



Mosaic Fertilizer, LLC
PO Box 9002
Bartow, FL 33831
www.mosaicco.com

Tel 863-534-9613
Fax 863-534-9683

RECEIVED

JAN 18 2005

BUREAU OF AIR REGULATION

January 13, 2005

Certified Mail: 7003 2260 0004 4120 6931

Ms. Trina Vielhauer
Florida Department of Environmental Protection
Bureau of Air Regulation
Twin Towers 2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Ms. Vielhauer:

Re: Affidavit of Publication
Notice of Intent to Issue Title V Air Operation Permit 1050046-018-AV

As required by FAC 62-110.106(5), please find enclosed the original Affidavit of Publication for the Notice of Intent to Issue Permit for Permit No. 1050046-18-AV. The public notice was published in The Ledger newspaper on January 07, 2005. The Ledger serves Lakeland and Polk County, Florida.

If you should have any questions, please do not hesitate to call me at 863-534-9613 or e-mail me at Tara.Crews@mosaicco.com.

Sincerely,



Tara Crews
Environmental Engineer

Enclosure: Affidavit of Publication, The Lakeland Ledger

xc: Debbie Waters, Mosaic
File No: 60.03.03.B

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

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 an

Draft Title V Major Source Air Operation Permit

in the matter of Mosaic Fertilizer, LLC, Bartow Facility

Concerning Air Operation Permit 1050046-018-AV

was published in said newspaper in the issues of 1-7; 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

day of

January

A.D. 20

05

Notary Public



(Seal)

My Commission Expires

Oct 17, 2008

LC169258 M028

Attach Ad Here

Department of Environmental Protection
Draft Title V Major Source Air Operation Permit No. 1050046-018-AV
Mosaic Fertilizer, LLC Bartow Facility
Polk County

Applicant: The applicant for this project is Mosaic Fertilizer, LLC, 8813 Highway 41 South, Riverview, FL 33569. The applicant's responsible official is E. O. Morris, Vice President.

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

Project: The applicant submitted an application for a Title V major source air operation permit. This facility consists of one phosphoric acid plant (two trains), one diammonium 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. This permit will be a renewal of the initial Title V operation permit, the incorporation of two construction permits, and the incorporation of the Mosaic Mulberry Facility into the Title V air operation permit for this facility.

Permitting Authority: Applications for Title V major source 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: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the 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 contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above or at the following email address: http://www.dep.state.fl.us/air/epo/records/ards/. A copy of the complete project file is also available at the Southwest District Office at 3804 Coconut Palm Drive, Tampa, FL 33619-1352 (Telephone: 813/744-6100).

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a Title V major source air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Proposed Permit and subsequent Final Permit in accordance with the conditions of the 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 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. Written comments must be provided to the Permitting Authority at the above address. 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 (<http://thoradep.state.fl.us/onw/>) 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 revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 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 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 issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent. 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 major source 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 objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits.

M028 1-7; 2005



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

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

Bobby / Jim

Fax

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

Phone:

Date: January 4, 2005

Pages (Including Cover Page): 4

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

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

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

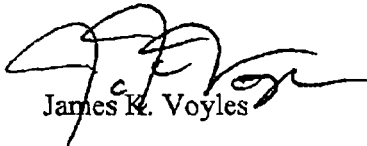
Mosaic is unsure if there are any rules or statutes requiring reversal or modification at this time. The Draft Permit contains conditions that may be inconsistent with the intended project and the application. Therefore, Mosaic desires the extension to resolve any issues and to determine if material 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 R. 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

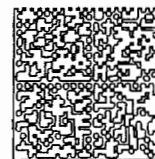
David Jellerson/Fert/Pierce, FL
Debbie Waters/Fert/Bartow, FL



PO Box 5790
Minneapolis, MN 55440-5790

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PRESORTED
FIRST CLASS



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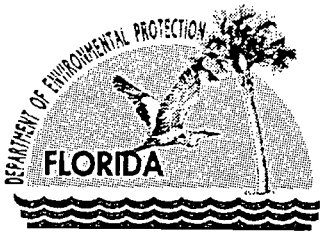
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Mr. Jim Pennington
Florida Dept of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

32399#2400 0000





Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 11, 2004

Mr. E. O. Morris
Vice President
Cargill Fertilizer, Inc.
8813 Highway 41 South
Riverview, FL 33569

Re: Title V Air Operation Permit Revision
Proposed Permit Project No.: 1050046-016-AV
Revision to Title V Air Operation Permit No.: 1050046-003-AV
Bartow Plant

Dear Mr. Morris:

One copy of the "PROPOSED Determination" for the revision of the Title V Air Operation Permit for the Tampa Plant located at 8813 U.S. Highway 41 South, Riverview, Hillsborough County, is enclosed. This letter is a courtesy to inform you that the DRAFT Permits 1050046-016-AV and 1050046-014-AV have become the PROPOSED Permit.

An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

" http://www.dep.state.fl.us/air/permitting/airpermits/AirSearch_ltd.asp ".

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED Permit is made by the USEPA within 45 days, the PROPOSED Permit will become the FINAL Permit no later than 55 days after the date on which the PROPOSED Permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED Permit, the FINAL Permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Mr. Bobby Bull at 850-921-9585 or Robert.Bull@dep.state.fl.us.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/rlb
Enclosures
copy furnished to:
Mr. Jason Waters, FDEP, SWD
Mr. David Buff, P.E., Golder Associates Inc.
Ms. Debra Waters, Cargill Bartow Plant
USEPA, Region 4 (INTERNET E-mail Memorandum)

PROPOSED Determination
Title V Air Operation Permit Revision
PROPOSED Permit Project No.: 1050046-016-AV

I. Public Notice.

Two separate "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" to Cargill Fertilizer, Inc. for the Bartow Plant located at 3200 Highway 60 West, Bartow, Hillsborough County were clerked on September 4, 2001 and May 15, 2002. The two separate "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" were published on September 19, 2001 and May 31, 2002, respectively, and proofs of publication were received. The DRAFT Permits were available for public inspection at the FDEP Southwest District Air Program Office in Tampa.

II. Public Comments.

Comments were received from the applicant during the 30 (thirty) day public comment period. The Department will list each letter in the chronological order of receipt and will respond to each comment in the order that the comment was stated in the letter. The comment(s) will not be restated. Where duplicate comments exist, the original response will be referenced.

A. Mailed comments from Mr. E.O. Morris of Cargill Fertilizer, Inc. were sent on June 11, 2002 and received on June 12, 2002, and the draft permit was changed.

1. Response:

No Change. In Section I.A., the applicant states that they are not major for Hazardous Air Pollutants (HAPs), referring to a letter sent on June 7, 2002. The applicant has not demonstrated reasonable assurance that the facility is not a major source of HAPs. At this time the Department believes the applicant is a major source for HAPs.

2. Response:

As a result of these comments, Specific Condition D.1. is hereby changed:

From: D.1. Capacity. The maximum production rate of the Nos. 4 and 5 Phosphoric Acid Plants (combined) shall not exceed 170.0 tons P_2O_5 per hour of equivalent P_2O_5 feed⁽¹⁾ rate.

To: D.1. Capacity. The maximum production rate of the Nos. 4 and 5 Phosphoric Acid Plants (combined) shall not exceed 170.0 tons P_2O_5 per hour of equivalent P_2O_5 feed⁽¹⁾ rate and may operate 8760 hours per year.

3. Response

These changes may be addressed at Permit Renewal.

4. Response:

These changes may be addressed at Permit Renewal.

5. Response:

EPA Region IV determined the Memorandum of Understanding will not be deemed federally enforceable. The MOU will remain not federally enforceable.

6. Response:

These changes will be addressed at Permit Renewal.

III. Conclusion.

The Department rejected the permittee's rescission of their initial notification and determined that the facility is a major source of hazardous air pollutants. This permit retains the applicable subparts to which the permittee objected. The DRAFT Permits were merged into one PROPOSED Permit. In addition, several typographical errors were corrected. These changes were not considered significant enough to reissue the DRAFT Permit and require another Public Notice. The permitting authority hereby issues the PROPOSED Permit, with the changes as noted above.

STATEMENT OF BASIS

Cargill Fertilizer, Inc.
Bartow Facility
Facility ID No.: 1050046
Polk County

PROPOSED Permit Revision No. 1050046-016-AV (Initial Title V Permit No. 1050046-003-AV)

The initial Title V Air Operation Permit No. 1050046-003-AV, was issued/effective on October 6, 1998. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This PROPOSED revision to the Title V operation permit is to incorporate the requirements of the NESHAP, 40 CFR 63, Subparts A, AA and BB (Draft Permit Project No. 1050046-014-AV), and to incorporate the requirements from the Air Construction Permit 1050046-013-AC/PSD-FL-295 (Draft Permit Project 1050046-016-AV). The changes as a result are as follow:

1. Revise Section III., Subsection D., to incorporate conditions from the Air Construction Permit 1050046-013-AC/PSD-FL-295;
2. Revise Table 1-1, to incorporate conditions from the Air Construction Permit 1050046-013-AC/PSD-FL-295;
3. Revise the above mentioned section and tables as well as Section I, Section II (pages 4, 7, 9, 10), Section III, Subsections A, B, C, E, F, G, H to correct typographical errors;
4. Replace Appendix TV-3 with updated Appendix TV-4.

This facility consists of two phosphoric acid plants, one diammonium phosphate (DAP) plant, one monoammonium phosphate (MAP)/DAP plant, three sulfuric acid plants, two fertilizer shipping plants, one standby boiler, and a molten sulfur storage and handling system.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the initial notification requirements of 40 CFR 63, Subparts AA and BB, this facility is a major source of hazardous air pollutants (HAPs).



Fax Cover Sheet

| | | | |
|----------------|---------------|--------------|--------------------------------------|
| <i>To</i> | Alvaro Linero | <i>From</i> | James K. Voyles Law Department |
| <i>Company</i> | Florida DEP | <i>Date</i> | February 5, 2004 |
| <i>Fax</i> | 850-922-6979 | <i>Fax</i> | (952) 742-6349 or: (952) 742-7503 |
| <i>Phone</i> | | <i>Phone</i> | (952) 742-2589 |

If you do not receive all pages, please contact Ramona Larson at (952) 742-2479.

Number of pages (incl. this sheet): 3

ATTENTION: Trina Vielhauer

BOBBY, 2/6/04
I GOT IT YESTERDAY.
LET'S DISCUSS.
Jim

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 ((952) 742-2479) and return the original transmittal to us by mail. Thank you.



February 5, 2004

VIA COURIER & FAX: 850-245-2303

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

Re: Cargill Fertilizer, Inc.: Draft Permit Revision No. 1050046-016-AV; Title V
Permit No. 1050046-003-AV, Bartow, Florida
*Rescission of 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:

In prior letters, Cargill Fertilizer, Inc. ("Cargill") requested 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 permit ("Permit"). The issues for which the extension of time was requested were resolved in the "Order on Request for Alternative Procedures and Requirements" issued by the FDEP to Cargill Bartow facility on January 21, 2004, File No. 03-C-AP (the "Order"). Because the issues have been fully resolved, Cargill hereby rescinds all outstanding requests for extension of time relating to the Title V Permit and the Draft Permit Revision.

Thank you for your kind attention to this matter. Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "J. K. Voyles", written over a horizontal line.

James K. Voyles

James K. Voyles
Attorney
(952) 742-2589

Mailing Address:
P.O. Box 5624
Minneapolis, MN 55440-5624

Location/Shipping Address:
15407 McGinty Road West
Wayzata, MN 55391-5624

Facsimile:
(952) 742-6349
or (952) 742-7503

Office of General Counsel
February 5, 2004
Page 2

JKV:rl

cc: Jim Pennington
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahsee, FL 32399-2400

Dave Jellerson/Fert//Riverview, FL

Alvaro Linero/FDEP (Fax 850-922-6979)

*Bobby****Fax Cover Sheet***

| | | | |
|----------------|---------------|--------------|--------------------------------------|
| <i>To</i> | Alvaro Linero | <i>From</i> | James K. Voyles Law Department |
| <i>Company</i> | Florida DEP | <i>Date</i> | February 5, 2004 |
| <i>Fax</i> | 850-922-6979 | <i>Fax</i> | (952) 742-6349 or: (952) 742-7503 |
| <i>Phone</i> | | <i>Phone</i> | (952) 742-2589 |

If you do not receive all pages, please contact Ramona Larson at (952) 742-2479.

Number of pages (incl. this sheet): 3

ATTENTION: Trina Vielhauer

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February 5, 2004

VIA COURIER & FAX: 850-245-2303

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

Re: Cargill Fertilizer, Inc.: Draft Permit Revision No. 1050046-016-AV; Title V
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for Hearing, Mediation or Alternate Remedies, or in the alternative, Petition for
an Administrative Hearing***

Office of General Counsel:

In prior letters, Cargill Fertilizer, Inc. ("Cargill") requested 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 permit ("Permit"). The issues for which the extension of time was requested were resolved in the "Order on Request for Alternative Procedures and Requirements" issued by the FDEP to Cargill Bartow facility on January 21, 2004, File No. 03-C-AP (the "Order"). Because the issues have been fully resolved, Cargill hereby rescinds all outstanding requests for extension of time relating to the Title V Permit and the Draft Permit Revision.

Thank you for your kind attention to this matter. Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Voyles", written over the word "Sincerely,".

James K. Voyles

James K. Voyles
Attorney
(952) 742-2589

Mailing Address:
P.O. Box 5624
Minneapolis, MN 55440-5624

Location/Shipping Address:
15407 McGinty Road West
Wayzata, MN 55391-5624

Facsimile:
(952) 742-6349
or (952) 742-7503

Office of General Counsel

February 5, 2004

Page 2

JKV:rl

cc: Jim Pennington
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahsee, FL 32399-2400

Dave Jellerson/Fert//Riverview, FL

Alvaro Linero/FDEP (Fax 850-922-6979)



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

August 2, 2005

Carey G. MacConnell
Facility Manager
Mosaic Fertilizer, L.L.C.
3200 Highway 60 West
Bartow, FL 33830

Re: Title V Air Operation Permit Renewal
PROPOSED Permit Project No.: 1050046-018-AV
Bartow Facility

Dear Ms. MacConnell:

One copy of the "PROPOSED Determination" for the renewal of a Title V Air Operation Permit for the Bartow Facility located at 3200 Highway 60 West in Polk County, is enclosed. This letter is only a courtesy to inform you that the DRAFT Permit has become a PROPOSED Permit.

An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

"<http://www.dep.state.fl.us/air/eproducts/ards/default.asp>"

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED Permit is made by the USEPA within 45 days, the PROPOSED Permit will become a FINAL Permit no later than 55 days after the date on which the PROPOSED Permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED Permit, the FINAL Permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Bobby Bull at 850/921-9585.

Sincerely,

Trina Vielhauer
Chief, Bureau of Air Regulation

TV/rlb

Enclosures

copy furnished to:
Scott McCann, P.E., Golder Associates, Inc.
Phil Steadham, Environmental Supervisor, Mosaic Fertilizer, LLC
Jason Waters, DEP- SWD
U.S. EPA, Region 4
Barbara Friday, BAR [barbara.friday@dep.state.fl.us] (for posting with Region 4 , U.S. EPA)

"More Protection, Less Process"

Printed on recycled paper.

NOTICE OF FINAL TITLE V AIR OPERATION PERMIT

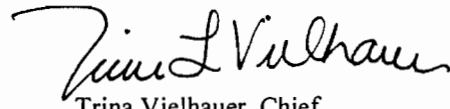
In the Matter of an
Application for Permit Renewal:

| | |
|---|--|
| Carey G. MacConnell | FINAL Permit Project No.: 1050046-018-AV |
| Facility Manager | Bartow Facility |
| Mosaic Fertilizer, L.L.C. 3200 Highway 60 West Bartow, FL 33830 | Polk County |

Enclosed is the FINAL Permit, No. 1050046-018-AV. The purpose is for the renewal of the Title V Air Operation Permit and to incorporate the terms and conditions of a construction permits, No. 1050046-008-AC, 1050046-017-AC, and 1050046-022-AC. The facility is located in Polk County. This permit renewal is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received from Region 4, U.S. EPA, regarding the PROPOSED Permit.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.


Trina Vielhauer, Chief
Bureau of Air Regulation

TV/rlb

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL TITLE V AIR OPERATION PERMIT (including the FINAL Determination and the FINAL Permit) was sent by certified mail or electronically (with Received Receipt) before the close of business on 9/30/05 to the person(s) listed or as otherwise noted:

Carey G. MacConnell, Mosaic Fertilizer, L.L.C., 3200 Highway 60 West, Bartow, FL 33830

The undersigned duly designated deputy agency clerk hereby certifies that a copy of this NOTICE OF FINAL TITLE V AIR OPERATION PERMIT was sent by U.S. Mail or electronically (with Received Receipt) before the close of business on 9/30/05 to the person(s) listed or as otherwise noted:

Scott McCann, P.E., Golder Associates, Inc.

Phil Steadham, Environmental Supervisor, Mosaic Fertilizer, LLC

Jason Waters, DEP- SWD

Barbara Friday, BAR [barbara.friday@dep.state.fl.us] (for posting with Region 4 , U.S. EPA)

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52(7),
Florida Statutes, with the designated Department
Clerk, receipt of which is hereby acknowledged.

Barbara J. Friday 9/30/05
(Clerk) (Date)

FINAL Determination

Title V Air Operation Permit Renewal
FINAL Permit No.: 1050046-018-AV
Mosaic Fertilizer, LLC
Bartow Facility
Page 1 of 1

I. Comment(s).

No comments were received from the USEPA during their 45 day review period of the PROPOSED Permit.

II. Conclusion.

In conclusion, the permitting authority hereby issues the FINAL Permit.

STATEMENT OF BASIS

Mosaic Fertilizer, LLC
Bartow Facility
Facility ID No.: 1050046
Polk County

Title V Air Operation Permit Renewal
FINAL Permit Project No.: 1050046-018-AV

This Title V Air Operation Permit Renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213.

The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The subject of this permit is the renewal of Title V Air Operation Permit 1050046-003-AV and the incorporation of construction permit, No. 1050046-008-AC, issued on April 21, 1999, the incorporation of construction permit 1050046-017-AC, issued on February 12, 2003, the incorporation of construction permit 1050046-022-AC, the incorporation of the collocated Mosaic Mulberry permit, No. 1050048-001-AV, and the incorporation of the Department approved Alternative Monitoring Plan for scrubbers at the Bartow Facility.

The Mulberry facility was acquired from Mulberry Phosphates, Inc. in August, 2002. The Bartow and Mulberry facilities are contiguous properties, and will be permitted under the same Title V operation permit. The Bartow facility consists of one phosphoric acid plant (two trains), one diammonium phosphate/ monoammonium phosphate (MAP/DAP) plant, one DAP fertilizer plant, three sulfuric acid plants, two fertilizer shipping plants, one boiler, and one molten sulfur storage and handling system. The Mulberry facility consists of one sulfuric acid plant, one boiler, and one molten sulfur storage and handling system. The regulated Mulberry emissions units (EU) will be designated as EU Nos. 054 to EU 060.

The Ammonium/Diammonium Phosphate Plant (No. 3) has a design capacity of 3000 tons per day of MAP/DAP. The process consists of a dryer, a cooler, a reactor/granulator and screen vents. The No. 4 Fertilizer Shipping Plant includes material conveyors, transfer points, and one (1) truck and two (2) rail car shipping bins and loadout spouts. All material transfer points are located inside the material handling building and are covered and evacuated to minimize fugitive emissions. The truck and rail car loading operations are beneath the building and enclosed on two sides. Loading is done via a chute feeder which is also controlled by dust suppressant. The No. 3 Fertilizer Shipping Plant has a maximum permitted MAP/DAP product railcar loading rate of 385.0 tons per hour. The product loading system includes material conveyors, transfer points, two parallel screens, surge bin, weigh belt and loading spouts. Loading is done via a chute feeder which is also controlled by full-time utilization of dust suppressant to control the generation of dust. The Phosphoric Acid Plant (No. 4 -- V-Train, and No. 5 -- U-Train) has a design feed rate of 170 tons per hour equivalent P_2O_5 feed input. Fluoride emissions from the following sources are controlled by three separate scrubbers; one venturi scrubber and two cross flow packed scrubbers with an air flow rate range of 22,000 to 30,000 ACFM. Sulfur dioxide from each sulfuric acid plant (Nos. 4, 5, and 6) is controlled by a dual absorption tower, and acid mist is controlled by High Velocity and High Efficiency mist eliminators. The Diammonium Phosphate (DAP) Fertilizer Plant (No. 4) consists of a dryer, cooler, reactor and granulator. Emissions from the dryer pass through the venturi, cyclonic and cross-flow scrubbers. Emissions from the cooler

pass through a separate cross-flow scrubber. Emissions from the reactor, granulator, screen vents and material handling systems pass through a separate scrubbing system consisting of venturi, cyclonic and cross-flow scrubbers. The molten sulfur storage and handling system consists of the following: a rail and truck unloading system, one 3,000 ton molten sulfur storage tank, one 6,000 ton molten sulfur storage tank, one 200 ton molten sulfur truck/railcar unloading pit (Pit A), one 300 ton railcar unloading pit (Pit B), and all of the associated transfer pumps and piping. The Package Watertube Boiler is used during cold start-up of the sulfuric acid plant(s) and for make-up steam during times the sulfuric acid plant(s) are operating below capacity and it is routinely fired for maintenance purposes. EU No. 054 is a double absorption sulfuric acid plant at a phosphate fertilizer facility. This plant is designed to produce a maximum of 1,700 tons per day of sulfuric acid (100% H_2SO_4 basis). Sulfur is burned in air first dried by passing through concentrated sulfuric acid in a drying tower. The resulting sulfur dioxide passes through converter units w/catalyst, through an intermediate absorption tower, through a final converter w/catalyst, and then through a final absorption tower (double absorption). Acid mist emissions from the final absorption tower are controlled by a Brink HV Demister. Waste heat from the process is also used to cogenerate electric power. For the operation of a Nebraska Model NS-E-65 Process Steam Boiler, EU No. 055, this boiler shall be fired with natural gas as the primary fuel with new No. 2 fuel oil as backup during natural gas curtailment. EU Nos. 56-60 are the Mulberry molten sulfur loading and storage. Molten sulfur is delivered by tank truck and unloaded by gravity into the truck pit. Pumps in the pit forward the liquid to storage tanks. Emissions of particulates are controlled by pit covers. The four storage tank vents are uncontrolled. CAM does not apply to any of the emissions units at both the Bartow and Mulberry facilities.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the Title V Air Operation Permit Renewal application received April 4, 2003, this facility is a major source of hazardous air pollutants (HAPs).

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

| | | |
|--------------------------|---|-------------------|
| In the matter of: |) | Bartow Facility |
| |) | |
| Cargill Fertilizer, Inc. |) | |
| |) | |
| Petitioner. |) | File No.: 03-C-AP |

ORDER ON REQUEST
FOR
ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 62-297.620, Florida Administrative Code (F.A.C.), and Title 40 of the Code of Federal Regulations Part 63, section 63.8 (40 CFR 63.8), Cargill Fertilizer, Inc., located in Polk County, has petitioned for approval of alternate monitoring methods for scrubbers at the Bartow facility. The Petitioner requested approval to monitor fan amperage in lieu of establishing an upper limit on pressure drop across each scrubber. The basis for this request is the Petitioner's assertion that certain technical aspects would make limiting pressure drop in the scrubbers at this facility impractical. Petitioner agreed to continue to monitor pressure drop, liquid flow rate, and fan amperage for each scrubber. Petitioner also agreed to establish allowable ranges for liquid flow rate and fan amperage and to establish a minimum allowable pressure drop.

Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. 40 CFR 63, Subparts AA and BB require all phosphate fertilizer and phosphoric acid manufacturing plants that are major sources of hazardous air pollutants to monitor liquid flow rate to each scrubber and pressure drop across each scrubber used to control hydrogen fluoride emissions. Additionally, each affected facility must establish allowable ranges for these parameters by submitting upper and lower values for approval or by accepting the default range of $\pm 20\%$ of the baseline value as specified in Subparts AA and BB. Petitioner's Bartow facility is a major source of hazardous air pollutants. Specifically, Petitioner's Bartow facility emits 10 tons per year or more of HF. Therefore, Petitioner's Bartow facility is subject to these requirements.

2. On February 10, 2003, the Department received Petitioner's request for approval of an alternate monitoring plan for the Bartow facility. The alternate monitoring plan was requested for scrubbers subject to 40 CFR 63, Subparts AA and BB: Phosphoric Acid Plant (Emission Unit (EU) 010), No. 3 Fertilizer Plant (EU 001), and No. 4 Fertilizer Plant (EU 021).

3. On March 10, 2003, the Department requested additional information from Petitioner.

4. On May 12, 2003, the Department received Petitioner's response to the March 10, 2003, request for additional information.

5. On July 1, 2003, the Department sent a second request for additional information to Petitioner.

6. On August 20, 2003, Department staff met with representatives of Petitioner and Petitioner's consultant, Golder Associates, in Tallahassee to discuss unresolved issues.

7. On October 28, 2003, the Department received Petitioner's response to the second request for additional information as well as information requested during the August 20 meeting.

8. On November 4, 2003, Department staff met with representatives of Petitioner and Golder Associates at the Petitioner's Riverview facility to discuss remaining issues with the Petitioner's request. During that meeting, Petitioner agreed to provide the Department with additional data.

9. On December 3, 2003, the Department received the additional information requested during the November 4 meeting.

10. Data submitted by Petitioner demonstrates that typical pressure drops across its scrubbers can vary by more than the $\pm 20\%$ range allowed by 40 CFR 63, Subparts AA and BB.

11. Emissions data submitted by Petitioner demonstrates that fluoride emissions rates for most units at the facility are less than 50% of the standard. Data submitted by Petitioner also shows a poor correlation between pressure drop and fluoride emissions.

12. As a result of the correspondence and meetings listed above, Petitioner ultimately proposed to establish an allowable range for fan amperage in lieu of establishing an upper limit on pressure drop across each scrubber. Petitioner also agreed to establish a minimum allowable pressure drop for each scrubber and an allowable range for liquid flow rate to each scrubber.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes (F.S.), Rule 62-297.620, F.A.C., and 40 CFR 63.8.

2. Petitioner has provided reasonable justification that establishing an upper limit on pressure drop in scrubbers at this facility is impractical due to the wide variability of this parameter encountered during normal operation.

3. Petitioner has provided reasonable justification that monitoring fan amperage in lieu of establishing a maximum pressure drop is no less an effective indicator of scrubber operation than that achieved by monitoring pursuant to 40 CFR 63, Subparts AA and BB.

ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that for the Phosphoric Acid Plant (Emission Unit (EU) 010), No. 3 Fertilizer Plant (EU 001), and No. 4 Fertilizer Plant (EU 021):

1. Petitioner shall not be required to establish an upper limit on the pressure drop across each scrubber.
2. Petitioner shall establish a minimum allowable pressure drop across each scrubber pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
3. Petitioner shall establish minimum and maximum acceptable fan amperages for each fan in the scrubbing systems pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
4. Petitioner shall establish minimum and maximum acceptable values for liquid flow rate to each scrubber pursuant to the requirements in 40 CFR 63, Subparts AA and BB and shall submit such values to the Department for approval.
5. Petitioner shall continuously monitor pressure drop and liquid flow rate for each scrubber and shall continuously monitor fan amperage for each fan in the scrubbing systems.
6. Except as provided by this order, Petitioner shall comply with all applicable provisions of 40 CFR 63, Subparts AA and BB.
7. This Order shall expire on January 7, 2014.

PETITION FOR ADMINISTRATIVE REVIEW

The Department's proposed agency action will become final upon expiration of the petition period described below unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within twenty-one days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within twenty-one days of publication of the public notice or within twenty-one days of receipt of this notice, whichever occurs first. Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within twenty-one 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

NOTICE OF APPEAL RIGHTS

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

DONE AND ORDERED this 21st day of January, 2004, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Michael G. Cooke

MICHAEL G. COOKE, Director
Division of Air Resource Management
Mail Station 5500
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850) 488-0114

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Martha Jane Wise 1-22-04
(Clerk) (Date)



Mosaic Fertilizer, LLC
P.O. Box 9002
Bartow, FL 33831
www.mosaicco.com

Tel 863-534-9626
Fax 863-534-9680

July 15, 2005

Return Receipt Requested
Certified Mail 7099 3220 0007 3016 5518

Mr. Jim Pennington
Florida Department of Environmental Protection
Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Comments On Revised Draft Title V Permit
Permit No. 1050046-018-AV
Bartow Facility

Dear Mr. Pennington:

Mosaic submits the enclosed brief comments on the above-referenced revised draft Title V permit for the Bartow facility which was received on June 20, 2005. The Intent To Issue was published in The Ledger on June 23, 2005.

The comments presented below correspond to the section number designated in the revised draft permit. This submittal is also being provided to Mr. Bobby Bull electronically for convenience of review.

Section III. Subsection A.
E. U. ID No. 001 Ammonium/Diammonium Phosphate Plant.

A.2. Methods of Operation – (i.e. Fuels)

We understand that when the open construction permit (Permit No. 1050046-015-AC) for the Diammonium Phosphate Fertilizer Plant (DAP #4) is finalized, the language in the condition referenced above will be amended to reflect language in the subject construction permit regarding fuel use.

2

A.4. The permitting note contained in this condition referencing fluoride emission rates will also be amended or deleted when the DAP #4 Plant is incorporated into this Title V permit.

Mosaic appreciates the opportunity to submit these comments. Should you have any questions or need additional information, please contact me at 863.534.9615 or by email at phil.steadham@mosaicco.com.

Thank you.

Sincerely,



Phillip A. Steadham
Environmental Superintendent

cc: D. Jellerson
C. MacConnell
S. McCann – Golder
File 60.03.03B

PROPOSED Determination

Title V Air Operation Permit Renewal
PROPOSED Permit Project No.: 1050046-018-AV
Page 1 of 2

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" to Mosaic Fertilizer, LLC for the Bartow Facility located at 3200 Highway 60 West in, Bartow, Polk County was clerked on June 9, 2005. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was published in The Ledger on June 23, 2005. The DRAFT Permit was available for public inspection at the Southwest District Office in Tampa and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was received on July 5, 2005.

II. Public Comments.

Comments were received and the DRAFT Permit was not changed. The comments were not considered significant enough to reissue the DRAFT Permit and require another Public Notice. Comments were received from one respondent during the 30 (thirty) day public comment period. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received. The comment(s) will not be restated. Where duplicative comments exist, the original response is referenced.

A. Letter from Mr. Phil Steadham dated June 15, 2005, and received on June 18, 2005.

1. Comment: A.2. Methods of Operation – (i.e. Fuels)

We understand that when the open construction permit (Permit 1050046-015-AC) for Diammonium Phosphate Fertilizer Plant (DAP #4) is finalized, the language in the condition referenced above will be amended to reflect language in the subject construction permit regarding fuel use.

Response: Upon receipt of the Title V revision application and Department review, the Department will incorporate the appropriate conditions of air construction permit 1050046-015-AC into the Title V permit.

2. Comment: A.4. The permitting note contained in this condition referencing fluoride emissions will also will be amended or deleted when the DAP #4 Plant is incorporated into this Title V permit.

Response: Upon receipt of the Title V revision application and Department review, the Department will incorporate the appropriate conditions of air construction permit 1050046-015-AC into the Title V permit.

PROPOSED Determination
Title V Air Operation Permit Renewal
PROPOSED Permit Project No.: 1050046-018-AV
Page 2 of 2

B. Document(s) on file with the permitting authority:
-Letter received June 18, 2005, from Mr. Phil Steadham.

III. Conclusion.

The permitting authority hereby issues the PROPOSED Permit, with any changes noted above.

STATEMENT OF BASIS

Mosaic Fertilizer, LLC
Bartow Facility
Facility ID No.: 1050046
Polk County

Title V Air Operation Permit Renewal
PROPOSED Permit Project No.: 1050046-018-AV

This Title V Air Operation Permit Renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213.

The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

The subject of this permit is the renewal of Title V Air Operation Permit 1050046-003-AV and the incorporation of construction permit, No. 1050046-008 -AC, issued on April 21, 1999, the incorporation of construction permit 1050046-017-AC, issued on February 12, 2003, the incorporation of construction permit 1050046-022-AC, the incorporation of the collocated Mosaic Mulberry permit, No. 1050048-001-AV, and the incorporation of the Department approved Alternative Monitoring Plan for scrubbers at the Bartow Facility.

The Mulberry facility was acquired from Mulberry Phosphates, Inc. in August, 2002. The Bartow and Mulberry facilities are contiguous properties, and will be permitted under the same Title V operation permit. The Bartow facility consists of one phosphoric acid plant (two trains), one diammonium phosphate/ monoammonium phosphate (MAP/DAP) plant, one DAP fertilizer plant, three sulfuric acid plants, two fertilizer shipping plants, one boiler, and one molten sulfur storage and handling system. The Mulberry facility consists of one sulfuric acid plant, one boiler, and one molten sulfur storage and handling system. The regulated Mulberry emissions units (EU) will be designated as EU Nos. 054 to EU 060.

The Ammonium/Diammonium Phosphate Plant (No. 3) has a design capacity of 3000 tons per day of MAP/DAP. The process consists of a dryer, a cooler, a reactor/granulator and screen vents. The No. 4 Fertilizer Shipping Plant includes material conveyors, transfer points, and one (1) truck and two (2) rail car shipping bins and loadout spouts. All material transfer points are located inside the material handling building and are covered and evacuated to minimize fugitive emissions. The truck and rail car loading operations are beneath the building and enclosed on two sides. Loading is done via a chute feeder which is also controlled by dust suppressant. The No. 3 Fertilizer Shipping Plant has a maximum permitted MAP/DAP product railcar loading rate of 385.0 tons per hour. The product loading system includes material conveyors, transfer points, two parallel screens, surge bin, weigh belt and loading spouts. Loading is done via a chute feeder which is also controlled by full-time utilization of dust suppressant to control the generation of dust. The Phosphoric Acid Plant (No. 4 -- V-Train, and No. 5 -- U-Train) has a design feed rate of 170 tons per hour equivalent P_2O_5 feed input. Fluoride emissions from the following sources are controlled by three separate scrubbers; one venturi scrubber and two cross flow packed scrubbers with an air flow rate range of 22,000 to 30,000 ACFM. Sulfur dioxide from each sulfuric acid plant (Nos. 4, 5, and 6) is controlled by a dual absorption tower, and acid mist is controlled by High Velocity and High Efficiency mist eliminators. The Diammonium Phosphate (DAP) Fertilizer Plant (No. 4) consists of a dryer, cooler, reactor and granulator. Emissions from the dryer pass through the venturi, cyclonic and cross-flow scrubbers. Emissions from the cooler

pass through a separate cross-flow scrubber. Emissions from the reactor, granulator, screen vents and material handling systems pass through a separate scrubbing system consisting of venturi, cyclonic and cross-flow scrubbers. The molten sulfur storage and handling system consists of the following: a rail and truck unloading system, one 3,000 ton molten sulfur storage tank, one 6,000 ton molten sulfur storage tank, one 200 ton molten sulfur truck/railcar unloading pit (Pit A), one 300 ton railcar unloading pit (Pit B), and all of the associated transfer pumps and piping. The Package Watertube Boiler is used during cold start-up of the sulfuric acid plant(s) and for make-up steam during times the sulfuric acid plant(s) are operating below capacity and it is routinely fired for maintenance purposes. EU No. 054 is a double absorption sulfuric acid plant at a phosphate fertilizer facility. This plant is designed to produce a maximum of 1,700 tons per day of sulfuric acid (100% H_2SO_4 basis). Sulfur is burned in air first dried by passing through concentrated sulfuric acid in a drying tower. The resulting sulfur dioxide passes through converter units w/catalyst, through an intermediate absorption tower, through a final converter w/catalyst, and then through a final absorption tower (double absorption). Acid mist emissions from the final absorption tower are controlled by a Brink HV Demister. Waste heat from the process is also used to cogenerate electric power. For the operation of a Nebraska Model NS-E-65 Process Steam Boiler, EU No. 055, this boiler shall be fired with natural gas as the primary fuel with new No. 2 fuel oil as backup during natural gas curtailment. EU Nos. 56-60 are the Mulberry molten sulfur loading and storage. Molten sulfur is delivered by tank truck and unloaded by gravity into the truck pit. Pumps in the pit forward the liquid to storage tanks. Emissions of particulates are controlled by pit covers. The four storage tank vents are uncontrolled. CAM does not apply to any of the emissions units at both the Bartow and Mulberry facilities.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the Title V Air Operation Permit Renewal application received April 4, 2003, this facility is a major source of hazardous air pollutants (HAPs).



Mosaic Fertilizer, LLC
P.O. Box 9002
Bartow, FL 33831
www.mosaicco.com

Tel 863-534-9626
Fax 863-534-9680

Baldy Bull -

No problem. Here is letter and mail
receipts. Call if you need anything
else.

~~863-534-9615~~

863-534-9615.

Phil

7/22/05

850-921-9533

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|---|--|---|--|
| <p>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mailpiece, or on the front if space permits.</p> | | <p>A. Signature X</p> <p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> | |
| <p>1. Article Addressed to:</p> <p>Department of Env Protection 2600 Blair Stone Road Tallahassee, Florida 32399-2400</p> <p>JIM PENNINGTON (BAQM)</p> | | <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> | |
| <p>2. Article Number (Transfer from service label) 7099 3220 0007 3016 5518</p> | | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, print delivery address below: <input type="checkbox"/> No</p> | |
| <p>PS Form 3811, February 2004</p> | | <p>3. Service <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | |

U.S. Postal Service
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(Domestic Mail Only: No Insurance Coverage Provided)

| Article Sent To | |
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| <p>Bartow P.O. Box</p> | |
| Postage | \$ 1.37 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.42 |
| <p>Name (Please Print Clearly) (To be completed by mailer) PAUL STEADHAM MASAIC</p> <p>Street, Apt. No., or PO Box No. Box 9002</p> <p>City, State, ZIP+4 BARTOW FL 33831</p> | |

PS Form 3800, July 1999 See Reverse for Instructions

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THE LEDGER
Lakeland, Polk County, Florida

RECEIVED
JUL 1 2005

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)

Attach Ad Here

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

Permitting Authority
Department of Environmental Protection
DRAFT Title V Air Operation Permit No. 1050046-018-AV
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 Corey S. 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 1, 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. 1050046-008-AC, and incorporate the terms of Air Construction Permits 1050046-008-AC, 1050046-017-AC, and 1050046-022-AC.

This facility consists of one phosphate acid plant (two trains), one diammonium 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/minor 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 all permitting requirements and on 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 5505, 2600 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/permits/acs/acs.asp>. A copy of the complete project file is also available at the Southwest District at 3804 Coconut Palm Way, Tampa, FL 33619-1352 (Telephone: 813/744-6100).

Notice of Intent to Issue A Permit: The Permitting Authority gives notice of its intent to issue a permit renewal to the applicant for the project described above. The applicant has provided reasonable 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, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue an AC and the PROPOSED Permit and 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 permitting 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 permitting 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 post-marked 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://thcr26.dep.state.fl.us/aw> 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 permit may petition for an administrative decision 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, 1st Floor, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.57(3), F.S.

