

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

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

in the matter of To Issue Title V Air Operation Permit Renewal

Concerning CF Industries Bartow Phosphat Complex

was published in said newspaper in the issues of 8-14; 2004

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 reward for the purpose of securing this advertisement for publication in the said newspaper.

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

Sworn to and subscribed before me this 16TH day of August, A.D. 2004

Tatiana Ann Rane
Notary Public

(Seal)

My Commission Expires 08-17-2007

LC146853 L558

Attach Ad Here

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Renewal Project No. 1028003-003-001
Bartow Phosphat Complex, Polk County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to CF Industries, Inc. for Bartow Phosphat Complex, located at 2501 Barnes Mine Road, Bartow, Polk County. The applicant's name and address are: CF Industries, John Dorton, Response Site Official, P.O. Box 1480, Bartow, FL 33851.

The permitting authority will issue the 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 significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed DRAFT Permit within a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 3000 Commonwealth Boulevard, Tallahassee, Florida 32399-2000 (telephone: 850/487-9114; Fax: 850/722-6979). Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.560 and 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received in the Office of General Counsel of the Department of Environmental Protection, 3000 Commonwealth Boulevard, Tallahassee, Florida 32399-2000 (Telephone: 850/487-9130; Fax: 850/487-4930); Reports filed by any persons other than those entitled to written notice under Section 120.600, F.S., must be filed within fourteen days of publication of the public notice of intent, whichever occurs first. Sections 120.565, F.S., however, only permit who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall file 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 applicable time period shall constitute a waiver of that person's right to request an administrative determination (except Sections 120.561 and 120.57, F.S.) or to intervene in this proceeding and participate voluntarily in it. Any subsequent intervention will be only at the approval of the permitting authority upon the filing of a motion in compliance with Rule 20-110.005, Florida Administrative Code (F.A.C.) and 120.565, F.S.

A petition that captures 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; 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 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, as well as the rules and statutes which entitle petitioner to relief;
- (f) A statement of the specific facts on which the petitioner's proposed actions 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 capture 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 information as set forth above, as required by Rule 20-110.301, 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority are encouraged to file a petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7613(a)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7613(d)(1), to object to issuance of any permit renewal. Any petition shall be based only on objections to the permit renewal that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in the notice, unless the petitioner demonstrates to the Administrator of the EPA that it was infeasible 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 7613(a)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/486-0114
Fax: 850/722-6979

Affected District/Local Program:
Department of Environmental Protection
Southwest District Office
3004 Coconino Park Drive
Tomball, FL 33619-8216
Telephone: (813) 744-6100
Fax: (813) 744-6084

The complete project file includes the DRAFT Permit, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 40A.111, F.S. Interested persons may request Jim Pennington, P.E., at the above address, or call (866) 921-1614, for additional information.

L558 - 8-14-2004



CF Industries, Inc.
Bartow Phosphate Complex

P.O. Box 1480
Bartow, Florida 33831
Telephone: 863/578-1000
Fax: 863/534-1841

August 19, 2004

Mr. Bobby Bull
Florida Department of Environmental Protection
Twin Tower Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No.: 1050052-008-AV
Bartow Phosphate Complex

Dear Mr. Bull:

Attached is the "Affidavit of Publication" for the above mentioned permit modification.

If additional information is required, please contact me at 863-533-8048 ext. 250.

Sincerely,

Cheryl L. Peck
Administrative Assistant

xc: L. Vadelund
J. Doran
C. Kovach
File



CF Industries, Inc.

BARTOW PHOSPHATE COMPLEX

P O Box 1480
Bartow, FL 33831
Tel: 863-533-8048
Fax: 863-534-1841

FAX

To: Bobby Bull
Attn: _____
Fax: 850-921-9533

From: Cheryl Peck
Date: 8-19-04
Phone: _____

- Urgent
- For Review
- Please Comment
- Please Reply
- For Your Information

NUMBER OF PAGES INCLUDING THIS COVER: 3

SUBJECT: _____

