



Mosaic Fertilizer, LLC
8813 US Highway 41 South
Riverview, FL 33578
www.mosaicco.com

Fax 813-671-6149

Dept. of Environmental
Protection

MAR 16 2009

Southwest District

March 13, 2009

Via Certified Mail 7004 2890 0000 1438 2950

Mr. Quaid Noor
Air Management Division
Florida Department of Environmental Protection
13051 North Telecom Parkway
Temple Terrace, FL
33637-0926

RE: Draft Air Construction Permit No.: 0570008-061-AC
Mosaic Fertilizer, LLC, Riverview Facility

Dear Mr. Noor:

Enclosed is the original affidavit of publication for the above referenced notice which was published in the Tampa Tribune on March 10, 2009.

If you have any questions, please contact me at 813.671.6369 or 863.860.1068.

Sincerely,

Jeffrey M. Stewart
Environmental Superintendent

cc: P-05-01

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } SS.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

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In the matter of Legal Notices

was published in said newspaper in the issues of

03/10/2009

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 10 day of March, A.D. 2009

Personally Known or Produced Identification
Type of Identification Produced _____



Ana Maria Hodel
Commission #DD551367
Expires: MAY 11, 2010
WWW.AARONNOTARY.COM

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft Air Construction Permit No. 0570008-061-AC
Mosaic Fertilizer, LLC, Riverview Facility
Hillsborough County, Florida

Applicant: The applicant for this project is Mosaic Fertilizer, LLC. The applicant's authorized representative and mailing address is: Mr. Alan Lulf, Plant Manager, Mosaic Fertilizer, LLC, Riverview Facility, 8813 U.S. Highway 41 South, Riverview, FL 33569.

Facility and Location: The applicant, Mosaic Fertilizer, LLC, operates the existing Riverview Facility, which is located in Hillsborough County at 8813 U.S. Highway 41 South, Riverview, Florida. The Riverview Facility is an existing phosphate fertilizer manufacturing complex.

Project: The Department issued (clerked) a "Written Notice of Intent to Issue Air Permit" on December 18, 2007 for an air construction permit for the Mosaic-Riverview's Best Available Retrofit Technology (BART) determination, Draft Permit No. 0570008-055-AC. Final action has not been taken on this permit due to a petition filed by the applicant, Mosaic Fertilizer, LLC, on January 17, 2008. The Department hereby withdraws the "Written Notice of Intent to Issue Air Permit."

On August 11, 2008, Mosaic Fertilizer, LLC submitted an air construction permit application to escape the requirements of Best Available Retrofit Technology (BART) pursuant to Rule 62-296.340(5)(c), Florida Administrative Code (F.A.C.) for the existing Riverview Facility. The purpose of the BART regulation is to improve visibility in the Class I areas, which include six national parks and federal wildlife areas in and around Florida. The BART provisions apply to emissions units built between 1962 and 1977 at one of the 26 specified industrial categories that have the potential to emit more than 250 tons a year of visibility-impairing pollutants, which are defined as nitrogen oxides (NOX), particulate matter (PM10/PM2.5), and sulfur dioxide (SO2).

The BART-eligible units at this facility include: the Sulfuric Acid Plant (SAP) Nos. 7, 8 and 9; the three Molten Storage Tanks; and, the three Molten Storage Pits. The Department of Environmental Protection (Department) reviewed the application and makes a preliminary determination regarding the air pollution controls & measures and emission standards & limitations in the draft air construction permit for the facility to escape BART.

The applicant initially had originally filed a BART determination application. Subsequent to this application, the applicant submitted an application to escape BART through a BART exemption via a minor source air construction (AC) permit. As part of this application the applicant performed additional modeling at reduced air pollutant emission levels. The air dispersion modeling at the lower air pollutant levels brings this facility's

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visibility impact to below the 0.5 deciview (dV) threshold allowing the facility to escape a BART determination pursuant to Rule 62-296.340(5)(c), F.A.C. The facility's modeled visibility impact to the nearest Class I area (Chassahowitzka National Wilderness Area) under the BART exemption is 0.494 dV.

The Department has determined the following air pollution controls, techniques & measures to exempt this facility from BART: the use of the existing control technology employed by each SAP - the double absorption system with vanadium catalyst, increased catalyst loading ratios and the acid mist demister pads; following the best operational practices to minimize excess emissions during startup and shutdown for each SAP as described in the most recent Title V air operation permit application in addition to the startup practices to minimize emissions of SO₂ and sulfur trioxide (SO₃) currently in effect as outlined in the "Memorandum of Understanding Regarding Best Operational Start-up Practices for Sulfuric Acid Plants." The proposed additional work to replace select process equipment in each SAP is authorized as described in the draft permit.

The proposed BART determination reduces the SO₂ emission limits of SAP Nos. 7, 8 & 9 as follows:

SO₂ Emission Reductions
based on 24-hour (daily) block average
SAP No. 7 from 467 lb/hour to 400 lb/hour
SAP No. 8 from 393.8 lb/hour to 315 lb/hour
SAP No. 9 from 495.8 lb/hour to 425 lb/hour

The proposed BART determination requires a continuous compliance demonstration with the SO₂ standards and limitations using a SO₂ continuous emissions monitoring system (CEMS).

The proposed BART determination reduces the SAM emission limits of SAP Nos. 7, 8 & 9 as follows:

SAM Emission Reductions
based on 3-hour average
SAP No. 7 from 16 lb/hour to 6.7 lb/hour
SAP No. 8 from 11.25 lb/hour to 5.6 lb/hour
SAP No. 9 from 14.2 lb/hour to 7.1 lb/hour

The proposed BART determination requires stack test data to be used to demonstrate compliance with the SAM limits.

The current throughput limitations for the molten sulfur storage tanks and the pits corresponding to the current SO₂ emission rates are established to maintain an exemption of these emissions units from BART.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-210, and 62-212. The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is 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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation & Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site:
<http://www.dep.state.fl.us/air/eproducts/apds/default.asp>

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be postmarked by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 decision 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a 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 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 (in a proceeding initiated by another party) 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

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the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Public Notice of Intent to Issue Air 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 for this proceeding.

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3/10/09