

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

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JUL 05 2005

BUREAU OF AIR REGULATION

Case No.

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared C. Morgan Miller, who on oath says that he is Display Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice of Intent to Issue Permits

in the matter of Title V and Air Construction Permit

Concerning Mosaic Fertilizer, LLC, Bartow

was published in said newspaper in the issues of 6-23; 2005.

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed

C. Morgan Miller
Display Advertising Manager
Who is personally known to me.

Sworn to and subscribed before me this 23rd

day of June A.D. 2005

Notary Public

PATRICIA ANN ROUSE
MY COMMISSION # DD 330015
EXPIRES: October 17, 2008
Bonded Thru Notary Public Underwriters

(Seal)

My Commission Expires 06/17/2008

LC155973 M644

Attach Ad Here

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL

Department of Environmental Protection

DRAFT Title V Air Operation Permit No. 1050046-018-AM
DRAFT Air Construction Permit 1050046-022-AC

Mosaic Fertilizer, LLC
Bartow Facility
Polk County

Applicant: The applicant for this project is Mosaic Fertilizer, LLC, 3200 Highway 60 West, Bartow, Florida 33830. The applicant's responsible official is Carey G. MacConnell, Facility Manager.

Facility Location: The applicant operates a phosphate plant, which is located at 3200 Highway 60 West in Polk County, Florida.

Project: On April 4, 2003, the applicant submitted an application for a Title V Air Operation Permit (Permit) Renewal. On March 15, 2005, the applicant applied for an air construction permit (AC). Details of the project are provided in the application and the "Statement of Basis" for the Permit Renewal, and the Technical Evaluation and Preliminary Determination for the AC.

The Air Construction Permit 1050046-022-AC is being issued to remove obsolete conditions from air construction permit No. 1050046-008-AC.

The Permit renewal is being issued to allow continued commercial operation of the facility, as authorized by the Initial Permit, No. 1050046-003-AV, and incorporate the terms of Air Construction Permits 1050046-008-AC, 1050046-017-AC and 1050046-022-AC.

This facility consists of one phosphoric acid plant (two trains), one ammonium phosphate, monoammonium phosphate (MAP/DAP) plant, one DAP fertilizer plant, four sulfuric acid plants, two fertilizer shipping plants, two boilers, and two molten sulfur storage and handling systems. Also included in this permit are miscellaneous unregulated emissions units and/or activities. Based on the renewal application, facility processes, and initial notification requirements of 40 CFR 63, Subparts AA and BB, this facility is a major source of hazardous air pollutants (HAPs).

Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to operate the facility. The Department of Environmental Protection is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Division of Air Resource Management, MS 5535, 2400 Blair Stone Road, Tallahassee, FL 32399-2400. The Permitting Authority's telephone number is 850/488-0114 and facsimile 850/921-9533.

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 Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111 F.S. Interested persons may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/products/ords/>. A copy of the complete project file is also available at the Southwest District Office, 3804 County Street, Lakeland, FL 33801 (Telephone 888/744-6100).

Notice of Intent to Issue a Permit: The Permitting Authority gives notice of its intent to issue an AC and a permit renewal to the applicant for the project described above. The applicant has provided (except for assurance that operation of the facility will not adversely impact air quality and that the project will comply with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-261, 62-296, and 62-297, F.A.C.) The Permitting Authority will issue an AC and the applicant's subsequent FINAL Permit in accordance with the conditions of the DRAFT AC and DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The permit authority will accept written comments concerning the proposed AC issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL". Written comments should be provided to the Permitting Authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft AC, the permit authority shall issue a Revised Draft AC and require, if applicable, another Public Notice.

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL. Written comments must be postmarked and all e-mail or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://libra.dep.state.fl.us/gov> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised 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 fourteen (14) days of publication of the 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 fourteen (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 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 the petitioner's substantial rights will be affected by the agency's determination; (c) A statement of how and when the petitioner received notice of the agency action or proposed action; (d) A statement of all disputed material facts on which the petitioner contends warrant reversal or modification of the agency's proposed action; (e) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (f) 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.

BEST AVAILABLE COPY

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. 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.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1) to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at: <http://www.epa.gov/region4/air/permits/Florida.htm>.

M644 6-23-2005

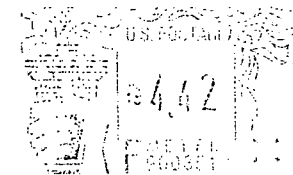


Mosaic Fertil
P.O. Box 900
Bartow, FL 33

CERTIFIED MAIL



7099 3220 0007 3016 5440



Department of Env Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

ATTN: Bobby Bull

32399+2400-99 0001

