

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEPT OF ENVIRONMENTAL
PROTECTION

JUN 11 2009

OFFICE OF
GENERAL COUNSEL

MOSAIC FERTILIZER LLC

Petitioner,

OCG Case No. _____
DEP Draft Permit No. 1050059-061-AC
BART Exemption Project -
New Wales Facility

vs.

STATE OF FLORIDA, DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Respondents.

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Mosaic Fertilizer, LLC ("Mosaic") hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time to and including August 1, 2009, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Mosaic states the following:

1. On or about May 28, 2009, Mosaic received from the Department of Environmental Protection ("Department") an "Intent to Issue Air Permit" and accompanying "Draft Permit" (Draft Permit No. 1050059-061-AC), for the New Wales facility, which is located at 3095 U.S. Highway 640, Mulberry, Polk County, Florida.

2. Based on Mosaic's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or corrections.

3. Mosaic and the Department are in the process of discussing possible resolutions to the issues needing clarification or correction. Mosaic will provide written

comments and suggested revisions to the Draft Permit in advance of the June 16, 2009, public comment deadline.

4. This request is filed simply as a protective measure to avoid waiver of Mosaic's right to challenge certain conditions contained in the Draft Permit. This request will allow the Department adequate time to review Mosaic's concerns and, in turn, give Mosaic adequate time to respond. To that end, Mosaic reserves the right to make additional comments to the Department. Grant of this request will not prejudice either party, but will further their mutual interests and hopefully avoid the need to file a Petition and proceed to a formal administrative hearing.

WHEREFORE, Mosaic Fertilizer, LLC respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Air Permit No. 1050059-061-AC be formally extended to and including August 1, 2009.

Respectfully submitted this 11th day of June, 2009.

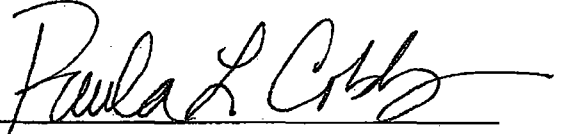


Susan L. Stephens
Florida Bar No. 986836
Paula L. Cobb
Florida Bar No. 43561
HOPPING GREEN & SAMS, P.A.
123 South Calhoun Street
Tallahassee, Florida 32301
Phone: 850-222-7500
Fax: 850-224-8551
Email: susans@hgslaw.com
paulac@hgslaw.com

Attorneys for Petitioner,
Mosaic Fertilizer, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to Lea Crandall, Agency Clerk, and Jack Chisholm, Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Room 659, Tallahassee, Florida 32399-3000, this 11th day of June, 2009.



Attorney