



Mosaic Fertilizer, LLC
13830 Circa Crossing Dr.
Lithia, FL 33547

Certified Mail 7006 2760 0004 9938 0135
Return Receipt Requested

October 22, 2013

Mr. Scott Sheplak
Florida Department of Environmental Protection
Air Resource Management Section
Southwest District
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

**RE: Mosaic Fertilizer, LLC – New Wales Facility
Draft/Proposed Permit No. 1050059-083-AV
Title V Air Permit Revision**

Dear Mr. Sheplak:

Per Section 403.815, Florida Statutes, and Rule 62-103.150 of the Florida Administrative Code, please find enclosed the original Affidavit of Publication from The Lakeland Ledger regarding the Draft/Proposed Air Permit No. 1050059-083-AV for Mosaic New Wales Chemical Plant. The legal ad was published in The Ledger on Thursday, October 17, and was received by our office today.

If you have any questions, please do not hesitate to call me at 863.844.5201.

Sincerely,


Ghani Baig
Environmental Manager

GB:jp
enclosure

cc: Kelley Boatwright
C. D. Turley, Mosaic
R. Iyer, Mosaic

AFFIDAVIT OF PUBLICATION THE LEDGER Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

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

PUBLIC NOTICE
in the matter of MOSAIC FERTILIZER, LLC
NEW WALES FACILITY

Concerning PERMIT NO 1050059-061-AC

was published in said newspaper in the issues of

10-17, 2013

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

Customer Service for Classified Advertising

Who is personally known to me.

Sworn to and subscribed before me this... 17TH

day of October..... A.D. 2013



Notary Public



My Commission Expires - October 17, 2016

Florida Department of Environmental Protection
Division of Air Resource Management, Office of Permitting and Compliance
Draft/Proposed Permit No. 1050059-083-AV, Title V Air Operation Permit Revision
Mosaic Fertilizer, LLC
New Wales Facility
Polk County, Florida

Applicant: The applicant for this project is Mosaic Fertilizer, LLC. The applicant's responsible official and mailing address are: Mr. Ronald Yasurek, Plant Manager, New Wales Facility, Mosaic Fertilizer, LLC, 13830 Circa Crossing Drive, Lithia, Florida 33547.

Facility Location: The applicant owns and operates the existing New Wales Facility, which is located in Polk County at 3095 Highway 640 in Mulberry, Florida.

Project: The applicant applied on April 1, 2013, to the Department for a Title V air operation permit revision.

This existing facility is a phosphate fertilizer manufacturing complex. This project is a Title V air operation permit revision to incorporate: Permit No. 1050059-072-AC, Replacement of Filter/Receiver for Animal Feed Ingredients (AFI) Silica Storage Bin; Permit No. 1050059-081-AC, Best Available Retrofit Technology (BART) Exemption Project; Permit No. 1050059-070-AC, Annual Milestone Status Report, and, to make several other miscellaneous revisions.

Permitting Authority: Applications for Title V air operation permits for facilities that contain acid rain units are subject to review in accordance with the provisions of Chapter, 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements under a Title V air operation permit is required to operate the facility. The Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address and mailing address is: 2800 Blair Stone Road, MS 45505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850717-9000.

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 the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed Title V air operation permit revision, the Statement of Basis and the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed Title V air operation permit revision by visiting the following web site: <http://www.dep.state.fl.us/air/mission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above. Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a draft/proposed Title V air operation permit revision for the project described above. The applicant has provided reasonable assurance that operation of the 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, 62-213, 62-214, 62-298 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed Title V air operation permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority at 6:00 p.m., on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting are in a significant change to the draft/proposed Title V air operation permit, the Permitting Authority shall issue a revised draft/proposed Title V air operation permit and request application, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Notice: 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 at the Office of General Counsel, 435 Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station 435 Tallahassee, Florida 32399-3900. Petitions filed by any person within 14 days of publication of the written notice under Section 120.60(3), F.S., must be received by the Permitting Authority by public notice or receipt of a written notice. Permitting Authority for notice of agency action may file a petition with the Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3900. A petition for notice of agency action must be filed with the Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3900, Agency Clerk@dep.state.fl.us, before the deadline. 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, any email address, telephone number, and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile 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 action or proposed decision; (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 petitioner must so indicate; (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 Permits. 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. **EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: okendo.epa@epa.gov. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following web site address: <http://www.epa.gov/regions/air/permits/florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661(d)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661(d)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable 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 the EPA must meet the requirements of 42 U.S.C. Section 7661(d)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding Air Permitting and Objections, visit EPA's Region 4 web site at <http://www.epa.gov/regions/air/permits/florida.htm>; Florida Department of Environmental Protection, Division of Air Resource Management, Office of Permitting and Compliance Draft/Proposed Permit No. 1050059-083-AV, Title V Air Operation Permit Revision Mosaic Fertilizer, LLC New Wales Facility Polk County, Florida