

Mosaic Phosphate/ Bartow 1050046-018-AV
OGC # 05-0018 (Bobby)

2005								
27-Jun		Received request for extension of time through and including 7/20/05						
		Mosaic sent us the copy of this request in the mail						
		notified Bobby and he said to grant as requested						
28-Jun		asked Kathy in OGC to open a case # for the other request on this same						
		letter of 022-AC						
29-Jun		DRAFT order to grant over to Betsy in OGC this afternoon						
		was there really a 1st extension request for this from 1/4????						
		it says this on LCT						
12-Jul		e-mailed Lisa to see if these orders to grant were ever really issued by OGC						
		Betsy felt that these were done....but Lisa couldn't find a copy of any such						
		order issued						
14-Jul		Extension request would have expired on 7/20 anyway						
8-Aug		per Bobby, go ahead and close this case in OGC						
		he expects not to receive any further requests from the facility						
		closed the case in OGC today						
		updated list, book, LCT and notes						

Gibson, Victoria

From: Gibson, Victoria
Sent: Monday, August 08, 2005 12:51 PM
To: Light, Lisa
Subject: Archives

Hi,

Would you please send to the archives for me the following closed cases:

1050046-018-AV	Mosaic Fertilizer / Bartow	OGC # 05-0018
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1050046-022-AC	" " "	OGC # 05-1583
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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: Gibson, Victoria
Sent: Monday, July 18, 2005 12:39 PM
To: Vielhauer, Trina
Subject: FW: Mosaic Fertilizer - Bartow

FYI,

Still haven't received a copy of the issued orders on these....so I sent off another request to Lisa.

Vickie

From: Gibson, Victoria
Sent: Monday, July 18, 2005 12:01 PM
To: Light, Lisa
Subject: Mosaic Fertilizer - Bartow

Did you find where these orders had been issued 1050046-018-AV and 022-AC?

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: Gibson, Victoria
Sent: Thursday, July 14, 2005 9:43 AM
To: Vielhauer, Trina
Subject: FW: faxing

FYI,

Vickie

From: Gibson, Victoria
Sent: Thursday, July 14, 2005 9:19 AM
To: Light, Lisa
Subject: RE: faxing

Well, okay.....just watch out for flying shrapnel.

Vickie

From: Light, Lisa
Sent: Thursday, July 14, 2005 9:18 AM
To: Gibson, Victoria
Subject: RE: faxing

Oh yeah.... the contents of Trina's list, and I think a couple others..... argh. I have my golf clubs today, so I can "fix" the machine if necessary.

Gimme a little bit and I'll re-re-retry.

Lisa ☺

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

From: Gibson, Victoria
Sent: Thursday, July 14, 2005 7:44 AM
To: Light, Lisa
Subject: RE: faxing

Good morning.

I did receive the denial on Mosaic Fertilizer / Green Bay 1050053-012-AV & 037-AV

Did you try to send more than that?

Vickie

From: Light, Lisa
Sent: Wednesday, July 13, 2005 4:42 PM
To: Gibson, Victoria
Subject: faxing

Did you get ANYTHING from me by fax today???? I've checked the number, but my confirmations all say busy.....

Let me know, and I'll try again in the morning.

Lisa ☺

Gibson, Victoria

From: Vielhauer, Trina
Sent: Wednesday, July 13, 2005 8:44 AM
To: Gibson, Victoria
Subject: FW: OGC issues

From: Vielhauer, Trina
Sent: Wednesday, July 13, 2005 8:42 AM
To: Beason, Doug
Cc: Light, Lisa
Subject: OGC issues

We're running quite a list of items right now so I'm following up:

K & W Forestry; 7775253-003AC; 05-1009: waiting for our coy of the extension request.

Mosaic Fertilizer Green Bay: OGC 05-1037: waiting for signature by OGC and our copy of the order denying request for extension of time and petition.

Mosaic Fertilizer Bartow: OGC 05-0018: waiting for our copy of the order granting extension of time.

Mosaic Fertilizer Bartow: OGC 05-1583: waiting for our copy of the order granting extension of time.

JEA: 05-1603; waiting for our copy of the petition.

Thanks!

Trina

7/13/2005

Gibson, Victoria

From: Gibson, Victoria
Sent: Wednesday, July 13, 2005 12:07 PM
To: Vielhauer, Trina
Subject: FW: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

FYI,

Vickie

From: Light, Lisa
Sent: Wednesday, July 13, 2005 10:59 AM
To: Gibson, Victoria
Subject: RE: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

While Betsy & Rachel are sure these were done, I currently can't find any proof. They're in the fax now.

Lisa ☺

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

From: Gibson, Victoria
Sent: Friday, July 08, 2005 4:18 PM
To: Light, Lisa; Merritt, Betsy
Cc: Vielhauer, Trina
Subject: FW: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

Happy Friday!!

Have these two been issued yet.....if so would you please fax a copy of both to me?

Thanks.

Vickie

From: Gibson, Victoria
Sent: Wednesday, June 29, 2005 2:37 PM
To: Merritt, Betsy; Nickens, Rachel
Cc: Beason, Doug; Vielhauer, Trina
Subject: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

Good afternoon.

Please find attached for your signatures (2) draft orders to grant on Mosaic Fertilizer / Bartow Phosphate 1050046-018-AV & 022-AC.

<< File: MosaicFertilizerBartow018.doc >>

<< File: MosaicFertilizerBartow022.doc >>

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: Gibson, Victoria
Sent: Tuesday, July 12, 2005 9:11 AM
To: Light, Lisa
Cc: Vielhauer, Trina
Subject: RE: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

Were these orders ever issued.....

Vickie

From: Gibson, Victoria
Sent: Friday, July 08, 2005 4:18 PM
To: Light, Lisa; Merritt, Betsy
Cc: Vielhauer, Trina
Subject: FW: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

Happy Friday!!

Have these two been issued yet.....if so would you please fax a copy of both to me?

Thanks.

Vickie

From: Gibson, Victoria
Sent: Wednesday, June 29, 2005 2:37 PM
To: Merritt, Betsy; Nickens, Rachel
Cc: Beason, Doug; Vielhauer, Trina
Subject: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

Good afternoon.

Please find attached for your signatures (2) draft orders to grant on Mosaic Fertilizer / Bartow Phosphate 1050046-018-AV & 022-AC.

<< File: MosaicFertilizerBartow018.doc >>

<< File: MosaicFertilizerBartow022.doc >>

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: Gibson, Victoria
Sent: Wednesday, June 29, 2005 2:37 PM
To: Merritt, Betsy; Nickens, Rachel
Cc: Beason, Doug; Vielhauer, Trina
Subject: Two DRAFT Orders to Grant on Mosaic Fertilizer, Inc. / Bartow Phosphate 1050046-018-AV & 022-AC

Attachments: MosaicFertilizerBartow018.doc; MosaicFertilizerBartow022.doc

Good afternoon.

Please find attached for your signatures (2) draft orders to grant on Mosaic Fertilizer / Bartow Phosphate 1050046-018-AV & 022-AC.



MosaicFertilizerBartow018.doc ...



MosaicFertilizerBartow022.doc ...

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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

MOSAIC FERTILIZER, INC.
Bartow Phosphate Fertilizer Facility

Petitioner,

v.

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

OGC #05-0018

DEP Permit 1050046-018-AV

DRAFT

**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 provide certain information to the FDEP on 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 **July 20, 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 June, 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 June, 2005, to:

James K. Voyles
Senior Environmental and
Corporate Counsel
The Mosaic Company
3033 Campus Drive, Suite E490
Plymouth, MN 55441

facsimile: 763-577-2982

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

Carey G. McConnell
Facility Manager
Mosaic Fertilizer/Bartow

facsimile: 863-534-9684

Phil Steadham
Mosaic Fertilizer/Bartow

facsimile: 863-534-9684

Gibson, Victoria

From: Bull, Robert
Sent: Tuesday, June 28, 2005 3:04 PM
To: Gibson, Victoria
Subject: RE: Mosaic Fertilizer ---- Bartow 1050046-018-AV and 022-AC

Carey G. McConnell- Facility Manager
Fax 863-534-9684

Please also fax a copy to Phil Steadham at the same number. Thanks

From: Gibson, Victoria
Sent: Tuesday, June 28, 2005 3:01 PM
To: Bull, Robert
Subject: Mosaic Fertilizer ---- Bartow 1050046-018-AV and 022-AC

Who at the facility should receive a copy of the order to grant...and what is their title and fax #?

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, June 27, 2005 2:11 PM
To: Gibson, Victoria
Cc: Vielhauer, Trina
Subject: RE: Mosaic Fertilizer -- Bartow 1050046-018-AV & 022-AC

05/0018

Go ahead and grant. I talked to Phil Steadham and they sent the Public Notice Language to the Lakeland Ledger for publication.

Trina- Phil is now at Mosaic Bartow due to some position changes at Mosaic.

From: Gibson, Victoria
Sent: Monday, June 27, 2005 2:09 PM
To: Bull, Robert
Cc: Vielhauer, Trina
Subject: Mosaic Fertilizer -- Bartow 1050046-018-AV & 022-AC
Importance: High

Hi,

Received in today a request for extension of time on the above.....through and including July 20th.

I will put a copy of the request in your mail box....let me know if I should grant or deny this.

Thanks.

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



James K. Voyles
Senior Environmental and
Corporate Counsel
The Mosaic Company
3033 Campus Drive, Suite E490
Plymouth, MN 55441
www.mosaicco.com

Tel (763) 577-2700
Fax (763) 577-2982

Writer's Direct Number:
(763) 577-2841
E-mail: James.Voyles@mosaicco.com

June 20, 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

JUN 27 2005

BUREAU C. ACTION

RE: Mosaic Fertilizer, Inc.: Draft Permit No. 1050046-018-AV and 1050046-022-AC
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 June 20, 2004. Mosaic intends to submit comments within 30 days as required by 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 an extension until July 20, 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 Fertilizer, LLC
Bartow Facility
3200 Highway 60 West
Bartow, FL 33830

Permit No. 1050046-018-AV
and 1050046-022-AC
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 June 20, 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.*

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.*

Office of General Counsel
June 20, 2005
Page 3

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/nc

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

08/08/2005 12:46:57

Chronology of Activities

OGC Number **DS 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 **CLOSED**
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
06/23/2005	REX2	RECEIVED SECOND REQUEST FOR EXTENSION OF TIME
08/08/2005	CC	CASE CLOSED IN OGC