



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
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TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

Sent by Electronic mail – Received Receipt Requested

Mr. Larry Simpson, Plant Manager
MOSAIC Fertilizer, LLC
New Wales Facility
13830 Circa Crossing Drive
Lithia, Florida 33547

Re: ASP Request 15-W-AP
Alternate Monitoring Plan to that Required by 40 CFR 63 Subparts AA and BB
New Wales Facility
Facility ID No. 1050059

Dear Mr. Simpson:

The Office of Permitting and Compliance received a request on behalf of MOSAIC Fertilizer, LLC, from Mr. Rama Iyer, P.E., of MOSAIC seeking approval for an alternative sampling procedure under Rule 62-297.620, F.A.C. regarding the scrubbers subject to 40 CFR 63, Subparts AA and BB at the New Wales Facility for the Phosphoric Acid Manufacturing Plant, and the DAP, MAP and GMAP Granulation Plants. 40 CFR 63 Subparts AA and BB require all phosphate fertilizer and phosphoric acid manufacturing plants that are major sources of hazardous air pollutants to monitor liquid flow rates to each scrubber and the pressure drop across each scrubber to establish allowable ranges for these parameters as an indication of compliance with the subparts. On April 21, 2006, the Department issued Order 06-H-AP stating the petitioner: 1) was not required to establish an upper limit on the pressure drop across each scrubber; 2) was to establish and submit to the Department for approval a minimum allowable pressure drop across each scrubber; 3) was to establish minimum and maximum fan amperages for each fan in the scrubbing system; 4) was to establish minimum and maximum liquid flow rates to each scrubber; 5) was to continuously monitor pressure drop and liquid flow rate for each scrubber and continuously monitor fan amperage for each fan in the scrubbing system; and, 6) shall comply with all applicable provisions of 40 CFR 63 Subparts AA and BB except as provided by Order 06-H-AP. This order had an expiration date of April 20, 2016 and Mosaic Fertilizer LLC requests this order be reissued.

Based on this information and in accordance with the provisions of Rule 62-297.620, F.A.C., the New Wales Facility's scrubbers in the Phosphoric Acid Manufacturing Plant, and the DAP, MAP and GMAP Granulation Plants: 1) shall not be required to establish an upper limit on the pressure drop across each scrubber; 2) shall establish a minimum allowable pressure drop across each scrubber pursuant to the requirements in 40 CFR 63 Subparts AA and BB and submit such values to the Department for approval; 3) shall establish minimum and maximum acceptable fan amperages for each fan in the scrubbing systems pursuant to the requirements in 40 CFR 63 Subparts AA and BB and submit such values to the Department for approval; 4) shall establish minimum and maximum acceptable values for liquid flow rate to each scrubber pursuant to the requirements in 40 CFR 63 Subparts AA and BB and submit such values to the Department for approval; 5) shall continuously monitor pressure drop and liquid flow rate for each scrubber and shall continuously monitor fan amperage for each fan in the scrubbing system; and, 6) the New Wales Facility shall comply with all applicable provisions of 40 CFR 63 Subparts AA and BB except as provided by this determination. Petitioner shall conduct monitoring of scrubber parameters for scrubbers that remove hydrogen fluoride (HF) from the emission stream using the monitoring of minimum pressure drop, fan amperages, and liquid flow rate in lieu of maximum pressure drop.

Petitioner has provided reasonable assurance that the monitoring of scrubber parameters for scrubbers that remove hydrogen fluoride (HF) from the emission stream using the monitoring of minimum pressure drop, fan amperages, and liquid flow rate in lieu of maximum pressure drop will provide reasonable assurance of compliance with applicable requirements of the permit cited above. The Department's conclusion is based upon review and knowledge of 40 CFR 63 Subparts AA and BB, past determinations, and professional experience.

The applicant shall incorporate this alternate procedure into the permit at the next opening for revision or renewal.

Please call Jim Pennington at 850/717-9102 if you have any questions regarding this determination.

The Department's proposed agency action shall become final unless a petition for an administrative hearing is timely under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition set forth below. On the filing of a timely petition, this action will not be final and effective until further order of the Department or the petition has been dismissed or withdrawn. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even reversal of the agency action.

A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline.

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, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile 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 indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (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 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 Department's final action may be different from the position taken by it in this notice. 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.

Once this decision becomes final, any party to this order has the right to seek judicial review by the filing of a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, Agency.Clerk@dep.state.fl.us; 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 thirty days from the date this action is filed with the Agency Clerk.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000; 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 thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.

Syed Arif, Environmental Administrator
Office of Permitting and Compliance
Division of Air Resource Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this letter of authorization for an alternate sampling procedure was sent by electronic mail with received receipt requested before the close of business on the date indicated below to the following persons.

Mr. Larry Simpson; MOSAIC: larry.simpson@mosaicco.com
Ms. Veronica Figueroa, P.E., MOSAIC: veronica.figueroa@mosaicco.com
Mr. David B. Jellerson, P.E., MOSAIC: david.jellerson@mosaicco.com
Mr. Rama Iyer, P.E., MOSAIC: rama.iyer@mosaicco.com
Ms. Danielle Henry, Southwest District: danielle.d.henry@dep.state.fl.us
Mr. David McNeal, US EPA Region 4: mcneal.dave@epa.gov
Ms. Barbara Friday, DEP OPC: barbara.friday@dep.state.fl.us
Ms. Lynn Searce, DEP OPC: lynn.searce@dep.state.fl.us

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.

SA/jp