via high level alarm until truck is emptied
- immediately close valve in the case of high level alarm on pit or sulfur leakage at hose connection
- close valve on truck
- remove hose and replace hose cap prior to vehicle operation
- replace pit chute cap
- in case of any spillage notify shift supervisor immediately

- C. Truck Loading Station to Truck(s) - Operating procedures shall be established and submitted with the air operating permit application to revise the current Title V operation permit.

[Rule 62-296.411(1)(h), F.A.C.]

21. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants, which cause or contribute to an objectionable odor.

[Rule 62-296.320(2), F.A.C.]

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22. The permittee shall comply with the reasonable precautions for unconfined particulate emissions contained in the permittee's current Title V operation permit in addition to the following precautions:

- A. Wet sweeping and/or vacuum sweeping of roads as needed (dry sweeping is prohibited).
- B. Limiting vehicular traffic to paved areas and to less than 14 miles per hour (mph).

[Rule 62-296.320(4)(c), F.A.C.]

Recordkeeping and Reporting Requirements

23. All owners and operator of molten sulfur storage and handling facilities shall maintain records of spills outside of containment areas and of collection and disposal of spilled sulfur. Such records shall be retained for a minimum of 5 years and shall be available for inspection by the Department or the Environmental Protection Commission of Hillsborough County (EPCHC) upon request.

[Rules 62-296.411(1)(f) and 62-213.440(1)(b)2.b., F.A.C.]

24. The permittee shall record the following information:

ONCE EVERY EIGHT HOURS OF OPERATION (per permit 0570008-029-AC)

- A. Scrubber's pressure drop, in inches of water.
- B. Scrubber's liquid flow rate, in gallons per minute.

DAILY

C. For the molten sulfur storage tanks:

- 1. For each tank - The total operating hours of receiving molten sulfur from ship(s).
- 2. For each tank - The total amount of molten sulfur received from ships, in tons.
- 3. For each tank - Calculate the daily average loading rate of molten sulfur received from ships, in tons/hr.

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4. For the period of time when 2 and/or 3 tanks are receiving molten sulfur from a ship simultaneously:
 - a. Identify which tanks are receiving molten sulfur.
 - b. Record the start and end times of the tanks receiving molten sulfur simultaneously.
 - c. Record the amount of molten sulfur each tank received, in tons.
 - d. Record the combined total amount of molten sulfur the tanks received, in tons.
 - e. Calculate and record the tanks average tons/hr. molten sulfur receiving rate.
- D. For each molten sulfur storage pit:
 1. The total operating hours of receiving molten sulfur from the molten sulfur storage tanks and/or trucks.
 2. The total amount of molten sulfur received from the molten sulfur storage tanks and/or trucks, in tons. Note, per No. 11 of the permittee's letter dated October 23, 2000, transfer rates of molten sulfur to the pits are calculated daily based on the amount of sulfuric acid produced, the Sulfuric Acid Plant conversion efficiency, and molten sulfur inventory.
- E. For the truck loading station:
 1. The total actual hours of loading molten sulfur into trucks.
 2. The total amount of molten sulfur loaded into each truck, in tons.

WEEKLY

- F. Document when drip pans or other secondary containment of spilled molten sulfur were cleaned.

MONTHLY

- G. For each molten sulfur storage tank:
 1. Total amount of molten sulfur received from ships, in tons.

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2. The most recent consecutive 12 month period total of molten sulfur received from ships, in tons.
- H. For all molten sulfur storage tanks, record the most recent combined consecutive 12 month period total of molten sulfur received from ships, in tons.
- I. For each molten sulfur storage pit:
1. Total amount of molten sulfur received from the molten sulfur storage tanks and/or trucks, in tons.
 2. The most recent consecutive 12 month period combined total of molten sulfur received from the molten sulfur storage tanks and/or trucks, in tons.
- J. For all the molten sulfur storage pits, record the most recent consecutive 12 month period combined total of molten sulfur received from the molten sulfur storage tanks and/or trucks, in tons.
- K. For the truck loading station, record the most recent consecutive 12 month period total of molten sulfur loaded into trucks, in tons.
- L. Document that all vent surfaces to remove captured particulates were cleaned.

The records shall be maintained at the facility for at least 5 years and made available to the Department or EPCHC upon request. Daily records shall be completed by the end of the next business day, weekly records shall be completed by the end of the next week, and monthly records shall be completed by the end of the next month.

[Rules 62-4.070(3) and 62-213.440, F.A.C.]

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TEST METHODS AND PROCEDURES

25. Within 135 days of the molten sulfur truck loading station commencing operation, test the scrubber's outlet emissions for sulfur particulate emissions and visible emissions (also see Specific Condition No. 27).

[Rule 62.297.310(7), F.A.C.]

26. Within 135 days of the date any of the 3 or combination of molten sulfur storage tanks receive molten sulfur from a ship at a rate greater 1,433 tons/hr. (daily average) or of the date the scrubber becomes operational, whichever occurs first, the permittee shall conduct the following emission compliance tests (also see Specific Condition No. 27):

- A. When the scrubber is not operating, test the stack (w/rain cap) for each of the 3 molten sulfur storage tanks for visible emissions (10% opacity limit).
- B. When the scrubber is operating, trucks are not being loaded with molten sulfur and molten sulfur is not being loaded to the molten sulfur storage tanks from a ship, test the scrubber's outlet for visible emissions (10% limitation).
- C. When the scrubber is operating, trucks are not being loaded with molten sulfur and molten sulfur is being loaded to the molten sulfur storage tanks from ships, test the scrubber's outlet for visible emissions (15% opacity).
- D. When the scrubber is operating and molten sulfur is being loaded into the molten sulfur storage tanks from ships, test the scrubber's outlet for sulfur particulate emissions (15% opacity).

[Rule 62.297.310(7), F.A.C.]

27. Within 135 days of the date the scrubber controls emissions from the molten sulfur storage tanks when receiving molten sulfur from a ship and from trucks when being loaded with molten sulfur simultaneously, test the scrubber's outlet emissions for sulfur particulate and visible emissions (10% opacity limitation).

Note, if the emission compliance tests required to be conducted in this condition are within the same initial 135 day period as referenced in Specific Condition Nos. 25 and 26, then the emission compliance test required by Specific Condition Nos. 25, 26.B, and 26.D. are superceded.

[Rule 62-297.310(7), F.A.C.]

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28. At the permittee's option: If sulfur particulate emission compliance tests are also conducted on the scrubber's inlet to determine the scrubber's actual collection efficiency of sulfur particulate, which can be used to demonstrate the actual sulfur particulate emissions from the scrubber plus the fugitive sulfur particulate emissions for the emission unit is less than 1 ton/yr., then the weight emission limitation of Specific Condition No. 14 will not be applicable for that emission unit(s) per Rule 62-296.411(5)(b), F.A.C. Thus, future sulfur particulate emission testing will also not be required. If the permittee selects this option, the permittee shall meet with the Air Compliance Section of the EPCHC for prior approval of a test protocol to ensure proper test methods and procedures (i.e., testing at maximum permitted capacities) are implemented. [Rule 62.296.411(5)(b), F.A.C.]

29. The emission compliance test reports shall be submitted within 45 days of testing to the Air Permitting Sections of this office and the EPCHC, in conjunction with an air pollution operating permit application to revise the existing Title V permit. Each test report shall include the following:

- Facility's name, tank number, and emission unit ID number(s), where applicable.
- Date test was conducted.
- Start and End times of the test period.
- Actual amount of molten sulfur received/loaded during the test period.
- Actual molten sulfur receiving/loading rate in "tons/hr." during the test period.
- The scrubber's actual pressure drop and gpm rate during the test period.
- A copy of the scrubber's records/logs, which shows the pressure drop and gpm rate, for each shift for each test day as required by Specific Condition No. 24.
- A copy of the daily records/logs as required by Specific Condition No. 24 for each test day.

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- A copy of the weekly and monthly records/logs for the month the tests were conducted as required by Specific Condition No. 24.

Note, emission compliance tests for the molten sulfur storage pits shall be in accordance with the permittee's existing Title V air operation permit, which stipulates testing on or during the 120 day period prior to the expiration date of that permit.

[Rules 62-297.310(7)(a)1., 62-296.411(5)(b), and 62-297.310(8)(b), 62-213.420(1)(a)5., F.A.C.; 0570008-014-AV]

30. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. The tests shall be conducted by a certified observer and be at least 30 minutes in duration or shall be equal to the duration of the batch, cyclic processes, or other operations completion time. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Chapter 62-297, F.A.C. [Rules 62-296.411(1)(j)1. and 62-297.310(4)(a)2., F.A.C.]

31. The test method for particulate emissions shall be EPA Method 5, incorporated and adopted by reference in Chapter 62-297, F.A.C. An acetone wash shall be used. A filter box or probe heat shall not be used. The sampling port shall be a minimum of eight stack diameters downstream and a minimum of two stack diameters upstream from any airflow disturbances. [Rule 62-296.411(1)(j)2., F.A.C.]

32. Regarding Specific Condition Nos. 25, 26.C., 26.D., and 27.: The sulfur particulate and visible emission compliance tests for the scrubber controlling the 3 molten sulfur storage tanks and truck loading station shall be conducted when the molten sulfur storage tank(s) and 2 trucks are being loading simultaneously, if practical. Within 30 days of an operating scenario occurring that has the potential to increase actual emissions above the levels at which the most recent compliance test was conducted, a new test shall be conducted when operating at that operating scenario or higher operating scenario. In no case shall an operating scenario exceed the maximum permitted capacities of this permit. For example, operating above a receiving and/or loading rate at which the most recent compliance test was conducted would require a new test to be conducted. [Rule 62-297.310(2), F.A.C.]

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33. The permittee shall notify the Air Compliance Section of the EPCHC at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each test, and the test contact person who will be responsible for coordinating and having such test conducted.
[Rule 62-297.310(7)(a)9., F.A.C.]

REASONABLE ASSURANCES

34. 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.]

35. In order to determine when each of the 135 day periods for emission testing are initiated and when an application to revise the current Title V air operation permit should be submitted, the permittee shall notify the Air Compliance Section of the EPCHC in writing of the following:

- A. The date the truck loading station commences operation within 7 days of that date.
- B. The date the scrubber commences operation within 5 days of that date.
- C. The date any of the 3 or combination of molten sulfur storage tanks receives molten sulfur from a ship at a rate greater than 1,433 tons/hr. (daily average) within 7 days of that date.
- D. The date the scrubber simultaneously controls emissions from the truck loading station and a molten sulfur storage tank when receiving molten sulfur from a ship within 7 days of that date.

[Rules 62-4.070(3) 62-213.420(1)(a)5., F.A.C.]

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36. When the Department or the EPCHC after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of the pollutant emissions from the emissions unit and to provide a report on the results of said test to the Department and EPCHC. [Rule 62-297.310(7)(b), F.A.C.]

37. The permittee shall provide timely notification to the Air Permitting Sections of this office and the EPCHC prior to implementing any changes that may result in a "modification" to this permit. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization or permitting before implementing:

- A. Alteration or replacement of any equipment or major component of such equipment.
- B. Installation or addition of any equipment, which is a source of air pollution.

[Rules 62-210.200 - Definition (modification), 62-210.300, and 62-4.070(3), F.A.C.]

OPERATING PERMIT APPLICATION REQUIREMENTS

38. Within 180 days after each modification (listed as A. through E. on Pages 1 and 2 of this permit) commences operation, the permittee shall submit an air pollution application to the Air Permitting Sections of this office and the EPCHC to revise the current Title V air operation permit. The application shall include the following:

- The test reports and required records/logs as required by Specific Condition No. 29.
- The truck loading station's operating procedures as required by Specific Condition No. 20.C.
- A written plan explaining of how compliance with Rule 62-212.600(2)(c), F.A.C., regarding "post-construction monitoring" will be demonstrated. This rule requires the permittee to conduct post-construction air quality and deposition monitoring of sulfur particulate emissions from

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the facility for two years from the date of issuance of the initial air operation permit for the facility, and, through the permitting process, shall determine the period of time, if any, such monitoring must be continued after that time. The data collected shall be provided to the Air Compliance Sections of this office and the EPCHC as specified in the permit. All ambient air quality monitoring shall be done using the appropriate ambient test method(s) referenced in Rule 62-204.220(3), F.A.C. Particulate deposition monitoring shall be done in accordance with the provisions of DEP Reference Method for Monitoring Deposition of Sulfur Particulate, hereby adopted and incorporated by reference.

[Rules 62-212.600(2)(c), 62-213.420(1)(a)4., 62-297.310(7)(a), 62-4.220, and 62-4.070(3), F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

W.C. Thomas, P.E.
District Air Program Administrator

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ATTACHMENT - GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. Not applicable to Air Permits.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are 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.
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 reasonable times, access to the premises where the permitted activity is located or conducted to:
 - a. Have access to and copy any records that must be kept under conditions of the permit;

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GENERAL CONDITIONS:

- 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 reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to educe, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 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.

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

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GENERAL CONDITIONS:

13. This permit also constitutes:

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

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

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;
6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the 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.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.