

Adams, Patty

From: Arif, Syed
Sent: Wednesday, August 24, 2005 8:25 AM
To: Koerner, Jeff
Cc: Adams, Patty
Subject: FW: Mosaic-Green Bay facility-Request to Withdraw PSD Application
Attachments: DOC.PDF

FYI. We should be receiving the revised PSD application today. Patty, the application will come in without the fees, we agreed on this if they withdrew the other application. Please assign a new PSD number to this application. Thanks.

*Syed Arif, P.E.
Permit Engineer
Division of Air Resources Management
Department of Environmental Protection
(850) 921-9528 or SC 291-9528*

From: Foeller, Elizabeth - Green Bay [mailto:Elizabeth.Foeller@mosaicco.com]
Sent: Monday, August 22, 2005 2:56 PM
To: Arif, Syed
Cc: Foeller, Elizabeth - Green Bay; dbuff@golder.com; smccann@golder.com
Subject: Mosaic-Green Bay facility-Request to Withdraw PSD Application

OGC
Not signed by D. Beason

Syed,
As we discussed earlier today, I have attached a copy of the document Mosaic forwarded to Mr. Doug Beason of the OGC on August 5, 2005 regarding our request to withdraw our previous PSD application. Correspondence with our Counsel indicates that Mr. Beason has signed this document; however, he has not forwarded a final signed copy to Mosaic. Mr. Beason's clerk/assistant may be able to provide more detail on the status of the request.

Syed, please let me know if there is anything else you need from Mosaic to complete this request. Also, as we discussed, 4 copies of the revised PSD application will be forwarded to your attention within the next few days. Dave Buff and/or I will be in touch with you within 10-12 days of the submittal to assist with any questions or additional information required. Thank you for your time and consideration with these requests.

Best Regards,
Liz Foeller

Elizabeth Foeller, P.E.
Environmental Superintendent
Mosaic - Green Bay Facility

8/24/2005



**FOLEY & LARDNER LLP
ATTORNEYS AT LAW**

111 NORTH ORANGE AVENUE, SUITE 1800
ORLANDO, FL 32801-2386
P. O. BOX 2193
ORLANDO, FL 32802-2193
407.423.7656 TEL
407.648.1743 FAX
www.foley.com

August 5, 2005

WRITER'S DIRECT LINE
407.244.3242
tmaurer@foley.com EMAIL

CLIENT/MATTER NUMBER
056896-0101

W. Douglas Beason, Esq.
Florida Department of Environmental Protection
Office of General Counsel
Marjory Stoneman Douglas Building, Room 659
3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, Florida 32999-3000

Re: *Stipulated Dismissal of Petition for Administrative Hearing*

Dear Doug:

Enclosed is a signed Stipulated Dismissal of Petition for Administrative Hearing. Once you have signed it please file it as appropriate and return a copy to me.

Thanks for your cooperation.

Sincerely,

Thomas K. Maurer

TKM/jlh
Enclosures
cc: James Voyles

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006.382281.1

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CARGILL FERTILIZER, INC.
[GREEN BAY PHOSPHATE FERTILIZER FACILITY]

Petitioner,

v.

OGC #04-00043
Permit #1050053-033-AC
PSD-FL-334

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

Respondent

STIPULATED DISMISSAL OF PETITION FOR ADMINISTRATIVE HEARING

Cargill Fertilizer, Inc. ("Cargill"), filed a Petition for Administrative Hearing challenging the issuance of Permit PSD-FL-334 on May 27, 2004. Subsequent to the filing of this Petition, Cargill Fertilizer, Inc. was the subject of a merger and the successor in interest for all purposes relative to this matter is Mosaic Fertilizer LLC ("Mosaic"). Mosaic and the Department have been engaged in discussions concerning the issues raised in the Petition for Administrative Hearing. Mosaic has decided to withdraw its permit application and the parties have agreed to dismissal of the Petition for Administrative Hearing under the following conditions:

1. Mosaic, through the filing of this Stipulation, withdraws its application to modify the Phosphoric Acid Production System, the South DAP Fertilizer Plant and the North MAP/DAP Fertilizer Plant as originally filed on April 30, 2003. The parties agree that no further agency action is required with regard to this permit application.

2. Mosaic may file such additional applications for modification of the facilities referenced above as it deems appropriate. The dismissal of this action does not constitute a waiver of any rights of the parties with regard to such future permit applications.

3. Both parties shall pay their own costs and attorneys' fees.

Respectfully submitted,



Thomas K. Maurer, Esq.
Florida Bar No. 03311447
Foley & Lardner LLP
111 N. Orange Avenue, Suite 1800
Orlando, Florida 32801
Telephone: (407) 423-7656
Facsimile: (407) 648-1743
Email: tmaurer@foley.com

W. Douglas Beason, Esq.
Florida Department of Environmental Protection
Office of General Counsel
Marjory Stoneman Douglas Building, Room
659
3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, Florida 32999-3000