



Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION NOTICE OF PERMIT

Mr. J. A. Brafford
IMC Fertilizer, Inc.
P. O. Box 1035
Mulberry, Florida 33860

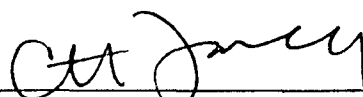
December 15, 1989

Enclosed is construction permit No. AC 53-163774 to IMC Fertilizer, Inc. for the existing molten sulfur system at IMC's New Wales facility in Polk County, Florida. This permit is issued pursuant to Section 403, Florida Statutes.

Any party to this permit has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this permit is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



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

Copy furnished to:

B. Thomas, SW District
J. Koogler, P.E.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on 12-15-89.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.

Kym Jaber
Clerk

12-15-89
Date

Final Determination

IMC Fertilizer, Inc.
Mulberry, Polk County
Florida

Molten Sulfur Storage and Handling System

Permit Number: AC 53-163774

Florida Department of Environmental Regulation
Division of Air Resources Management
Bureau of Air Regulation

December 12, 1989

Final Determination

IMC Fertilizer, Inc.'s application for the permitting of their existing molten sulfur system at the IMC New Wales facility, in Polk County, Florida, has been reviewed by the Bureau of Air Regulation.

Public Notice of the Department's Intent to Issue the permit was published in The Ledger on October 24, 1989.

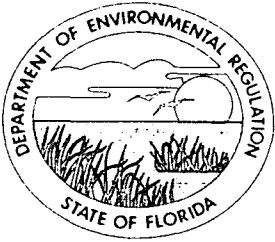
Copies of the Preliminary Determination have been available for public inspection at the Department's Southwest District office in Tampa, and the Department's Bureau of Air Regulation office in Tallahassee.

The following comments were received from IMC during the public notice period:

- a) IMC requested the flexibility of a higher molten sulfur throughput on a daily basis to account for sulfur usage when in a "catch-up" mode, and an annual sulfur throughput limitation revision which would account for the storage capacity of the facility in addition to the sulfur usage.
- b) A clarification of the visible emission (VE) requirements.
- c) IMC preferred the Technical Evaluation to quote sulfuric acid production rates as "permitted" rather than "rated".

The Department is in agreement with IMC's requests and so Specific Conditions Nos. 2 and 6 in the permit were amended to reflect this.

The final action of the Department is to issue the permit as proposed in the Preliminary Determination with the above mentioned changes to Specific Condition Nos. 2 and 6.



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PERMITTEE:

IMC Fertilizer, Inc.
Post Office Box 1035
Mulberry, FL 33860

Permit Number: AC 53-163774
Expiration Date: April 1, 1990
County: Polk
Latitude/Longitude: 27°49'56"N
82°03'04"W

Project: Molten Sulfur Storage
and Handling System

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. 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 permitting of the IMC molten sulfur storage and handling system consisting of one 800 ton (T) railcar unloading pit; one 1500 T and one 350 T truck unloading pits; one 80 T transfer pit; one 5000 T molten sulfur storage tank; two 2000 T tanks; and the associated transfer pumps and piping. The molten sulfur system is located at the IMC New Wales facility in Polk County, Florida.

The UTM coordinates of this facility are Zone 17, 396.5 km East and 3078.9 km North.

The source shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. IMC's application received April 21, 1989.
2. DER's letter dated May 17, 1989.
3. IMC's response received August 3, 1989.
4. DER's Preliminary Determination dated September 22, 1989.
5. IMC's letter dated October 9, 1989.
6. DER's Final Determination dated December 12, 1989.

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-163774
Expiration Date: April 1, 1990

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.

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), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute 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 the permit.

4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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.

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-163774
Expiration Date: April 1, 1990

GENERAL CONDITIONS:

6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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 notify and provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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 revocation of this permit.

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-163774
Expiration Date: April 1, 1990

GENERAL CONDITIONS:

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 arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.

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 Florida Administrative Code Rules 17-4.12 and 17-30.30, 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 is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.
- b. The permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-163774
Expiration Date: April 1, 1990

GENERAL CONDITIONS:

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. When requested by the department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

SPECIFIC CONDITIONS:

1. IMC's molten sulfur storage and handling system shall be allowed to operate continuously (i.e. 8760 hours/year).

2. The maximum molten sulfur throughput rate shall neither exceed 6500 tons per day (TPD), nor 1,650,000 tons per year (TPY), based on the combined maximum permitted sulfuric acid production rate of 13,600 TPD 100% sulfuric acid.

3. Visible emissions (VE) shall not exceed 20% opacity from any source in the molten sulfur system.

4. The permittee shall employ procedures to minimize emissions, from the molten sulfur system pursuant to the applicable requirements of F.A.C. Rule 17-2.600(11)(a) [Molten Sulfur Storage and Handling Facilities]. The permittee shall also comply with other applicable provisions of F.A.C. Chapters 17-2 and 17-4.

5. No objectionable odors shall be allowed, in accordance with F.A.C. Rule 17-2.620(2) [Objectionable Odor Prohibited].

PERMITTEE:
IMC Fertilizer, Inc.

Permit Number: AC 53-163774
Expiration Date: April 1, 1990

SPECIFIC CONDITIONS:

6. Initial compliance tests shall be conducted in accordance with the July 1, 1988, version of 40 CFR 60 Appendix A, using EPA Method 9, for visible emissions. For the storage tank vents and the sulfur pits' vents the tests shall be conducted while the tank and pits are being filled. VE tests shall be required again at the time of renewing the operation permits.

7. Any change in the method of operation, equipment or operating hours shall be submitted to DER's Southwest District office for approval.

8. For emission inventory and PSD purposes, the estimated maximum emissions from the sources in the molten sulfur storage and handling system are:

Source		PM/PM ₁₀	SO ₂	TRS/H ₂ S	VOC
NO.1 Truck Pit	lb/hr	0.2	0.3	0.1	0.2
	TPY	0.8	1.2	0.6	0.7
No.2 Truck Pit	lb/hr	0.1	0.1	0.1	0.1
	TPY	0.3	0.5	0.2	0.3
Rail Pit	lb/hr	0.2	0.3	0.1	0.2
	TPY	0.8	1.2	0.6	0.7
Transfer Pit	lb/hr	0.1	0.1	0.1	0.1
	TPY	0.2	0.4	0.2	0.2
No.1 Storage Tank	lb/hr	0.6	0.5	0.2	0.3
	TPY	1.2	2.1	1.0	1.2
No.2 Storage Tank	lb/hr	0.6	0.5	0.2	0.3
	TPY	1.2	2.1	1.0	1.2
No.3 Storage Tank	lb/hr	0.6	0.5	0.2	0.3
	TPY	1.1	2.2	1.0	1.0

9. A minimum of 15 days prior written notification of the compliance tests shall be given to the Southwest District office. The compliance test results shall be submitted to the district office within 45 days of test completion.

10. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation (BAR) prior to 60 days before the expiration of the permit (F.A.C. 17-4.090).

PERMITTEE:
IMC Fertilizer, Inc.

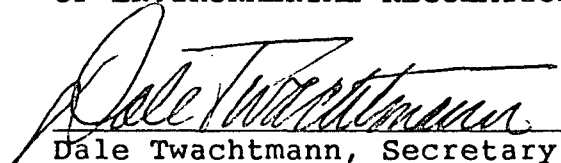
Permit Number: AC 53-163774
Expiration Date: April 1, 1990

SPECIFIC CONDITIONS:

11. An application for an operation permit must be submitted to the Southwest District office at least 90 days prior to the expiration date of this construction permit or within 45 days after completion of compliance testing, whichever occurs first. To properly apply for an operation permit, the applicant shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. 17-4.220).

Issued this 14 day
of December, 1989

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


Dale Twachtman, Secretary