



Jeb Bush  
Governor

# Department of Environmental Protection

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

Colleen M. Castille  
Secretary

December 16, 2005

Mr. David Buff, P.E.  
Golder Associates Inc.  
6241 NW 23<sup>rd</sup> Street, Suite 500  
Gainesville, FL 32653

Re: Mosaic Fertilizer, LLC – Green Bay Plant  
Facility ID No. 1050053  
Phosphoric Acid Plant No. 2 – Piping/Tank Changes

Dear Mr. Buff:

On December 5th, we received your letter on behalf of Mosaic Fertilizer requesting Department approval to proceed with piping and tank changes in the evaporator area of the existing Phosphoric Acid Plant No. 2 (attached) at the Green Bay Plant. You reference Rule 62-213.410(3)(a), F.A.C., which states:

“Title V sources having a valid permit issued pursuant to this chapter may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:

- (1) Permitted sources may change among those alternative methods of operation;
- (2) A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
  - (a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
  - (b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
  - (3) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.

This rule allows changes between previously-approved “methods of operation” specified within the Title V permit or “operating changes” with a 7-day prior notice. Rule 62-210.200(187) defines an *operating change* as, “For purposes of the Title V source permitting program, any physical change to, or change to the operation of, any Title V source or any emissions unit within any Title V source which contravenes a permit term or condition, other than one described at paragraphs 62-213.400(2)(a)-(j), F.A.C., but which does not constitute a modification and does not otherwise subject the source to a requirement for permit revision pursuant to Rule 62-213.400, F.A.C.” The proposed work does not fit either scenario and requires new construction. Based on the information provided and discussions with our Southwest District Office, please submit an application for an air construction permit to the Southwest District Office for authorization to proceed.

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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this written notice. 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.

*More Protection, Less Process*

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 interests will be affected by the agency determination; (c) A statement of how and when each 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.

If you have any questions, please contact the Project Engineer, Jeff Koerner, at 850/921-9536.

Sincerely,



Trina Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

**CERTIFICATE OF SERVICE**

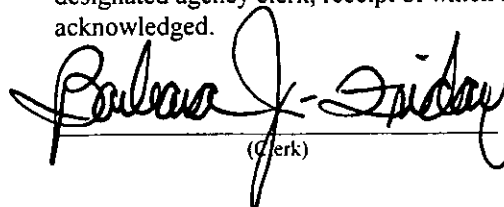
The undersigned duly designated deputy agency clerk hereby certifies that this letter was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 12/16/05 to the persons listed below.

Mr. David Buff, P.E.  
Golder Associates Inc.  
6241 NW 23<sup>rd</sup> Street, Suite 500  
Gainesville, FL 32653

Ms. Elizabeth Foeler  
Mosaic Fertilizer, LLC  
4390 CR 64 West  
Bartow, FL 33830

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

  
(Clerk)

12/16/05  
(Date)

| SENDER: COMPLETE THIS SECTION  | COMPLETE THIS SECTION ON DELIVERY   |
|--|---|
| <ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> | <p>A. Signature<br/> <input checked="" type="checkbox"/> <i>Nichole Hudson</i> <input checked="" type="checkbox"/> Agent<br/> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Nichole Hudson</i> C. Date of Delivery <i>12/19/05</i></p>   |
| <p>1. Article Addressed to:<br/>         Mr. David Buff, P.E.<br/>         Golder Associates, Inc.<br/>         6241 NW 23rd Street, Suite 500<br/>         Gainesville, Florida 32653</p>   | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes<br/>         If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type<br/> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail<br/> <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise<br/> <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number<br/>         (Transfer from service label)</p>  | <p>7005 1160 0004 3034 3700</p>   |
| <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>  |   |

7005 1160 0004 3034 3700

| U.S. Postal Service™<br><b>CERTIFIED MAIL™ RECEIPT</b><br>(Domestic Mail Only; No Insurance Coverage Provided)   |         |                                  |               |   |   |   |  |  |                      |    |               |
|--|---------|----------------------------------|---------------|---|---|---|--|--|----------------------|----|---------------|
| For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>   |         |                                  |               |   |   |   |  |  |                      |    |               |
| Mr. David Buff, P.E. <b>OFFICIAL USE</b>   |         |                                  |               |   |   |   |  |  |                      |    |               |
| <table border="1"> <tr><td>Postage</td><td>\$</td></tr> <tr><td>Certified Fee</td><td></td></tr> <tr><td>Return Receipt Fee (Endorsement Required)</td><td></td></tr> <tr><td>Restricted Delivery Fee (Endorsement Required)</td><td></td></tr> <tr><td>Total Postage &amp; Fees</td><td>\$</td></tr> </table> | Postage | \$                               | Certified Fee |   | Return Receipt Fee (Endorsement Required) |   | Restricted Delivery Fee (Endorsement Required) |  | Total Postage & Fees | \$ | Postmark Here |
| Postage  | \$      |                                  |               |   |   |   |  |  |                      |    |               |
| Certified Fee  |         |                                  |               |   |   |   |  |  |                      |    |               |
| Return Receipt Fee (Endorsement Required)  |         |                                  |               |   |   |   |  |  |                      |    |               |
| Restricted Delivery Fee (Endorsement Required)   |         |                                  |               |   |   |   |  |  |                      |    |               |
| Total Postage & Fees   | \$      |                                  |               |   |   |   |  |  |                      |    |               |
| <table border="1"> <tr><td colspan="2">Sent To:<br/>Mr. David Buff, P.E.</td></tr> <tr><td colspan="2">Street, Apt. No. or PO Box No.:<br/>6241 NW 23rd Street, Suite 500</td></tr> <tr><td colspan="2">City, State, ZIP+4:<br/>Gainesville, Florida 32653</td></tr> </table>                                  |         | Sent To:<br>Mr. David Buff, P.E. |               | Street, Apt. No. or PO Box No.:<br>6241 NW 23rd Street, Suite 500 |   | City, State, ZIP+4:<br>Gainesville, Florida 32653 |  |  |                      |    |               |
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| City, State, ZIP+4:<br>Gainesville, Florida 32653  |         |                                  |               |   |   |   |  |  |                      |    |               |
| PS Form 3800, June 2002 See Reverse for Instructions   |         |                                  |               |   |   |   |  |  |                      |    |               |