



Jeb Bush  
Governor

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Colleen M. Castille  
Secretary

May 13, 2005

Mr. Herschel E. Morris  
Vice President Phosphate Operations/General Manager  
CF Industries, Inc.  
P.O. Box Drawer L  
Plant City, FL 33564

Re: Air Construction Permit 0570005-020-AC and Title V Air Operation Permit No. 0570005-017-AV  
CF Industries, Inc. – Plant City Phosphate Complex  
Renewal and Revision of Title V Operation Permit including Air Construction Permit to remove obsolete conditions and add clarifying conditions.

Dear Mr. Morris:

On September 2, 2004, you submitted an application for an air construction permit revision to remove obsolete conditions and add clarifying conditions. As requested, this application will be processed concurrently with the Title V air operation permit renewal application that you submitted on November 20, 2002 for the Plant City Phosphate Complex, which is located at 10608 Paul Buchman Highway, Plant City. In addition, the Title V Operation Permit Renewal will incorporate a revision to add the applicable NESHAP requirements of 40 CFR 63 Subparts AA and BB to affected emissions units. Enclosed are the following documents: "Technical Evaluation and Preliminary Determination", "DRAFT Air Construction Permit", "Statement of Basis", "DRAFT Title V Air Operation Permit", "Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit", and "Public Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit".

The "Technical Evaluation and Preliminary Determination" summarizes the Permitting Authority's technical review of the application and provides the rationale for making the preliminary determination to issue the DRAFT air construction permit. The "Statement of Basis" summarizes the content of the Title V permit and the revisions made to the permit. The "DRAFT Air Construction Permit" and "DRAFT Title V Air Operation Permit" (DRAFT Permits) include specific conditions that regulate the emissions units at this facility. The "Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit" provides important information regarding: the Permitting Authority's intent to issue the DRAFT Permits; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue the DRAFT Permits; the procedures for submitting comments on the DRAFT Permits; the requirements for requesting a public meeting; the requirements for filing a petition for an administrative hearing; and the availability of mediation. The "Public Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit" is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, Ms. Cindy Phillips, P.E., at 850/921-9534 or [Cindy.Phillips@dep.state.fl.us](mailto:Cindy.Phillips@dep.state.fl.us).

Sincerely,

Trina L. Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

*"More Protection, Less Process"*

Printed on recycled paper.

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

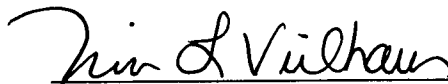
the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how 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 of Intent to Issue Air Construction Permit and Title V Air Operation Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application 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:** 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 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 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

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

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**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this "Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit" package (including the "Technical Evaluation and Preliminary Determination", "DRAFT Air Construction Permit", "Statement of Basis", "DRAFT Title V Air Operation Permit", and "Public Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit") was sent by certified mail (\*) and copies were mailed by U.S. Mail or electronic mail before the close of business on 5/17/05 to the persons listed below.

Mr. Herschel E. Morris, CFI\*  
Mr. J. Michael Messina, CFI  
Mr. Tom Edwards, CFI  
Mr. David A. Buff, P.E., Golder  
Ms. Cindy Phillips, P.E., Bureau of Air Regulation  
Mr. Jason Waters, FDEP-SWD  
Ms. Alice Harman, EPCHC  
EPA Region 4

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 5/17/05  
(Clerk) (Date)