

1050046-018-AV  
OGC 3/18/07

**MOSAIC -- Bartow Phosphate Fertilizer 1050046-018-AV**

OGC # 05-0018

Permit Writer: Bobby

North Section: Jim

<b>2005</b>								
5-Jan	Received request for extension of time copies to Bobby and Trina							
	Bobby will review and let me know if to grant or not -- probably will grant							
	however, Trina does not want to grant as long as they have requested which							
	was 3/15/05 OGC should receive overnighted hard copy sometime today							
5-Jan	set up notes page, add to the table of contents, set up a new section in the							
	OGC book							
6-Jan	OGC set up the case in LCT							
	Bobby said to grant as they requested through the 15th of March							
	Trina concurred DRAFTED the order and sent over to OGC							
11-Jan	e-mailed Lisa for copy of the signed order to grant -- she will look for it							
	thought she had issued it last week							
20-Jan	Requested the copy of the signed order to grant							
21-Jan	Trina requested the same today							
28-Jan	Received copy of the signed order from OGC late yesterday							
	copies to Trina and Bobby -- OGC updated LCT themselves							
	order was just signed by Jack and Doug yesterday for some reason							
	updated OGC Act Book and notes added to Outlook							
			expires 3/15/05					
7-Mar	one week FYI notice to Bobby							
14-Mar	requested an update from OGC on further filings from facility -- they don't see any							
	in LCT yet -----????							
17-Mar	nothing in LCT yet this am							
3/18		"	"	e-mailed Lisa				

## Gibson, Victoria

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**From:** Light, Lisa  
**Sent:** Friday, March 18, 2005 10:02 AM  
**To:** Gibson, Victoria  
**Subject:** RE: Any New Requests This Week

haven't seen anything yet, but I yesterday was nuts (ended up making the high speed run to the First DCA to file a brief). We'll check around. If something shows up, I'll fax.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Friday, March 18, 2005 10:01 AM  
**To:** Light, Lisa  
**Subject:** Any New Requests This Week

Hi,

I was looking to see if any of the following facilities had requested another extension of time:

1050046-018-AV	Mosaic / Bartow	05-0018
1050234-010-AC	Progress Energy/Hines	05-0197
0250020-013-AV	TARMAC	04-1739

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary for  
Trina Vielhauer, Chief  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504 fax 850-921-9533

## Gibson, Victoria

---

**From:** Bull, Robert  
**Sent:** Monday, March 07, 2005 2:03 PM  
**To:** Gibson, Victoria  
**Subject:** RE: Mosaic - Bartow

thanks

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Monday, March 07, 2005 2:02 PM  
**To:** Bull, Robert  
**Subject:** Mosaic - Bartow

FYI,

The extension of time on Mosaic - Bartow Phosphate 1050046-018-AV will expire in one week on 3/15.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

MOSAIC FERTILIZER, INC.,  
Bartow Phosphate Fertilizer Facility

Petitioner,

v.

OGC #05-0018  
DEP Permit 1050046-018-AV

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Respondent.

**ORDER GRANTING REQUEST FOR EXTENSION  
OF TIME TO FILE PETITION FOR HEARING**

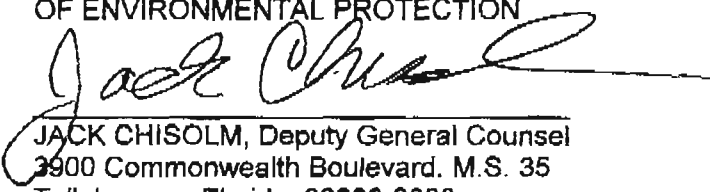
This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner Mosaic Fertilizer, Inc., to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Polk County, Florida. Because the request shows good cause for the extension of time,

**IT IS ORDERED:**

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until **March 15, 2005**, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 27<sup>th</sup> day of January, 2005, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
JACK CHISOLM, Deputy General Counsel  
3900 Commonwealth Boulevard, M.S. 35  
Tallahassee, Florida 32399-3000  
850-245-2242 facsimile 850-245-2302

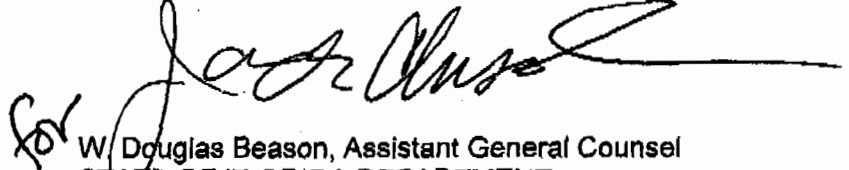
BEST AVAILABLE COPY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via  
\_ U. S. Mail ☒ facsimile ☒ only, this 27<sup>th</sup> day of January, 2005, to:

James K. Voyles  
The Mosaic Company  
12800 Whitewater Drive, Suite 200  
Minnetonka, MN 55343

Fax 952-984-0437

for 

W. Douglas Beason, Assistant General Counsel  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION  
3900 Commonwealth Boulevard - Mail Station 35  
Tallahassee, FL 32399-3000  
850-245-2242 facsimile 850-245-2302

with a courtesy copy to:

Trina L. Vielhauer  
Chief  
Bureau of Air Regulation

facsimile: 850-921-9533

## Gibson, Victoria

---

**From:** Light, Lisa  
**Sent:** Thursday, January 27, 2005 3:52 PM  
**To:** Vielhauer, Trina; Gibson, Victoria  
**Subject:** RE: Copies

Trina - I've checked the files, and for some reason cannot find the CF Request. (however, Vicky did send me an Order Granting until 1/31, so I'm hoping she's found a copy of what I sent over of 12/20. I faxed the order over on 1/5. ). I'm calling Hopping Green to request another copy. When I get it, I'll send right over. [Of course, once I get another copy from HG, I'm sure the first one will show up misfiled somewhere.]

Mosaic... being signed. Not sure why it got put on the side, but should be there shortly.

Lisa ☺

-----Original Message-----

**From:** Vielhauer, Trina  
**Sent:** Friday, January 21, 2005 3:51 PM  
**To:** Light, Lisa; Gibson, Victoria  
**Subject:** RE: Copies

Lisa,  
Thank you for sending over the SAC and Tarmac orders that were signed yesterday [so they certainly haven't been sitting over here].

We still do not have a copy of the *order granting* Mosaic [not their request- we've received that by fax several times] nor the CF request for extension of time. The CF request was filed, supposedly, December 17. We requested copies of that document on: 12/22 [when we found out via LCT that it had been filed], 12/29, 1/4 [I emailed this one], 1/12, and 1/20.

Could you please get us copies of those as well?

Thanks!

Trina

-----Original Message-----

**From:** Light, Lisa  
**Sent:** Thursday, January 20, 2005 9:35 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina  
**Subject:** RE: Copies

Has your fax number changed? Cuz you did orders on all those, so the must be someplace over there... I'll try to get them over again today.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Thursday, January 20, 2005 9:28 AM  
**To:** Light, Lisa  
**Cc:** Vielhauer, Trina  
**Subject:** Copies

Hi,

I still haven't received by fax the signed orders to grant for:

Mosaic 1050046-018-AV

Suwannee American Cement 1210465-006-Av

Tarmac 0250020-013-AV

Also, I need a copy of the request of 12/17/04 from CF Industries 0570005-007-AV

Would it be possible for me to receive these today?

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

## Gibson, Victoria

---

**From:** Vielhauer, Trina  
**Sent:** Thursday, January 27, 2005 10:22 AM  
**To:** Gibson, Victoria  
**Subject:** FW: Copies

-----Original Message-----

**From:** Vielhauer, Trina  
**Sent:** Thursday, January 27, 2005 10:12 AM  
**To:** Beason, Doug; Chisolm, Jack  
**Subject:** FW: Copies

Still have received no response nor the documents requested.

-----Original Message-----

**From:** Vielhauer, Trina  
**Sent:** Friday, January 21, 2005 3:51 PM  
**To:** Light, Lisa; Gibson, Victoria  
**Subject:** RE: Copies

Lisa,  
Thank you for sending over the SAC and Tarmac orders that were signed *yesterday* [so they certainly haven't been sitting over here].

We still do not have a copy of the *order granting* Mosaic [not their request- we've received that by fax several times. Order was sent to OGC on 1/6] nor the CF request for extension of time. The CF request was filed, supposedly, December 17. We requested copies of that document on: 12/22 [when we found out via LCT that it had been filed], 12/29, 1/4 [I emailed this one], 1/12, and 1/20.

Could you please get us copies of those as well?

Thanks!

Trina

-----Original Message-----

**From:** Light, Lisa  
**Sent:** Thursday, January 20, 2005 9:35 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina  
**Subject:** RE: Copies

Has your fax number changed? Cuz you did orders on all those, so the must be someplace over there... I'll try to get them over again today.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Thursday, January 20, 2005 9:28 AM  
**To:** Light, Lisa  
**Cc:** Vielhauer, Trina  
**Subject:** Copies

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I still haven't received by fax the signed orders to grant for:

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Would it be possible for me to receive these today?

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
[victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us)  
850-921-9504

## Gibson, Victoria

---

**From:** Vielhauer, Trina  
**Sent:** Friday, January 21, 2005 3:51 PM  
**To:** Light, Lisa; Gibson, Victoria  
**Subject:** RE: Copies

Lisa,  
Thank you for sending over the SAC and Tarmac orders that were signed *yesterday* [so they certainly haven't been sitting over here].

We still do not have a copy of the *order granting Mosaic* [not their request- we've received that by fax several times] nor the CF request for extension of time. The CF request was filed, supposedly, December 17. We requested copies of that document on: 12/22 [when we found out via LCT that it had been filed], 12/29, 1/4 [I emailed this one], 1/12, and 1/20.

Could you please get us copies of those as well?

Thanks!

Trina

-----Original Message-----

**From:** Light, Lisa  
**Sent:** Thursday, January 20, 2005 9:35 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina  
**Subject:** RE: Copies

Has your fax number changed? Cuz you did orders on all those, so the must be someplace over there... I'll try to get them over again today.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Thursday, January 20, 2005 9:28 AM  
**To:** Light, Lisa  
**Cc:** Vielhauer, Trina  
**Subject:** Copies

Hi,

I still haven't received by fax the signed orders to grant for:

Mosaic 1050046-018-AV

Suwannee American Cement 1210465-006-Av

Tarmac 0250020-013-AV

Also, I need a copy of the request of 12/17/04 from CF Industries 0570005-007-AV

Would it be possible for me to receive these today?

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Thursday, January 20, 2005 9:38 AM  
**To:** Light, Lisa  
**Cc:** Vielhauer, Trina  
**Subject:** RE: Copies

Fax # is still 921-9533.

Vickie

-----Original Message-----

**From:** Light, Lisa  
**Sent:** Thursday, January 20, 2005 9:35 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina  
**Subject:** RE: Copies

Has your fax number changed? Cuz you did orders on all those, so the must be someplace over there... I'll try to get them over again today.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Thursday, January 20, 2005 9:28 AM  
**To:** Light, Lisa  
**Cc:** Vielhauer, Trina  
**Subject:** Copies

Hi,

I still haven't received by fax the signed orders to grant for:

Mosaic 1050046-018-AV

Suwannee American Cement 1210465-006-Av

Tarmac 0250020-013-AV

Also, I need a copy of the request of 12/17/04 from CF Industries 0570005-007-AV

Would it be possible for me to receive these today?

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

## Gibson, Victoria

---

**From:** Light, Lisa  
**Sent:** Tuesday, January 11, 2005 2:24 PM  
**To:** Gibson, Victoria  
**Subject:** RE: From Vickie

Computer is crashing.... piece of crap.

I'll get the ones you just sent me out tomorrow (everybody is at the WPA meeting). And I thought Mosiac went last week. I'll dig.

Must reboot again.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Tuesday, January 11, 2005 2:21 PM  
**To:** Light, Lisa  
**Subject:** From Vickie

Hi,

Thank you very much for the fax copies today.

Were we able to get signatures on MOSAIC 1050046-018-AV

If it has been signed - would you please fax me a copy of this also.

Thanks. 921-9533

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Thursday, January 06, 2005 2:14 PM  
**To:** Light, Lisa; Beason, Doug  
**Cc:** Vielhauer, Trina  
**Subject:** RE: DRAFT Order to Grant on Mosaic

Monday is good. Have a great weekend.

Vickie

-----Original Message-----

**From:** Light, Lisa  
**Sent:** Thursday, January 06, 2005 1:50 PM  
**To:** Gibson, Victoria; Beason, Doug  
**Cc:** Vielhauer, Trina  
**Subject:** RE: DRAFT Order to Grant on Mosaic

Got it, printed it, but nobody here to sign it today. I'm out tomorrow, & Jack is sick, so if nobody else nags, it will go Monday (I assume no big urgency since you're giving them until mid-March.) If that is not the case, let me know ASAP, and I'll try to find another deputy to sign it.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Thursday, January 06, 2005 12:23 PM  
**To:** Light, Lisa; Beason, Doug  
**Cc:** Vielhauer, Trina  
**Subject:** DRAFT Order to Grant on Mosaic  
**Importance:** High

<< File: Ord to grant on Mosaic.doc >>

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Thursday, January 06, 2005 12:23 PM  
**To:** Light, Lisa; Beason, Doug  
**Cc:** Vielhauer, Trina  
**Subject:** DRAFT Order to Grant on Mosaic  
  
**Importance:** High



Ord to grant on  
Mosaic.doc (38...

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mosaic Fertilizer, Inc.  
Bartow Phosphate Fertilizer Facility

Petitioner,

v.

OGC #05-0018

DEP Permit 1050046-018-AV

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Respondent.

**ORDER GRANTING REQUEST FOR EXTENSION  
OF TIME TO FILE PETITION FOR HEARING**

This cause has come before the Florida Department of Environmental Protection upon receipt of a request made by Petitioner Mosaic Fertilizer, Inc., to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Polk County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until, **March 15, 2005**, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this \_\_\_\_\_ day of January, 2005, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

JACK CHISOLM, Deputy General Counsel  
3900 Commonwealth Boulevard. M.S. 35  
Tallahassee, Florida 32399-3000  
850-245-2242 facsimile 850-245-2302



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via  
\_\_ U. S. Mail \_\_ facsimile \_\_ **only**, this \_\_\_\_ day of January, 2005, to:

James K. Voyles  
The Mosaic Company  
12800 Whitewater Drive  
Suite 200  
Minnetonka, MN 55343

Fax 952-984-0437

W. Douglas Beason, Assistant General Counsel  
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION  
3900 Commonwealth Boulevard - Mail Station 35  
Tallahassee, FL 32399-3000  
850-245-2242 facsimile 850-245-2302

with a courtesy copy to:

Trina L. Vielhauer  
Chief  
Bureau of Air Regulation

facsimile: 850-921-9533

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Thursday, January 06, 2005 12:08 PM  
**To:** Bull, Robert  
**Cc:** Vielhauer, Trina; Pennington, Jim  
**Subject:** RE: MOSAIC

Okay, thank you. I will send the order to grant over to OGC this afternoon.

Vickie

-----Original Message-----

**From:** Bull, Robert  
**Sent:** Thursday, January 06, 2005 11:26 AM  
**To:** Gibson, Victoria  
**Cc:** Vielhauer, Trina; Pennington, Jim  
**Subject:** RE: MOSAIC

Vickie,

Let's grant the time requested. We'll give them until March 15<sup>th</sup>.

Thanks

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Thursday, January 06, 2005 11:25 AM  
**To:** Bull, Robert  
**Cc:** Vielhauer, Trina; Pennington, Jim  
**Subject:** MOSAIC  
**Importance:** High

Good morning.

Would you like to grant on Mosaic? If so, for how many days?

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504

## Gibson, Victoria

---

**From:** Gibson, Victoria  
**Sent:** Thursday, January 06, 2005 8:39 AM  
**To:** Carter, Kathy  
**Subject:** MOSAIC -- Request for extension of time

Hi,

I received a copy of this request by fax yesterday; have you received one yesterday by overnight mail service? If not, let me know I will be glad to fax you a copy.

Mosaic 1050046-018-AV

*Vickie*

Victoria Gibson, Administrative Secretary  
Bureau Chief's Office  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504



Suite 200  
12800 Whitewater Drive  
Minnetonka, MN 55343  
www.mosaicco.com

Tel 952-984-0316  
Fax 952-984-0437

## Fax

---

**To:** Ms. Trina Vielhauer  
**Company:** Bureau of Air Regulation  
**Fax:** 850-921-9533

**Phone:**

---

**Date:** January 4, 2005

**Pages (Including Cover Page):**

4

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**To:** Jim Pennington  
**Company:** Florida Department of Environmental Protection  
**Fax:** 850-921-9533

**Phone:**

---

**From:** James K. Voyles  
12800 Whitewater Drive  
Suite 200  
Minnetonka, MN 55343

**E-mail:** James.Voyles@mosaicco.com  
**Fax :** (952) 984-0437  
**Phone :** (952) 984-0361

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If you do not receive all of the pages please contact Mary Danielson at (952) 984-0246.

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**CONFIDENTIALITY NOTE:** The information contained in this facsimile transmission is intended only for the personal and confidential use of the individual(s) or entity(ies) named above, and may include material that is privileged and confidential. Any dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this transmittal in error, please notify us immediately by telephone and return the original transmittal to us by mail. Thank you.



James K. Voyles  
Senior Environmental and  
Corporate Counsel  
The Mosaic Company  
12800 Whitewater Drive, Suite 200  
Minnetonka, MN 55343  
www.mosaicco.com

Tel (952) 984-0316  
Fax (952) 984-0437  
Writer's Direct Number:  
(952) 984-0361  
E-mail:  
James.Voyles@mosaicco.com

January 4, 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

RE: Mosaic Fertilizer, Inc.: Draft Permit No. 1050046-018-AV  
Bartow Phosphate Fertilizer 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 Fertilizer, LLC ("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 Bartow Phosphate Fertilizer Facility and the "Public Notice of Intent to Issue" from the FDEP on or around December 23, 2004. Because the Draft Permit arrived during the holiday season, 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. Debbie Waters, the Environmental Superintendent of the Bartow facility has discussed this extension with Mr. Bobby Bull, Engineer II, FDEP Permit Writer.

Therefore, Mosaic hereby requests an extension until March 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

Office of General Counsel  
January 4, 2005  
Page 2

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 Fertilizer, LLC  
Bartow Facility  
3200 Highway 60 West  
Bartow, FL 33830

Permit No. 1050046-018-AV  
Polk County

- (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 December 23, 2004.

- (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.*

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 warrant 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.*

Office of General Counsel  
January 4, 2005  
Page 3

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  
Debbie Waters/Fert/Bartow, FL

01/28/2005 08:35:50

## Chronology of Activities

OGC Number **05 0018 53 AV** District **SOUTHWEST** County **POLK**  
Style of Case **MOSAIC FERTILIZER, INC. V DEP**  
Program Area **AIR TITLE V** Mode **ADMINISTRATIVE**  
Lead Attorney **DOUG D BEASON** Status **OPEN**  
Forum Name  Forum Case Number   
Permit Appl **1050046-018-AV** Final Order Number

Date *	Code	Activity Description
01/04/2005	REX1	RECEIVED FIRST REQUEST FOR EXTENSION OF TIME
01/06/2005	AA	ASSIGNED TO LEAD ATTORNEY JACK J CHISOLM
01/06/2005	ACO	ADMIN. CASE OPENED IN OGC
01/27/2005		ORDER GRANTING EXTENSION UNTIL 3/15/05
01/27/2005	AR	RE-ASSIGNED TO LEAD ATTORNEY DOUG D BEASON