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May 12, 2006

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

Attn: Patricia Comer, Assistant General
Counsel

RE: Mosaic Fertilizer, LLC: Draft Permit No. 1050055-014-AV
South Pierce Facility

Withdrawal of Petition for Administrative Hearing

Office of General Counsel:

On April 7, 2006 Mosaic Fertilizer, LLC (Mosaic) petitioned the Florida Department of Environmental Protection (FDEP) for an extension of time to seek an administrative hearing regarding the above referenced Draft Permit. An order was entered granting an extension of time to May 15, 2006. During the extension time period, Mosaic representatives met telephonically and/or in person with FDEP to discuss Mosaic's objectives and concerns (Disputed Matters) raised in the petition regarding the Draft Permit. At the meetings, FDEP and Mosaic reached an agreement regarding the Disputed Matters and FDEP agreed to issue a revised Draft Permit in accord with the agreements reached.

Accordingly, Mosaic withdraws its Petition for Administrative Hearing in reliance on the FDEP's commitment to issue the Revised Draft Permit in accord with the agreement reached.

Please contact the undersigned if you have any questions.

Sincerely,

Diana M. Jagiella

DMJ/aml

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BUREAU OF AIR REGULATION

Office of General Counsel

5/12/2006

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