

**WRITTEN NOTICE OF INTENT TO ISSUE
TITLE V AIR OPERATION PERMIT**

*In the Matter of an
Application for Title V Air Operation Permit by:*

W. K. Thornton
General Manager
White Springs Agricultural Chemicals, Inc.
Post Office Box 300
White Springs, Florida 32096-0300

DRAFT Title V Permit No. 0470002-048-AV
(Renewal of Title V Air Operation Permit)
Hamilton County, Florida

Facility Location: The Suwannee River/Swift Creek Complex is located at 15843 SE 78th Street, White Springs, Hamilton County, Florida.

Title V Air Operation Permit Project: The subject of this permit is for the renewal of Title V Air Operation Permit and the incorporation of air construction permits, Nos. 0470002-038-AC, 0470002-039-AC (PSD-FL-297), 0470002-050-AC, and 0470002-053-AC. Permit No. 0470002-038-AC modifies Emissions Unit (EU) No. 004 by adding a baghouse to the materials handling area for additional particulate matter emissions and fugitive dust control. Permit No. 0470002-039-AC (PSD-FL-297) increases production rates for the B and D phosphoric acid plants, acid clarification plant, and C and D superphosphoric acid plants. Permit No. 0470002-050-AC modified the existing Y-Train Fertilizer Plant to MAP with a pipe reactor. Permit No. 0470002-053-AC clarifies the operation of phosphoric acid plant B after construction is complete as authorized in Permit No. 0470002-039-AC (PSD-FL-297). Permit 0470002-053-AC also requires the permanent shutdown of the following EU's: 1) EU No. 006- Suwannee River Mine (SRM) Silos, 2) EU No. 009- SRM East Rock Dryer, 3) EU No. 013- SRM Rock Grinder, 4) EU No. 016 #1 Phosphate Rock Grinder, 5) EU No. 017- SRM Rock Dryer, and 6) EU No. 041- Dical Acid Prep. Additional details of the project are provided in the application and the enclosed "Statement of Basis". The DRAFT Title V Air Operation permit renewal incorporates the revised air construction permit and is a renewal of the initial Title V Air Operation Permit for this facility. The Department hereby withdraws its intent to issue Permit No. 0470002-048-AV, which were previously issued on January 16, 2006, and now issues this revised permit package.

Permitting Authority: Applications for these permitting actions are subject to review in accordance with the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212 and 62-213 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and air permits are required for the revised air construction permit and to operate the facility. The Florida Department of Environmental Protection's Northeast District is the Permitting Authority responsible for making permit determinations regarding these projects. The Permitting Authority's physical address is: 7825 Baymeadows Way, Suite B200, in Jacksonville, Florida. The Permitting Authority's mailing address is: 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7590. The Permitting Authority's telephone number is 904/807-3300 and facsimile number is 904/448-4363.

Project Files: Complete project files are available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. For the Title V Air Operation Permit Project, the complete project file includes the DRAFT Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. Copies of the complete project files are also available at the Air Resource Section of the Department's Northeast District Office at 7825 Baymeadows Way, Suite 200B, Jacksonville, FL 32256-7590 (Phone Number: 904/807-3300).

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue the DRAFT Title V Air Operation Permit to the applicant for the projects described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the projects will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. For the DRAFT Title V Air Operation Permit, the Permitting Authority will issue a PROPOSED Permit and subsequent FINAL Permit in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Title V Air Operation Permit" (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements

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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 Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (7) days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments on the DRAFT Title V Air Operation Permit Project: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority will issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decisions may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this "Written 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 (14) days of publication of the attached "Public Notice" or within fourteen (14) days of receipt of this "Written Notice", whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (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 Permitting Authority'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 each 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 state; (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 the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this "Written Notice". Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on these applications have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

Objections to the DRAFT Title V Permit: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity

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during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Christopher L. Kirts, P.E.
District Air Program Administrator

The following parties were sent copies of these documents by INTERNET E-mail Memorandum:

W. K. Thornton, White Springs
Charles Pults, White Springs
Pradeep Raval, Consultant, Koogler and Associates
Christopher Kirts, DEP-NED
Rita Felton-Smith, DEP-NED
EPA Region 4

