



# Fax Cover Sheet

To	Bruce Mitchell	From	Mary Valenti
Company	Florida DEP	Date / Time	10/20/04
Fax	850-921-9533	Fax	813-672-6448 (office)
Phone	850-413-9198	Phone	813-679-8256 (cell)

Number of pages including this sheet 2

**Comments:**

Bruce,

Attached is a copy of the letter we are sending to Mrs. Yulhauer regarding the last remaining outstanding item. Once you have had an opportunity to look it over, please give me a call.

Thanks,

Mary Valenti, Paralegal  
Tolley & Hardner

If you do not receive all pages faxed or any pages are illegible, please call: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

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 813-677-9111 and return the original transmittal to us by mail. Thank you.



**SENT BY FACSIMILE AND CERTIFIED  
MAIL: 7002 2410 0003 5281 0740**

October 19, 2004

Trina L. Vielhauer, Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: Application(s) for Transfer of Air Permits  
Air Construction, Operation and Title V Permits

Dear Ms. Vielhauer:

In your letter of August 27, 2004, you requested additional information regarding the CONTRIBUTIONS, ASSIGNMENT, AND ASSUMPTION AGREEMENT (the "Agreement"); in which Cargill Fertilizer, Inc. transferred substantially all of its remaining assets into Cargill Fertilizer, LLC. You specifically inquired what activities were excluded from the transfer and whether any of the businesses related to those activities held DEP permits.

The businesses or activities that are excluded from the Agreement are first, all Cargill, Inc., businesses, such as juice, meet, soybeans, grain, etc., that are not related in any manner to the fertilizer business. Additionally, it includes Cargill fertilizer-related businesses outside of Florida that distribute and sell fertilizer but that were not part of Cargill Fertilizer, Inc., previously.

None of the Cargill-fertilizer related businesses outside of Florida that distribute and sell fertilizer have DEP permits. Some Cargill non-fertilizer businesses, such as juice and beef, have DEP permits that are in no way related to the current transaction and need not be considered in the decision to transfer the Cargill Fertilizer, Inc., permits to Cargill Fertilizer, LLC.

Please call Jim Voyles of the Cargill Law Department at 952-742-2589 or me at 813-671-6158 if you have any additional questions.

Sincerely,

A handwritten signature in black ink that reads "E.O. Morris".

E.O. "Ozzie" Morris  
Vice President



SENT BY FACSIMILE AND CERTIFIED  
MAIL: 7002 2410 0003 5281 0740

October 19, 2004

10-20-04

Trina L. Vielhauer, Chief  
Bureau of Air Regulation  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Trina,  
Received this letter  
today via fax. What  
do you think of  
the response?  
Jim  
Bum

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Sincerely,

E.O. "Ozzie" Morris  
Vice President