



Mosaic Fertilizer, LLC
P.O. Box 2000
Mulberry, FL 33860

Certified Mail 7006 2760 0004 9937 8569
Return Receipt Requested

December 26, 2007

Mr. Scott Sheplak
Florida Department of Environmental Protection
Bureau of Air Monitoring and Mobile Sources
Emission Monitoring Section, Mail Station 5510
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED

DEC 31 2007

BUREAU OF AIR REGULATION

**RE: Mosaic Fertilizer, LLC
New Wales Facility
Draft Permit Renewal No. 1050059-045-AV**

Dear Mr. Sheplak:

Per Section 403.815, Florida Statutes and DEP Rule 62-110.106(5), FAC, please find enclosed the original Affidavit of Publication from The Lakeland Ledger regarding the Draft Permit for our Mosaic New Wales Plant.

Please contact me with any questions or concerns regarding this Affidavit. I can be reached at 863.428.7106.

Sincerely,

for →

J. Dean Ahrens
Environmental Superintendent

JDA:jp\NW_Sheplak_AffPub_122607
enclosure

C: D. B. Jellerson
C. D. Turley
C. Zhang-Torres, FDEP (Tampa)

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No's:

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Paula Freeman, who on oath says that she is Inside Classified Sales Manager The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being A

Public Notice of Intent

in the matter of Permit No. 1080059-055-AC

Concerning Mosaic Fertilizer, LLC New Wales Plant

was published in said newspaper in the issues of 12-20; 2007

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

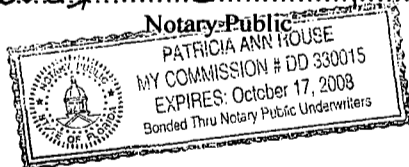
Signed Paula Freeman
Paula Freeman
Inside Classified Sales Manager
Who is personally known to me.

Sworn to and subscribed before me this 20TH

day of December A.D. 2007

Patricia Ann House

(Seal)



My Commission Expires.....

A567 L060G06D3P

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT
Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft Air Construction Permit No. 1050059-055-AC
Mosaic Fertilizer, LLC, New Wales Plant
Polk County, Florida

Applicant: The applicant for this project is Mosaic Fertilizer, LLC. The applicant's authorized representative and mailing address is: Thomas W. Fuchs, Plant Manager, Mosaic Fertilizer, LLC, P.O. Box 2000, Mulberry, Florida 33860.

Facility and Location: The applicant, Mosaic Fertilizer, LLC, operates the existing New Wales Plant, which is located in Polk County at 3095 Highway 640 in Mulberry, Florida. The applicant operates an existing phosphate complex, which processes phosphate rock to produce several products at the New Wales Plant.

Project: On January 31, 2007, Mosaic Fertilizer, LLC submitted an application to satisfy the requirements of Best Available Retrofit Technology (BART) in Rule 62-296.340, Florida Administrative Code (F.A.C.) for the existing New Wales Plant. The purpose of the BART regulation is to improve visibility in the Class I areas, which include six national parks and federal wildlife areas in and around Florida. The BART provisions apply to Emissions Units (EU) built between 1962 and 1977 at one of the 26 specified industrial categories that have the potential to emit more than 250 tons a year of visibility-impairing pollutants, which are defined as nitrogen oxides (NOx), particulate matter (PM₁₀/PM_{2.5}), and sulfur dioxide (SO₂).

The BART regulation requires a control technology review to establish a BART standard, which is an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by a BART-eligible source. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

The BART-eligible units at this facility include: EU002 - #1 Sulfuric Acid Plant (SAP), EU003 - #2 SAP, EU004 - #3 SAP, EU009 - #1 Diammonium Phosphate (DAP) Plant, EU011 - Mono-ammonium Phosphate (MAP) Plant, EU015 - Animal Feed Ingredient (AFI) Shipping/Truck Loading, EU023 - AFI Storage Silos (3) - North Side, EU024 - AFI Shipping/Rail Car Loading, EU025 - AFI Limestone Storage Silos (2), EU026 - AFI Silica Unloading & Storage, EU027 - AFI Plant, EU028 - AFI Storage Silos (3) - South Side, EU030 - Multifos; Soda Ash Unloading System, EU031 - Multifos Soda Ash Conveying System, EU032 - Multifos 'A' Kiln Cooler, EU033 - Multifos 'B' Kiln Cooler, EU034 Multifos A and B Kilns Milling & Sizing - West Bag Collector, EU035 - Multifos A and B Kilns Milling & Sizing - East Bag Collector, EU036 - Multifos A and B Kilns, Drier and Blending Operation, EU038 - Multifos A and B Kilns Milling & Sizing - Surge Bin Bag Collector, EU052 - AFI Limestone Feed Bin, EU055 - MAP Plant Cooler, EU063 - 1500 Ton Truck Unloading Sulfur Pit, EU066 - 200 Ton Molten Sulfur Transfer Pit, EU067 - 1500 Ton Truck Unloading Sulfur Pit - Front Vent, EU068 - 1500 Ton Truck Unloading Sulfur Pit - Rear Vent. The Department of Environmental Protection (Department) reviewed the application and makes a preliminary determination regarding the BART controls and emissions standards in the draft air construction permit. The Department has determined that the existing controls and techniques constitute BART for the eligible BART units at this facility. The draft air construction permit establishes the new BART emissions standards based on installed controls and tested emissions rates.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-210, and 62-212. The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/products/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be postmarked by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. 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. Any subsequent intervention (in a proceeding initiated by another party) 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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.

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 Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

A567 12-20; 2007