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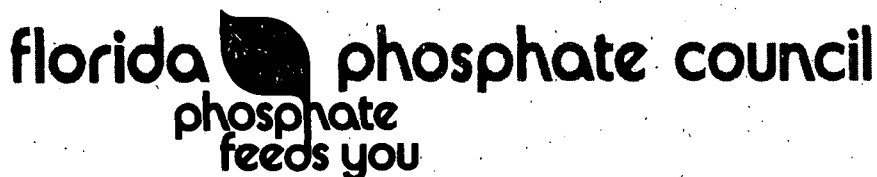
Prepped by Ollie Stewart

Document Number:

18) IV-F-1

Docket Number:

A-94-57



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**STATEMENT
of
DAVID L. BATT, PRESIDENT
FLORIDA PHOSPHATE COUNCIL, INC.
on
NOTICE OF RECONSIDERATION
40 C.F.R., PART 61, SUBPART R
NATIONAL EMISSIONS STANDARD
for
RADON EMISSIONS FROM PHOSPHOGYPSUM STACKS
Docket No. A-94-57**

A-94-57
IV-F-1

August 1, 1996

My name is David Batt and I serve as President of the Florida Phosphate Council. The Council is a trade association of seven member companies comprising nearly 100% of phosphate mining and fertilizer manufacturing in Florida. With me today is Mary Lou Rajchel, Vice President for Regulatory Affairs at the Council, and several representatives of the member companies who serve on the Council's standing technical committees.

As you are well aware, phosphogypsum is a byproduct necessarily generated during the production of phosphate-based fertilizer, a product vitally important to food production in the United States and abroad. The member companies of the Council are firmly committed to the environmentally sound management of this byproduct. Therefore, the Council, in coordination and cooperation with The Fertilizer Institute, has been extensively involved in the efforts of the United States Environmental Protection Agency to adopt the National Emissions Standard for Radon Emissions from

CF Industries, Inc. • Cargill Fertilizer, Inc. • Farmland Hydro, L.P. • IMC-Agrico Company
Mulberry Phosphates, Inc. • PCS Phosphate - White Springs • U.S. Agri-Chemicals Corporation

Our member companies are committed to industry *Guiding Principles*



Phosphogypsum Stacks. We appreciate the opportunity to continue our participation by providing these comments.

There can be little doubt that the challenge faced by all of us - governmental regulators, the regulated community, and the general public - in developing the necessary new and innovative approaches to environmental regulation for the 1990s and beyond must be met by the application of sound science as well as a reasonable assessment of risks and costs. Sound science can only be achieved in a regulatory environment that encourages meaningful research and development. Thus, the Council urges EPA to weigh very heavily the testimony and comments to be submitted by researchers seeking to increase the amount of phosphogypsum that may be used in laboratory research and development activities under the current rule.

The Council also appreciates EPA's clarification that large scale field research and development projects may be approved under the rule but joins in TFI's suggestion that the approval process should be made more streamlined. Finally, we support EPA's proposal to eliminate the requirement that owners or operators of phosphogypsum stacks analyze phosphogypsum distributed for research and development. The clarifications and proposals reflect positive action by the Agency to encourage research and development --- a sound science approach to addressing potential uses of phosphogypsum.

The Council continues to be eager to cooperate with the Agency in the development of this and other measures that will add

to the body of sound science on the highly important topic of potential use of phosphogypsum.

Thank you very much for the opportunity to provide these comments.

WAS-185534