



James K. Voyles  
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April 14, 2005

**VIA OVERNIGHT DELIVERY  
VIA FACSIMILE 850.245.2303**

Office of General Counsel  
Florida Department of Environmental  
Protection  
3900 Commonwealth Boulevard  
Mail Station #35  
Tallahassee, Florida 32399-3000

RECEIVED

APR 18 2005

BUREAU OF AIR REGULATION

RE: Mosaic Phosphates MP, Inc.: Draft Permit No. 1050034-015-AV  
Central Florida Minerals Operations Facility  
**Request for an Extension of the Time in Which to File Petition for Hearing,  
Mediation or Alternate Remedies, or in the alternative, Petition for an  
Administrative Hearing**

Office of General Counsel:

Mosaic Phosphates MP, Inc. ("Mosaic") requests from the Florida Department of Environmental Protection ("FDEP") an extension of the time in which to file a petition for an administrative hearing, mediation or alternate remedies with respect to the above referenced draft permit ("Draft Permit").

Mosaic received the original "Intent to Issue" for modifications to the Central Florida Minerals Operations Facility and the "Public Notice of Intent to Issue" from the FDEP on or around April 1, 2005. Mosaic has not had adequate opportunity to review its provisions or to discuss with the FDEP any concerns it may have with respect thereto. Mosaic seeks this extension so that it may have additional time to review the provisions of the Draft Permit and to resolve with FDEP any issues that may arise.

While Mosaic is confident any issues can be resolved without the need for a formal proceeding, in order to fully protect and reserve its right to a hearing, mediation or other remedy, Mosaic requests this extension. Jeffrey Stewart, the Environmental Superintendent of the Mining facility has discussed this extension with Mr. Jason Waters and Mr. Jose Zornitta of the FDEP.

Therefore, Mosaic hereby requests an extension until July 15, 2005 or such other extension period FDEP deems adequate, to provide Mosaic adequate time to review the Draft Permit and to provide Mosaic and FDEP a reasonable opportunity to resolve any issues with

respect to the Draft Permit, and further requests the FDEP suspend its Intent to Issue accordingly.

In the event FDEP declines to grant Mosaic's extension request, Mosaic hereby petitions for an administrative hearing and provides FDEP the following pertinent information:

- (a) *The name, address, and telephone number of petitioner; the FDEP's identification number for the Agency action and the county in which the subject matter or activity is located:*

Mosaic Phosphates MP, Inc.  
Central Florida Minerals Operations  
P. O. Box 2000, Mulberry, Florida 33860.  
Permit No. 1050034-015-AV

- (b) *A statement of how and when each petitioner received notice of the Agency action*

Mosaic received notice via U.S. Mail on or around April 1, 2005.

- (c) *A statement of how each petitioner's substantial interests is affected by the Agency action.*

Mosaic's facility is the subject of the Draft Permit.

- (d) *A statement of the material facts disputed by petitioner, if any.*

Mosaic is unsure if there are any material facts in dispute at this time. The Draft Permit contains conditions that may be inconsistent with the intended project and the application. Therefore, Mosaic desires the extension to resolve any issues and to determine if material facts are in dispute and wishes to work with FDEP on the Draft Permit's conditions accordingly.

- (e) *A statement of facts which petitioner contends warrants reversal or modification of the Agency action.*

Mosaic is unsure if there are any material facts warranting reversal or modification at this time. The Draft Permit contains conditions that may be inconsistent with the intended project and the application. Therefore, Mosaic desires the extension to resolve any issues and to determine if material facts are in dispute and wishes to work with FDEP on the Draft Permit's conditions accordingly.

- (f) *A statement of which rules or statutes petitioner contends require reversal or modification of the Agency action.*


Mosaic is unsure if there are any rules or statutes requiring reversal or modification at this time. The Draft Permit contains conditions that may be inconsistent with the intended project and the application. Therefore, Mosaic desires the extension to resolve any issues and to determine if material facts are in dispute and wishes to work with FDEP on the Draft Permit's conditions accordingly.

- (g) *A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Agency action.*

Mosaic is unsure if Departmental action is required at this time. The Draft Permit contains conditions may be inconsistent with the intended project and the application. Therefore, Mosaic desires the extension to resolve these issues and to determine if material facts are in dispute and wishes to work with FDEP on the Draft Permit's conditions accordingly.

Mosaic thanks you for your consideration and continued cooperation. Please contact me with any questions or concerns.

Sincerely,



James K. Voyles

JKV/md  
376959

cc: **Mr. Jim Pennington**  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Ms. Trina Vielhauer, Chief  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, Florida 32399-3000

David Jellerson/Fert/Pierce, FL  
Jeffrey Stewart/Phosphates/Lonesome, FL



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April 7, 2006

**VIA OVERNIGHT DELIVERY  
VIA FACSIMILE 850.245.2303**

Office of General Counsel  
Florida Department of Environmental  
Protection  
3900 Commonwealth Boulevard  
Mail Station #35  
Tallahassee, Florida 32399-3000

**RECEIVED**  
APR 10 2006  
BUREAU OF AIR REGULATION

Attn: Lea Crandall, Agency Clerk

RE: Mosaic Fertilizer, LLC: Draft Permit No. 1050055-014-AV  
South Pierce Plant, 7450 Highway 630, Mulberry, FL

**Request for an Extension of the Time in Which to File Petition for Hearing,  
Mediation or Alternate Remedies, or in the alternative, Petition for an  
Administrative Hearing**

Office of General Counsel:

Mosaic Fertilizer, LLC ("Mosaic") requests from the Florida Department of Environmental Protection ("FDEP") a 45 day extension of the time in which to file a petition for an administrative hearing, mediation or alternate remedies with respect to the above referenced draft permit ("Draft Permit").

Mosaic received the original Draft Permit for the South Pierce Facility and the "Public Notice of Intent to Issue" from the FDEP on or around February 13, 2006. Mosaic subsequently requested an Extension of Time to file a Petition for Hearing on the Draft Permit, which was granted. On February 27, 2006 an Order was entered extending the time to file a Petition for Hearing to April 10, 2006. On March 22, 2006 Mosaic submitted written comments and requested permit revisions to FDEP. (See Exhibit 1 attached hereto and incorporated herein) Mosaic has not had adequate opportunity to discuss and resolve these comments with the FDEP. Mosaic seeks this extension so that it may have additional time to discuss the provisions of the Draft Permit and to resolve with FDEP the issues in the draft Permit.

While Mosaic is confident any issues can be resolved without the need for a formal proceeding, in order to fully protect and reserve its right to a hearing, mediation or other remedy, Mosaic requests this extension. Dean Ahrens, the Environmental Superintendent of the New Wales and South Pierce facilities has discussed this extension with Robert Bull of the FDEP.

This request for extension was requested by Robert Bull of the FDEP. Therefore, Mosaic hereby requests an extension until May 15, 2006, or such other extension period FDEP deems adequate, to provide Mosaic adequate time to provide Mosaic and FDEP a reasonable opportunity to resolve the issues with respect to the Draft Permit.

In the event FDEP declines to grant Mosaic's extension request, Mosaic hereby petitions for an administrative hearing and provides FDEP the following pertinent information:

- (a) *The name, address, and telephone number of petitioner; the FDEP's identification number for the Agency action and the county in which the subject matter or activity is located:*

Mosaic Fertilizer, LLC  
South Pierce Plant  
7450 Highway 630  
Mulberry, FL 33860

Draft Title V Air Operation Permit No. 1050055-014-AV  
Renewal of Title V Air Operation Permit  
Polk County, FL

763-577-2841 – office  
309-453-1118 – cell

- (b) *A statement of how and when each petitioner received notice of the Agency action*

Mosaic received notice via U.S. Mail on or around February 13, 2006.

- (c) *A statement of how each petitioner's substantial interests are affected by the Agency action.*

Mosaic's facility is the subject of the Draft Permit.

- (d) *A statement of the material facts disputed by petitioner, if any.*

The Draft Permit contains conditions that are inconsistent with the intended operations and the application as described in Exhibit 1. Therefore, Mosaic desires the extension to resolve any issues and to resolve the material facts in dispute and wishes to work with FDEP on the Draft Permit's conditions accordingly.

- (e) *A statement of facts which petitioner contends warrant reversal or modification of the Agency action.*

As explained in Exhibit 1, the Draft Permit conditions warrant reversal or modification at this time. The Draft Permit contains conditions that are inconsistent with the intended operations and the application. Therefore, Mosaic desires the extension to resolve the issues and wishes to work with FDEP on the Draft Permit's conditions accordingly.

- (f) *A statement of which rules or statutes petitioner contends require reversal or modification of the Agency action.*

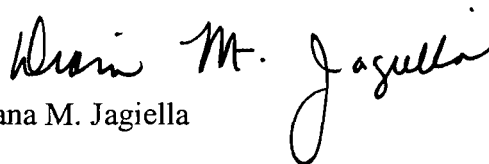
As explained in Exhibit 1, applicable rules and statutes require reversal or modification of the Draft Permit at this time. The Draft Permit contains conditions that are inconsistent with the intended operations and the application. Therefore, Mosaic desires the extension to resolve the issues and wishes to work with FDEP on the Draft Permit's conditions accordingly.

- (g) *A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Agency action.*

As explained in Exhibit 1, Departmental action is required at this time. The Draft Permit contains conditions inconsistent with the intended operations and the application. Therefore, Mosaic desires the extension to resolve these issues and wishes to work with FDEP on the Draft Permit's conditions accordingly.

Mosaic thanks you for your consideration and continued cooperation. Please contact me with any questions or concerns.

Sincerely,

  
Diana M. Jagiella

DMJ/aml

Office of General Counsel  
April 7, 2006  
Page 4

cc: Mr. Michael Cooke  
Mr. Jeffery Koerner  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Ms. Trina Vielhauer, Chief  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, Florida 32399-3000

Mr. Robert Bull  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
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Tallahassee, Florida 32399-3000

David Jellerson/Fert/Pierce, FL  
Jeffrey Golwitzer/Fert/South Pierce, FL  
Dean Ahrens/Fert/New Wales, FL  
Dave Turley/Fert/New Wales, FL  
Pradeep Raval, Koogler and Associates  
Patricia Comer, Assistant General Counsel, Florida DEP

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MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

| No. | Page, Section, Condition | Description of Permit Condition  | Comment/Requested Revision   |
|-----|--------------------------|--|--|
| 1   | ii, toc                  | Table of contents  | Does not list all attachments. All attachments should be listed as reflected on Exhibit 1 attached hereto.   |
| 2   | 1, c1                    | Cover Letter   | Does not list all attachments. All attachments that are part of the permit should be listed. All documents on Exhibit 1 should be listed except those noted "for reference only".                                |
| 3   | 5, II, 9                 | Permitted capacity is defined as 90-100% of operating rate...Once a unit is limited, operation at higher capacity is allowed for no more than 15 days until retest regains permitted capacity.                     | The Test period changed from 30 to 15 days. This timeframe is impossible to meet because of the 15 or 60 day prior notification requirements for testing. We request the test period be revised to 30 days.      |
| 4   | 5, II, 13                | When appropriate, time specific requirements are based on the permit effective date which is day one. The Permitting note states: quarterly means calendar quarters and monthly means the beginning of each month. | Clarify reporting timeframe. The reference to the permit effective date creates ambiguity. The reporting requirement should be clearly based on calendar reporting for both monthly and quarterly reporting.     |
| 5   | —                        | Insignificant Emissions Units and/or Activities  | Restore condition 4 from prior permit stating list of Insignificant Emission Units and/or Activities is part of the Permit.  |
| 6   | \                        | The prior permit, (pg. 7, Section II, Condition 14) provided retesting options to ensure the air pollution control or system were operating properly.  | Need to include Conditions 14(c) and (d) from the prior permit. These conditions allowed the facility to re-establish scrubber parameter ranges retroactively by retesting within 30 days at the same conditions |



MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |              |   |   |
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|    |              |   | reflecting a compliance exception to demonstrate compliance at those conditions. These conditions are not precluded by the NESHAP.  |
| 7  |              | The prior permit, (pg. 7, Section II, Condition 14) provided, the drop shall not fall below, in the case of delta P < 5 inches of water, a change of 0.5 below the drop reported in the last satisfactory test. | Condition 14(b)(3) needs to be restored for the cases of +/-20% of low pressure drops. This condition recognizes control and measurement difficulties for drops of water less than 5 inches.  |
| 8  | 13,III,B.2   | PTE Sulfuric Acid production  | This condition should be stricken; it duplicates H.1.   |
| 9  | 16,III, B.22 | Emission Standard testing   | Reference B.3 and B.4   |
| 10 | 17, III, C   | Phosphoric Acid Plant A and B Trains  | The permitting note states that the NESHAP takes precedence over NSPS except for BACT determinations which take precedence over both. This note should be clarified as it creates ambiguity. There are no BACT determinations at this facility which impose limits more stringent than the NESHAP. 40 CFR Part 63, Subpart AA is equivalent to BACT at this facility for Phosphoric Acid Manufacturing Plant Trains A and B. If this note is intended to refer to other requirements, they should be clearly spelled out. |
| 11 | 17, III, C.2 | F 0.02 lb/ton P <sub>2</sub> O <sub>5</sub> ; 1.11 lb/hr  | The maximum production rate of 50 tons P <sub>2</sub> O <sub>5</sub> per hour should be removed. Production fluctuates based on recovery and should not be limited in the permit. The limit is based on P <sub>2</sub> O <sub>5</sub> input which defines   |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    |   |  | <p>capacity. The production rate limit would constitute an inappropriate and indirect limit.</p> <p>Strike the last sentence in footnote(2) which restates that fluoride emissions shall not exceed .02 pounds per ton. It is unnecessary, as it is a restatement of condition C.2.</p>   |
| 12 | <p>18, III, C.5</p> <p>28, III, E.10</p> <p>39, III, F.11</p> | <p>Required prior test notification per 40 CFR §63.9</p> | <p>This replaces the 15 day notification. 40 CFR §63.9 covers Title V test notifications. The permit should read “60 day prior written notification of a performance test shall be provided, including, if required, the site specific test plan. [40 CFR §63.9(e); 40 CFR §63.7(c)].”</p> <p>The permit should lay out specific requirements and not just cite applicable regulations. This comment applies to the overall draft permit.</p> |
| 13 | <p>18, III, C.6</p> <p>—</p>                                  | <p>Test for: F annually</p>                              | <p>Strike reference to §63.7(a)(2) – this refers to the initial test which is no longer an applicable requirement.</p> <p>The permit should read “An annual performance test shall be conducted to demonstrate compliance with the applicable emission standard...”</p> <p>Strike references to “new” equipment which isn’t applicable, and to non</p>  |

## MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    |  |   | <p>existent equipment or processes – specifically, the superphosphoric acid process line, rock dryer, and rock calciner.</p> <p>The Sub Part A section reference is unclear. The permit should read “The performance test shall be conducted according to the procedures in C.7.”</p>   |
| 14 | 18, III, C.7<br>29,III,E.13<br>37,III,F.10 | Test for fluorides                                  | <p>In C.7, E.13 and F.10 strike reference to “new” equipment which isn’t applicable. In C.7 strike reference to superphosphoric line which does not exist. In E.13 strike reference to DAP and MAP reference. In F.10 change reference to F.3.</p> <p>The permit should read “The performance tests shall be conducted according to the reference methods and procedures specified in C.14 (or E.18).”</p> <p>The last introductory sentence should read “Compliance with the fluoride standards in C.2 (or E.3) shall be determined as follows:”</p> |
| 15 | 18, III, C.7(1)<br>29, III, E.13(1)        | Determine lb F/ton P <sub>2</sub> O <sub>5</sub>    | Please rewrite the formula to recognize there is only one emission point. As written, the formula contemplates multiple emission points.  |
| 16 | 19,III,C.7,C.8, C.10,C.12,C.14,C.16        | References to Scrubber Flow, Pressure Drop and Amps | References to Scrubber pressure drops, flow and amps should include the options under the ASPs.   |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    | 28,III,E.4,E.13,E.17,E.18<br><br>36,III,F.7,F.10,F.15,F.19,F.29 |  |  |
| 17 | 19, III, C.7(4)<br><br>30,III,E.13(4)<br><br>38, III, F.10(4)   | Monitor scrubber flow and pressure drop during test    | The Permit should reference C.14 and C.12 in Section C and E.17 and 18 in Section E.<br><br>In Section F, reference F.19 not §63.625(f)(1) or (2) and strike reference to §63.625 - it is covered in the compliance plan CP-1, the installation of monitoring with new scrubber. |
| 18 | 19, III, C.8  | Rock dryer testing requirements                        | Strike – no dryer exists   |
| 19 | 20, III, C.9  | Calciner testing requirements                          | Strike – no calciner exists  |
| 20 | 20, III, C.10e  | Test report information: scrubber gpm                  | Strike, see C.7(4)   |
| 21 | 20, III, C.10f  | Test report information: scrubber delta P              | Strike, see C.7(4)   |
| 22 | 20, III, C.12(2)  | Continuous monitor liquid flow in 15 min block average | Change reference to C.13 not 11  |
| 23 | 21, III, C.13<br><br>33, III, E.23                              | 12 hr period: gpm                                      | Strike this condition. In Section C it has been superceded by C.12 and in E by E.17 and no longer applies.   |
| 24 | 21, III, C.14<br><br>31, III, E.18<br><br>40,III,F.19           | Establish operating ranges                             | In Section C, Change the reference from §63.606 to C.7. In Section E, change reference from 63.626 to E.13 and in Section F. from 63.626 to F.10.<br><br>Cite regulations in parentheses.  |
| 25 | 21, III, C.14(1)<br><br>31, III, E.18(1)                        | Scrubber ranges +/- 20% last test                      | In Section C, change the reference to C.7, not §63.606(c)(4). Strike (d)(4) and (e)(2) as they apply to rock dryers and rock   |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    | 40,III,F.19(1)  |   | <p>calciners, equipment that is not present at the facility.</p> <p>In Section E, reference E.13 not 63.626(c)(4) and strike (d)(4) as this applies to the storage buildings and is covered in Section F. In Section F, reference F.10, not 63.626(c)(4).</p> <p>Put regulatory citations in parentheses.</p> <p>See Comment 6 regarding old II.14(b)3 condition about low pressure drops.</p>   |
| 26 | <p>21, III, C.14(2)</p> <p>31, III, E.18(2)</p> <p>40,III, F.19(2)</p> <p>—</p> | Scrubber ranges based on previous tests | <p>In Section C, reference C.7. Strike (d)(4) and (e)(2) as they apply to rock dryers and rock calciners, equipment that is not present at the facility. Change the reference to §63.604 to C.16.</p> <p>In Section E, reference E.13 and in Section F, reference F.10, not 63.606(c)(4) and strike (d)(4). In Section E, change the reference from 63.624 to E.4 and in Section F change the reference from 63.624 to F.7.</p> <p>Regulations should be cited in parentheses.</p> |
| 27 | 22, III, C.15   | Calciners/dryer feed record             | Strike – this equipment does not exist.  |
| 28 | 22, III, C.16   | Scrubber daily averages                 | Change the references from regulatory citations to the relevant conditions and cite the regulations in parentheses. Specifically, change the reference to §§63.7 and 63.606 to C.7,  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    |  |  | and the reference to §63.605 to C.14.   |
| 29 | 22, III, C.17                                      | Calibrate, maintain, and operate a device to monitor feed +/- 5% | Strike “new” and superphosphoric line, rock dryer and rock calciner. No new equipment is present and the other equipment does not exist.  |
| 30 | 22, III, C.18 and C.19                             | Maintain daily record of p2O5 feed                               | <p>C. 18 and C. 19 should be combined to be one condition, not two. The revised single condition should list as regulatory references the provisions in Part 60 and 63 rather than having 2 conditions.</p> <p>In addition, change the references from regulatory citations to the relevant conditions and cite the regulations in parentheses.</p> <p>The permit should read “A daily record shall be maintained using a monitoring system that meets the requirements of C.17 and then by proceeding according to C.7(3).</p> |
| 31 | 22, III, C.20<br>32, III,E.21<br>39, III,F.12<br>— | Comply with 63.10 recordkeeping requirements                     | <p>Condition 20 (and E.21 and F.12) which provides “Each owner or operator...shall comply with the recordkeeping requirements in §63.10” should be stricken.</p> <p>Specific applicable requirements from §63.10 should be listed. This is done in C.21 (and E.22 and F.13) so C.20 (and E.21 and F.12) is superfluous and should be stricken.</p>  |
| 32 | 23, III,   | Performance test report  | The reference to initial  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    | C.21(1)<br><br>32, III,E.22(1)<br><br>39, III,<br>F.13(1)        |   | testing requirements should be stricken. Strike references to “as required by §63.10.”<br><br>C.21.(1) should read “The results of the annual performance tests shall be reported within 45 days.”<br>Note: The 45 day rule under Florida regulations supercedes the 60 day NESHAP Subpart A.<br><br>The regulatory citations should be listed at the end in parentheses.     |
| 33 | 23, III,<br>C.21(2)<br><br>32,III,E.22(2)<br><br>39,III, F.13(2) | Excess emission report (exceedances)  | Strike references to “as required by §63.10.”<br>Specific applicable requirements from §63.10 should be listed.   |
| 34 | 23, III, C.22<br><br>33,III,E.25<br><br>41, III, F.21<br><br>—   | Applicable parts of subpart A   | This condition should be deleted. It’s unclear that it sets forth compliance requirements not already referenced elsewhere in the permit. If it imposes additional obligations not already referenced in the permit, these should be specified.<br><br>40 CFR Parts 61 and 63 are listed in permit cover letter but not listed in the table of contents and are not included. |
| 35 | 23, III, C.23  | Reference to requirements applicable to Phosphoric Acid plants  | Reference made to BB – should be AA.  |
| 36 | 23, III, C.23<br><br>33,III, E.27                                | Subpart AA and appendix A and CP-1 apply, <b>updates also apply</b> – restricted to establishing operating parameters | Specify as conditions the applicable requirements: such as ssm plan, etc.   |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    | 41, III, F.23   |  | Strike the permit update language. A Permit cannot be modified via regulatory changes absent inclusion in the SIP and modification of the permit.                 |
| 37 | 23, III, C.23(2)  | Applicable parts of subpart A and AA are applicable  | Strike this condition, it is a duplicate specification.   |
| 38 | 23, III, C.23(3)<br><br>33,III, E.27(2)<br><br>41, III, F.23(3) | Specifically notify dept of testing for establishing ranges  | As previously explained, expand this to include provision for operation outside range for the period of test without being an exception.                          |
| 39 | 23, III, C.23(5)<br><br>33,III,E.27(5)<br><br>41,III,23(5)      | Test must demonstrate compliance with standards and methods  | Strike this condition, it is a duplicate specification. (See C.21(1); E.27(1);F.23(1)).   |
| 40 | 23, III, C.23(6)<br><br>33,III,E.27(6)<br><br>41,III,F.23(6)    | Tests submitted per A and AA   | Strike this condition, it is a duplicate specification. (See C.21(1); E.27(1); F.23(1) .  |
| 41 | 23, III, C.23(7)<br><br>33,III,E.27(7)<br><br>42,III,F.23(5)    | Dept has 30 day review of new allowable ranges   | See Comment 6. As previously explained, the ability to re-establish ranges needs to be added back here in some form.  |
| 42 | 24, III, C.26<br><br>—  | All reasonable precautions shall be taken to minimize and control the generation of fugitive fluoride emissions. | Add “Not federally enforceable” notation back.<br><br>Also, clarify what FDEP considers reasonable precautions by way of examples.                                |
| 43 | 28, III, E.8  | Excess Emissions due to malfunction: immediately notify, report in quarterly if requested                        | Strike this condition– this is included in MACT reporting requirements (see E.22(2) for excess emission reporting). The citation to the Florida regulation can be |



MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    |                        |   | added in parentheses to E.22.   |
| 44 | 29, III, E.11          | Test for: PM, F, VE annually                        | <p>Strike reference to §63.630 – this refers to the initial test which is no longer an applicable requirement. Also strike reference to storage building which is covered in F.</p> <p>The permit should read “An annual performance test shall be conducted to demonstrate compliance with the applicable emission standard referenced in E.3,E.5 and E.6...”</p>  |
| 45 | 32, III, E.19 and E.20 | Daily – feed P2O5 (as production and P2O5 analysis) | <p>Strike E.19. 40 CFR 60.203(b) applies to Phosphoric Acid plants not GTSP lines.</p> <p>In E.20 strike “the owner or operator is subject to the requirements of 40 CFR 60.203(b)...”. This regulation applies to Phosphoric Acid plants not GTSP lines. Also strike the reference to this regulation in the parenthetical.</p> <p>In E.20, the language should read “...using a monitoring system for measuring mass flow rate which shall have an accuracy of +/- 5% over its operating range and then by proceeding in accordance with E.13(3).</p> <p>Further, please note, the GTSP line at this facility is a pre-NSPS source and therefore, NSPS does not</p> |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    |                                    |   | apply.  |
| 46 | 33, III, E.26                      | Administrator retains approval test plans   | Strike this condition. The storage buildings are addressed in Section F. This is an unnecessary and potentially confusing condition.                                      |
| 47 | 33, III, E.27(2)<br>41,III,F.23(2) | Applicable parts of subpart A and BB are applicable   | Strike – duplicate specification  |
| 48 | 34, III, E.28                      | Dap/map process line  | Strike - not applicable   |
| 49 | 34, III, E.28                      | Equivalent P2O5 stored  | Strike - not applicable   |
| 50 | 34, III, E.28                      | Fresh GTSP  | Strike - not applicable   |
| 51 | 34, III, E.28                      | Research and development facility   | Strike - not applicable   |
| 52 | 34, III, E.29                      | CAM plan  | Add clarification of what events constitute an exceedance versus and an excursion. This information is necessary to properly complete the annual statement of compliance. |
| 53 | 37, III, F.9                       | Conduct performance test for a new DAP or MAP line  | Strike – performance tests are covered in F.8   |
| 54 | 37, III, F.10(2)                   | Use 40 CFR Part 60 appendix as performance test methods as per §63.7                          | (2) can be stricken as it restates the introduction in F.10.  |
| 55 | 39, III, F.15                      | Install, calibrate, maintain, operate devices to monitor fan amps in lieu of scrubber delta P | Revise this is in conflict with F.7. Strike last sentence which provides fan amps as alternate indicator of pressure drops. This is covered under ASP 05-L-AP.            |
| 56 | 41, III, F.20a                     | Weekly – amps for each scrubber   | Strike, see F.7. This has been superceded.  |
| 57 | 42, III, F.24                      | definitions   | Strike DAP/MAP reference. Provide basis to include research and development.  |
| 58 | 42, III, F.24                      | DAP/MAP process line  | Strike - not applicable   |
| 59 | 42, III, F.24                      | Equivalent P2O5 feed  | Strike - not applicable   |
| 60 | 42, III, F.24                      | GTSP process line   | Strike - not applicable   |
| 61 | 42, III, F.24                      | Research and development facility   | Strike - not applicable   |
| 62 | 46,III,H                           | Molten sulfur unloading   | Stike reference to rail unloading.  |
| 63 | 47, III, H.2                       | Molten sulfur transfer op = 8760  | Strike – see condition II.11  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |               |  |  |
|----|---------------|--|--|
|    |               | hours  |  |
| 64 | 47,III,H.9    | Areas surrounding Molten sulfur pipes                | Delete reference to railcars.  |
| 65 | 48, III, H.12 | Objectionable odor prohibited                        | Strike – condition II.2. This is not federally enforceable. If the condition remains it should be noted as, Non-Federally Enforceable.   |
| 66 | 48, III, H.15 | Test Method(s): 9 – 60 min specified                 | Change 60 back to 30 minutes as in 008 and H.18.<br><br>Reference H.3 and VE observations should be for 30 minutes same as in H.18.  |
| 67 | 49, III, H.17 | Test method 9 for J.7(?)                             | Strike – same as H.15 or at a minimum change reference to H.3.   |
| 68 | 49, III, H.18 | Test method(s): 9 – 30 min specified                 | Combine H.15, H.17 and H.18. Specify 30 minutes  |
| 69 | 49, III, H.20 | Retain spill records for 5 yrs                       | Strike – condition II.1, TV-1 43. Change reference to H.1,H.2 and H.11.  |
| 70 | 50, III, H.24 | Retain spill records for 5 yrs                       | Strike – condition II.1, TV-1 43   |
| 71 | 50, III, H.25 | Minimize emissions per Sulfur Rule                   | Strike – included in H.8-11 and H.22-24  |
| 72 | EU023, 6, 1   | indicator 1/2: min and max 1=fan amps; 2=liquid flow | This needs to be clarified - is the tailgas to be based on fan amps or pressure drop?  |
| 73 | EU023, 6, 2   | excursion = 1 hour average                           | Exceedance averaging time is not defined. It is unclear if an excursion is an exception to the TV permit and therefore reportable in the annual compliance statement. Language in E.29 reads "Failure to adhere to the monitoring requirements specified does not necessarily indicate an exceedance of a specific emissions limitation." Which suggest this not reportable in the annual statement. See discussion below regarding 1 hour |

# MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |             |                                       |  |
|----|-------------|---------------------------------------|--|
|    |             |                                       | excursion reporting for purposes of the annual compliance statement.   |
| 74 | EU023, 2    | tailgas scrubber - 4.6 to 10.2 in hoh | This should be amp for two fans  |
| 75 | EU023, 6, 5 | averaging period = 1 hour             | Based on prior discussions, and the facility request in its original CAM the exceedance averaging period should be 3hrs. |

## **EXHIBIT 1**

- IV. Appendices and Attachments (listed in sequence as attached)
- Attachment A, Memorandum of Understanding Regarding Best Operational Start-Up Practices for Sulfuric Acid Plants
  - Appendix I-1, List of Insignificant Emissions Units and/or Activities
  - Appendix U-1, List of Unregulated Emissions Units and/or Activities
  - Appendix TV-1, Title V Conditions
  - Appendix SS-1, Stack Sampling Facilities
  - Appendix A-1, Abbreviations, Definitions, Citations, and ID Numbers (For reference only)
  - Appendix H-1, Permit History/ID Number Transfers (For reference only)
  - Figure 1 – Summary Report – Excess Emissions and Monitoring System Performance
  - Table 297.310-1 Calibration Schedule
  - Table 1-1, Summary of Air Pollutant Standards and Terms (For reference only)
  - Table 2-1, Summary of Compliance Requirements (For reference only)
  - 40 CFR Part 61, Subpart A (General Provisions) and Subpart R (Radon Emissions from Phosphogypsum Stacks)
  - 40 CFR Part 63, Subparts A (General Provisions) and Subparts AA and BB
  - Compliance Assurance Monitoring (CAM) Plan
  - Compliance Plan CP-1
  - Alternate Sampling Plans, approved 10/19/05 and 12/20/05, ASP 05-5-AP and ASP 05-L-AP

—



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E-mail: David.Turley@mosaicco.com

Certified Mail 7004 2510 0002 0526 7070  
Return Receipt Requested

March 22, 2006

**VIA EMAIL, CERTIFIED AND REGULAR MAIL**

Mr. Robert Bull  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Mail Code 5505  
Tallahassee, FL 32399-300

RECEIVED  
MAR 27 2006  
BUREAU OF AIR REGULATION

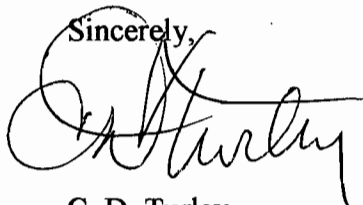
**RE: Mosaic Fertilizer, LLC: Draft Permit No. 1050055-014-AV**  
**South Pierce Plant, 7450 Highway 630, Mulberry, FL 33860**

Dear Mr. Bull:

Enclosed are Mosaic's comments and suggested revisions to the Draft South Pierce Title V Permit. Once you have reviewed the comments, please let me know if you would like to meet in person or via conference call to discuss Mosaic's comments.

Please note, we currently have until April 10, 2006 to finalize the permit before an appeal will be necessary. If you anticipate additional time is necessary, please let me know. If we have not finalized the permit by April 7, I anticipate requesting another extension.

I look forward to speaking with you to finalize the permit.

Sincerely,  
  
C. D. Turley

CDT:aml\jp  
enclosure

C: Jeff Golwitzer  
David Jellerson  
Diana Jagiella  
Dean Ahrens  
Patricia Comer, Assistant General Counsel, Florida DEP  
P. Raval, Koogler & Associates

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

| No. | Page, Section, Condition | Description of Permit Condition  | Comment/Requested Revision   |
|-----|--------------------------|--|--|
| 1   | ii, toc                  | Table of contents  | Does not list all attachments. All attachments should be listed as reflected on Exhibit 1 attached hereto.   |
| 2   | 1, c1                    | Cover Letter   | Does not list all attachments. All attachments that are part of the permit should be listed. All documents on Exhibit 1 should be listed except those noted "for reference only".                                |
| 3   | 5, II, 9                 | Permitted capacity is defined as 90-100% of operating rate...Once a unit is limited, operation at higher capacity is allowed for no more than 15 days until retest regains permitted capacity.                     | The Test period changed from 30 to 15 days. This timeframe is impossible to meet because of the 15 or 60 day prior notification requirements for testing. We request the test period be revised to 30 days.      |
| 4   | 5, II, 13                | When appropriate, time specific requirements are based on the permit effective date which is day one. The Permitting note states: quarterly means calendar quarters and monthly means the beginning of each month. | Clarify reporting timeframe. The reference to the permit effective date creates ambiguity. The reporting requirement should be clearly based on calendar reporting for both monthly and quarterly reporting.     |
| 5   |                          | Insignificant Emissions Units and/or Activities  | Restore condition 4 from prior permit stating list of Insignificant Emission Units and/or Activities is part of the Permit.  |
| 6   |                          | The prior permit, (pg. 7, Section II, Condition 14) provided retesting options to ensure the air pollution control or system were operating properly.  | Need to include Conditions 14(c) and (d) from the prior permit. These conditions allowed the facility to re-establish scrubber parameter ranges retroactively by retesting within 30 days at the same conditions |

# MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |              |  |   |
|----|--------------|--|---|
|    |              |  | reflecting a compliance exception to demonstrate compliance at those conditions. These conditions are not precluded by the NESHAP.  |
| 7  |              | The prior permit, (pg. 7, Section II, Condition 14) provided, the drop shall not fall below, in the case of $\Delta P < 5$ inches of water, a change of 0.5 below the drop reported in the last satisfactory test. | Condition 14(b)(3) needs to be restored for the cases of $\pm 20\%$ of low pressure drops. This condition recognizes control and measurement difficulties for drops of water less than 5 inches.  |
| 8  | 13,III,B.2   | PTE Sulfuric Acid production   | This condition should be stricken; it duplicates H.1.   |
| 9  | 16,III, B.22 | Emission Standard testing  | Reference B.3 and B.4   |
| 10 | 17, III, C   | Phosphoric Acid Plant A and B Trains   | The permitting note states that the NESHAP takes precedence over NSPS except for BACT determinations which take precedence over both. This note should be clarified as it creates ambiguity. There are no BACT determinations at this facility which impose limits more stringent than the NESHAP. 40 CFR Part 63, Subpart AA is equivalent to BACT at this facility for Phosphoric Acid Manufacturing Plant Trains A and B. If this note is intended to refer to other requirements, they should be clearly spelled out. |
| 11 | 17, III, C.2 | F 0.02 lb/ton $P_2O_5$ ; 1.11 lb/hr  | The maximum production rate of 50 tons $P_2O_5$ per hour should be removed. Production fluctuates based on recovery and should not be limited in the permit. The limit is based on $P_2O_5$ input which defines   |



MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |   |  |   |
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|    |   |  | <p>capacity. The production rate limit would constitute an inappropriate and indirect limit.</p> <p>Strike the last sentence in footnote(2) which restates that fluoride emissions shall not exceed .02 pounds per ton. It is unnecessary, as it is a restatement of condition C.2.</p>   |
| 12 | <p>18, III, C.5</p> <p>28, III, E.10</p> <p>39, III, F.11</p> | <p>Required prior test notification per 40 CFR §63.9</p> | <p>This replaces the 15 day notification. 40 CFR §63.9 covers Title V test notifications. The permit should read “60 day prior written notification of a performance test shall be provided, including, if required, the site specific test plan. [40 CFR §63.9(e); 40 CFR §63.7(c)].”</p> <p>The permit should lay out specific requirements and not just cite applicable regulations. This comment applies to the overall draft permit.</p> |
| 13 | <p>18, III, C.6</p>   | <p>Test for: F annually</p>                              | <p>Strike reference to §63.7(a)(2) – this refers to the initial test which is no longer an applicable requirement.</p> <p>The permit should read “An annual performance test shall be conducted to demonstrate compliance with the applicable emission standard...”</p> <p>Strike references to “new” equipment which isn’t applicable, and to non</p>  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |   |   |   |
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|    |   |   | <p>existent equipment or processes – specifically, the superphosphoric acid process line, rock dryer, and rock calciner.</p> <p>The Sub Part A section reference is unclear. The permit should read “The performance test shall be conducted according to the procedures in C.7.”</p>   |
| 14 | <p>18, III, C.7</p> <p>29,III,E.13</p> <p>37,III,F.10</p> | Test for fluorides                                  | <p>In C.7, E.13 and F.10 strike reference to “new” equipment which isn’t applicable. In C.7 strike reference to superphosphoric line which does not exist. In E.13 strike reference to DAP and MAP reference. In F.10 change reference to F.3.</p> <p>The permit should read “The performance tests shall be conducted according to the reference methods and procedures specified in C.14 (or E.18).”</p> <p>The last introductory sentence should read “Compliance with the fluoride standards in C.2 (or E.3) shall be determined as follows:”</p> |
| 15 | <p>18, III, C.7(1)</p> <p>29, III, E.13(1)</p>            | Determine lb F/ton P <sub>2</sub> O <sub>5</sub>    | Please rewrite the formula to recognize there is only one emission point. As written, the formula contemplates multiple emission points.  |
| 16 | 19,III,C.7,C.8, C.10,C.12,C.14,C.16                       | References to Scrubber Flow, Pressure Drop and Amps | References to Scrubber pressure drops, flow and amps should include the options under the ASPs.   |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    | 28,III,E.4,E.13,E.17,E.18<br><br>36,III,F.7,F.10,F.15,F.19,F.20 |  |  |
| 17 | 19, III, C.7(4)<br><br>30,III,E.13(4)<br><br>38, III, F.10(4)   | Monitor scrubber flow and pressure drop during test    | The Permit should reference C.14 and C.12 in Section C and E.17 and 18 in Section E.<br><br>In Section F, reference F.19 not §63.625(f)(1) or (2) and strike reference to §63.625 - it is covered in the compliance plan CP-1, the installation of monitoring with new scrubber. |
| 18 | 19, III, C.8  | Rock dryer testing requirements                        | Strike – no dryer exists   |
| 19 | 20, III, C.9  | Calciner testing requirements                          | Strike – no calciner exists  |
| 20 | 20, III, C.10e  | Test report information: scrubber gpm                  | Strike, see C.7(4)   |
| 21 | 20, III, C.10f  | Test report information: scrubber delta P              | Strike, see C.7(4)   |
| 22 | 20, III, C.12(2)  | Continuous monitor liquid flow in 15 min block average | Change reference to C.13 not 11  |
| 23 | 21, III, C.13<br><br>33, III, E.23                              | 12 hr period: gpm                                      | Strike this condition. In Section C it has been superceded by C.12 and in E by E.17 and no longer applies.   |
| 24 | 21, III, C.14<br><br>31, III, E.18<br><br>40,III,F.19           | Establish operating ranges                             | In Section C, Change the reference from §63.606 to C.7. In Section E, change reference from 63.626 to E.13 and in Section F. from 63.626 to F.10.<br><br>Cite regulations in parentheses.  |
| 25 | 21, III, C.14(1)<br><br>31, III, E.18(1)                        | Scrubber ranges +/- 20% last test                      | In Section C, change the reference to C.7, not §63.606(c)(4). Strike (d)(4) and (e)(2) as they apply to rock dryers and rock   |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    | 40,III,F.19(1)   |   | <p>calciners, equipment that is not present at the facility.</p> <p>In Section E, reference E.13 not 63.626(c)(4) and strike (d)(4) as this applies to the storage buildings and is covered in Section F. In Section F, reference F.10, not 63.626(c)(4).</p> <p>Put regulatory citations in parentheses.</p> <p>See Comment 6 regarding old II.14(b)3 condition about low pressure drops.</p>   |
| 26 | <p>21, III, C.14(2)</p> <p>31, III, E.18(2)</p> <p>40,III, F.19(2)</p> | Scrubber ranges based on previous tests | <p>In Section C, reference C.7. Strike (d)(4) and (e)(2) as they apply to rock dryers and rock calciners, equipment that is not present at the facility. Change the reference to §63.604 to C.16.</p> <p>In Section E, reference E.13 and in Section F, reference F.10, not 63.606(c)(4) and strike (d)(4). In Section E, change the reference from 63.624 to E.4 and in Section F change the reference from 63.624 to F.7.</p> <p>Regulations should be cited in parentheses.</p> |
| 27 | 22, III, C.15  | Calciners/dryer feed record             | Strike – this equipment does not exist.  |
| 28 | 22, III, C.16  | Scrubber daily averages                 | Change the references from regulatory citations to the relevant conditions and cite the regulations in parentheses. Specifically, change the reference to §§63.7 and 63.606 to C.7,  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

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|    |   |  | and the reference to §63.605 to C.14.   |
| 29 | 22, III, C.17                                 | Calibrate, maintain, and operate a device to monitor feed +/- 5% | Strike “new” and superphosphoric line, rock dryer and rock calciner. No new equipment is present and the other equipment does not exist.  |
| 30 | 22, III, C.18 and C.19                        | Maintain daily record of p2O5 feed                               | <p>C. 18 and C. 19 should be combined to be one condition, not two. The revised single condition should list as regulatory references the provisions in Part 60 and 63 rather than having 2 conditions.</p> <p>In addition, change the references from regulatory citations to the relevant conditions and cite the regulations in parentheses.</p> <p>The permit should read “A daily record shall be maintained using a monitoring system that meets the requirements of C.17 and then by proceeding according to C.7(3).</p> |
| 31 | 22, III, C.20<br>32, III,E.21<br>39, III,F.12 | Comply with 63.10 recordkeeping requirements                     | <p>Condition 20 (and E.21 and F.12) which provides “Each owner or operator...shall comply with the recordkeeping requirements in §63.10” should be stricken.</p> <p>Specific applicable requirements from §63.10 should be listed. This is done in C.21 (and E.22 and F.13) so C.20 (and E.21 and F.12) is superfluous and should be stricken.</p>  |
| 32 | 23, III,                                      | Performance test report  | The reference to initial  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |  |   |  |
|----|--|---|--|
|    | C.21(1)<br><br>32, III,E.22(1)<br><br>39, III,<br>F.13(1)        |   | <p>testing requirements should be stricken. Strike references to “as required by §63.10.”</p> <p>C.21.(1) should read “The results of the annual performance tests shall be reported within 45 days.”<br/>Note: The 45 day rule under Florida regulations supercedes the 60 day NESHAP Subpart A.</p> <p>The regulatory citations should be listed at the end in parentheses.</p>    |
| 33 | 23, III,<br>C.21(2)<br><br>32,III,E.22(2)<br><br>39,III, F.13(2) | Excess emission report (exceedances)  | <p>Strike references to “as required by §63.10.”<br/>Specific applicable requirements from §63.10 should be listed.</p>  |
| 34 | 23, III, C.22<br><br>33,III,E.25<br><br>41, III, F.21            | Applicable parts of subpart A   | <p>This condition should be deleted. It’s unclear that it sets forth compliance requirements not already referenced elsewhere in the permit. If it imposes additional obligations not already referenced in the permit, these should be specified.</p> <p>40 CFR Parts 61 and 63 are listed in permit cover letter but not listed in the table of contents and are not included.</p> |
| 35 | 23, III, C.23  | Reference to requirements applicable to Phosphoric Acid plants  | Reference made to BB – should be AA.   |
| 36 | 23, III, C.23<br><br>33,III, E.27                                | Subpart AA and appendix A and CP-1 apply, <b>updates also apply</b> – restricted to establishing operating parameters | Specify as conditions the applicable requirements: such as ssm plan, etc.  |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |   |  |   |
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|    | 41, III, F.23   |  | Strike the permit update language. A Permit cannot be modified via regulatory changes absent inclusion in the SIP and modification of the permit.                 |
| 37 | 23, III, C.23(2)  | Applicable parts of subpart A and AA are applicable  | Strike this condition, it is a duplicate specification.   |
| 38 | 23, III, C.23(3)<br><br>33,III, E.27(2)<br><br>41, III, F.23(3) | Specifically notify dept of testing for establishing ranges  | As previously explained, expand this to include provision for operation outside range for the period of test without being an exception.                          |
| 39 | 23, III, C.23(5)<br><br>33,III,E.27(5)<br><br>41,III,23(5)      | Test must demonstrate compliance with standards and methods  | Strike this condition, it is a duplicate specification. (See C.21(1); E.27(1);F.23(1)).   |
| 40 | 23, III, C.23(6)<br><br>33,III,E.27(6)<br><br>41,III,F.23(6)    | Tests submitted per A and AA   | Strike this condition, it is a duplicate specification. (See C.21(1); E.27(1); F.23(1) .  |
| 41 | 23, III, C.23(7)<br><br>33,III,E.27(7)<br><br>42,III,F.23(5)    | Dept has 30 day review of new allowable ranges   | See Comment 6. As previously explained, the ability to re-establish ranges needs to be added back here in some form.  |
| 42 | 24, III, C.26   | All reasonable precautions shall be taken to minimize and control the generation of fugitive fluoride emissions. | Add “Not federally enforceable” notation back.<br><br>Also, clarify what FDEP considers reasonable precautions by way of examples.                                |
| 43 | 28, III, E.8  | Excess Emissions due to malfunction: immediately notify, report in quarterly if requested                        | Strike this condition– this is included in MACT reporting requirements (see E.22(2) for excess emission reporting). The citation to the Florida regulation can be |

MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |                        |   |   |
|----|------------------------|---|---|
|    |                        |   | added in parentheses to E.22.   |
| 44 | 29, III, E.11          | Test for: PM, F, VE annually                        | <p>Strike reference to §63.630 – this refers to the initial test which is no longer an applicable requirement. Also strike reference to storage building which is covered in F.</p> <p>The permit should read “An annual performance test shall be conducted to demonstrate compliance with the applicable emission standard referenced in E.3,E.5 and E.6...”</p>  |
| 45 | 32, III, E.19 and E.20 | Daily – feed P2O5 (as production and P2O5 analysis) | <p>Strike E.19. 40 CFR 60.203(b) applies to Phosphoric Acid plants not GTSP lines.</p> <p>In E.20 strike “the owner or operator is subject to the requirements of 40 CFR 60.203(b)...”. This regulation applies to Phosphoric Acid plants not GTSP lines. Also strike the reference to this regulation in the parenthetical.</p> <p>In E.20, the language should read “...using a monitoring system for measuring mass flow rate which shall have an accuracy of +/- 5% over its operating range and then by proceeding in accordance with E.13(3).</p> <p>Further, please note, the GTSP line at this facility is a pre-NSPS source and therefore, NSPS does not</p> |



## MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |  |   |   |
|----|--|---|---|
|    |  |   | apply.  |
| 46 | 33, III, E.26                          | Administrator retains approval test plans   | Strike this condition. The storage buildings are addressed in Section F. This is an unnecessary and potentially confusing condition.                                      |
| 47 | 33, III, E.27(2)<br><br>41,III,F.23(2) | Applicable parts of subpart A and BB are applicable   | Strike – duplicate specification  |
| 48 | 34, III, E.28                          | Dap/map process line  | Strike - not applicable   |
| 49 | 34, III, E.28                          | Equivalent P2O5 stored  | Strike - not applicable   |
| 50 | 34, III, E.28                          | Fresh GTSP  | Strike - not applicable   |
| 51 | 34, III, E.28                          | Research and development facility   | Strike - not applicable   |
| 52 | 34, III, E.29                          | CAM plan  | Add clarification of what events constitute an exceedance versus and an excursion. This information is necessary to properly complete the annual statement of compliance. |
| 53 | 37, III, F.9                           | Conduct performance test for a new DAP or MAP line  | Strike – performance tests are covered in F.8   |
| 54 | 37, III, F.10(2)                       | Use 40 CFR Part 60 appendix as performance test methods as per §63.7                          | (2) can be stricken as it restates the introduction in F.10.  |
| 55 | 39, III, F.15                          | Install, calibrate, maintain, operate devices to monitor fan amps in lieu of scrubber delta P | Revise this is in conflict with F.7. Strike last sentence which provides fan amps as alternate indicator of pressure drops. This is covered under ASP 05-L-AP.            |
| 56 | 41, III, F.20a                         | Weekly – amps for each scrubber   | Strike, see F.7. This has been superceded.  |
| 57 | 42, III, F.24                          | definitions   | Strike DAP/MAP reference. Provide basis to include research and development.  |
| 58 | 42, III, F.24                          | DAP/MAP process line  | Strike - not applicable   |
| 59 | 42, III, F.24                          | Equivalent P2O5 feed  | Strike - not applicable   |
| 60 | 42, III, F.24                          | GTSP process line   | Strike - not applicable   |
| 61 | 42, III, F.24                          | Research and development facility   | Strike - not applicable   |
| 62 | 46,III,H                               | Molten sulfur unloading   | Stike reference to rail unloading.  |
| 63 | 47, III, H.2                           | Molten sulfur transfer op = 8760  | Strike – see condition II.11  |

## MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |               | hours  |   |
|----|---------------|--|---|
| 64 | 47,III,H.9    | Areas surrounding Molten sulfur pipes                | Delete reference to railcars.   |
| 65 | 48, III, H.12 | Objectionable odor prohibited                        | Strike – condition II.2. This is not federally enforceable. If the condition remains it should be noted as, Non-Federally Enforceable.  |
| 66 | 48, III, H.15 | Test Method(s): 9 – 60 min specified                 | Change 60 back to 30 minutes as in condition H.18.<br><br>Reference H.3 and VE observations should be for 30 minutes same as in H.18.   |
| 67 | 49, III, H.17 | Test method 9 for J.7(?)                             | Strike – same as H.15 or at a minimum change reference to H.3.  |
| 68 | 49, III, H.18 | Test method(s): 9 – 30 min specified                 | Combine H.15, H.17 and H.18. Specify 30 minutes   |
| 69 | 49, III, H.20 | Retain spill records for 5 yrs                       | Strike – condition II.1, TV-1 43. Change reference to H.1,H.2 and H.11.   |
| 70 | 50, III, H.24 | Retain spill records for 5 yrs                       | Strike – condition II.1, TV-1 43  |
| 71 | 50, III, H.25 | Minimize emissions per Sulfur Rule                   | Strike – included in H.8-11 and H.22-24   |
| 72 | EU023, 6, 1   | indicator 1/2: min and max 1=fan amps; 2=liquid flow | This needs to be clarified - is the tailgas to be based on fan amps or pressure drop?   |
| 73 | EU023, 6, 2   | excursion = 1 hour average                           | Exceedance averaging time is not defined. It is unclear if an excursion is an exception to the TV permit and therefore reportable in the annual compliance statement. Language in E.29 reads "Failure to adhere to the monitoring requirements specified does not necessarily indicate an exceedance of a specific emissions limitation." Which suggest this not reportable in the annual statement. See discussion |

# MOSAIC COMMENTS TO SOUTH PIERCE DRAFT TITLE V PERMIT

|    |               |                                       |  |
|----|---------------|---------------------------------------|--|
|    |               |                                       | below regarding 1 hour excursion reporting for purposes of the annual compliance statement.                              |
| 74 | EU023, 2      | tailgas scrubber - 4.6 to 10.2 in hoh | This should be amp for two fans  |
| 75 | EU023, 6, 5   | averaging period = 1 hour             | Based on prior discussions, and the facility request in its original CAM the exceedance averaging period should be 3hrs. |
| 76 | 15, III, B.13 | Compliance Test Methods               | The referenced conditions should be B.3, B.4 and B.6.  |

## **EXHIBIT 1**

- IV. Appendices and Attachments (listed in sequence as attached)
- Attachment A, Memorandum of Understanding Regarding Best Operational Start-Up Practices for Sulfuric Acid Plants
  - Appendix I-1, List of Insignificant Emissions Units and/or Activities
  - Appendix U-1, List of Unregulated Emissions Units and/or Activities
  - Appendix TV-1, Title V Conditions
  - Appendix SS-1, Stack Sampling Facilities
  - Appendix A-1, Abbreviations, Definitions, Citations, and ID Numbers (For reference only)
  - Appendix H-1, Permit History/ID Number Transfers (For reference only)
  - Figure 1 – Summary Report – Excess Emissions and Monitoring System Performance
  - Table 297.310-1 Calibration Schedule
  - Table 1-1, Summary of Air Pollutant Standards and Terms (For reference only)
  - Table 2-1, Summary of Compliance Requirements (For reference only)
  - 40 CFR Part 61, Subpart A (General Provisions) and Subpart R (Radon Emissions from Phosphogypsum Stacks)
  - 40 CFR Part 63, Subparts A (General Provisions) and Subparts AA and BB Compliance Assurance Monitoring (CAM) Plan
  - Compliance Plan CP-1
  - Alternate Sampling Plans, approved 10/19/05 and 12/20/05, ASP 05-5-AP and ASP 05-L-AP