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BUREAU OF AIR REGULATION

January 12, 2004

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VIA FAX AND FIRST CLASS MAIL

Doug Beason
Department of Environmental Protection
Office of General Counsel
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: IMC Phosphates Company; New Wales Title V Permit Revision No.
1050059-038-AV

Dear Doug:

As we discussed on the telephone on Friday, please add the following language to the New Wales draft Title V Permit Revision:

If additional testing and modeling demonstrate that the facility is not and has never been a major source of hazardous air pollutants since at least June 10, 2002, the permittee shall have the right to request that the Department revise the permit to remove those requirements and conditions that are applicable because the facility is a major source of hazardous air pollutants as determined by the Department.

In addition, as we discussed, the revised permit needs to include the changes that Phil Steadham has been discussing with the District office that would authorize IMC to use pressure drop ranges to meet the monitoring requirements in 40 CFR Part 63, Subparts AA and BB. See IMC's letters to the Department dated April 21, 2003, and April 24, 2003, attached hereto as Composite Exhibit A. The Department has authorized the use of ranges in lieu

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of the +/- 20% requirement, but to date has not yet approved the actual ranges set forth in Composite Exhibit A. See the Department's letter dated April 2, 2003, attached hereto as Exhibit B.

Once the above changes are incorporated, IMC will withdraw its request for extension of time to petition for hearing on the permit revision. Please let us know as soon as possible whether republication of notice is necessary in light of these changes to the permit. In addition, please let us know as soon as the proposed revision has been submitted to EPA.

Thank you for your prompt consideration of this matter.

Very truly yours,

HOLLAND & KNIGHT LLP



Susan L. Stephens

Attorneys for IMC Phosphates Co.

Enclosures to follow in U.S. Mail

cc: Trina Vielhauer, DEP Division of Air Resources Management
Jerry Kissel, DEP Southwest District, Air Program Administrator
Phil Steadham, IMC

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