

- 64 -

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**MOSAIC FERTILIZER LLC**

**Petitioner,**

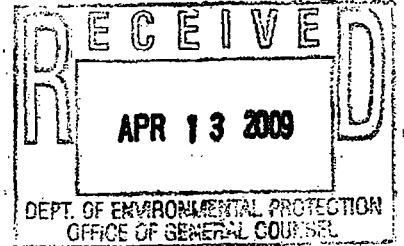
**OCG Case No. 09-0508  
DEP Draft Permit No. 0570008-061-AC  
BART Exemption Project –  
Riverview Facility**

**vs.**

**STATE OF FLORIDA, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,**

**Respondents.**

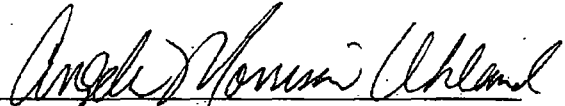
---



**WITHDRAWAL OF FIRST  
REQUEST FOR ENLARGEMENT OF TIME**


Pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.) and Rule 28-106.201, Florida Administrative Code (F.A.C.), Petitioner, Mosaic Fertilizer, LLC ("Mosaic") hereby withdraws its previously-filed Request for Enlargement of Time regarding Draft Permit No. 0570008-061-AC, issued by the Florida Department of Environmental Protection (Department) on or about March 3, 2009.

Mosaic and the Department have agreed on a resolution of the issues involved in this Draft Permit, as reflected in Attachment A. Conditioned on the Department's issuance of a Final Permit in accordance with the agreement in Attachment A, Mosaic hereby withdraws its First Request for Enlargement of Time.

*for*   
Robert A. Manning  
Florida Bar No. 0035173  
HOPPING GREEN & SAMS, P.A.  
123 South Calhoun Street  
Tallahassee, Florida 32301  
Phone: 850-222-7500  
Fax: 850-224-8551  
Email: [robertm@hgslaw.com](mailto:robertm@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 Chisolm, Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Room 659, Tallahassee, Florida 32399-3000, and by electronic mail to Scott Sheplak, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, this 13th day of April, 2009.

  
\_\_\_\_\_  
Attorney

~ FOR SETTLEMENT DISCUSSION PURPOSES ~  
version dated April 8, 2009

**PERMITTEE**

Mosaic Fertilizer, LLC  
8813 U.S. Highway 41 South  
Riverview, FL 33569

*Authorized Representative:*  
Mr. Alan Lulf, Plant Manager

Air Permit No. 0570008-061-AC Expiration Date: June 30, 2013  Riverview Facility BART Exemption Project
---

**PLANT AND LOCATION**

The Mosaic Fertilizer, LLC operates the Riverview Facility, which is located at 8813 U.S. Highway 41 South, Riverview in Hillsborough County, Florida. The facility is an existing phosphate fertilizer manufacturer, which is identified by Standard Industrial Classification (SIC) code No. 2874.

**STATEMENT OF BASIS**

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). Pursuant to Rule 62-296.340(5)(c) (escape BART), F.A.C., the permittee shall install the air pollution control equipment and/or implement the air pollution control measures that are specified by this permit to be exempt from a Best Available Retrofit Technology (BART) determination.

**EFFECTIVE DATE**

Unless otherwise specified by this permit, the affected emissions units shall comply with the conditions of this permit as expeditiously as practicable, but not later than the expiration date of this permit. [Rule 62-296.340(3)(b)2., F.A.C.]

Executed in Tallahassee, Florida

\_\_\_\_\_  
Joseph Kahn, Director  
Division of Air Resource Management

\_\_\_\_\_  
Effective Date

JK/tlv/jkh/sms

**Sheplak, Scott**

---

**From:** Crandall, Lea  
**Sent:** Tuesday, April 14, 2009 9:46 AM  
**To:** Moore, Ronni; Gibson, Victoria; Sheplak, Scott  
**Subject:** Withdrawal of 1st Request for Ext. of Time - 0570008-061-AC - Mosaic Fertilizer  
**Attachments:** SKMBT\_50109041409360.pdf

FYI, attached is Mosaic's Withdrawal of Ext. of Time.

Thanks,  
Lea

Lea Crandall  
Agency Clerk  
Office of General Counsel  
3900 Commonwealth Boulevard, MS 35  
Tallahassee, FL 32399-3000  
Phone: (850) 245-2212  
Fax: (850) 245-2303

---

**From:** ogc@dep.state.fl.us [mailto:ogc@dep.state.fl.us]  
**Sent:** Tuesday, April 14, 2009 10:37 AM  
**To:** Crandall, Lea  
**Subject:** Message from KMBT\_501

4/14/2009

- 516 -  
COPY

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

MOSAIC FERTILIZER LLC

Petitioner,

OCG Case No. 09-0508  
DEP Draft Permit No. 0570008-061-AC  
BART Exemption Project –  
Riverview Facility

vs.

DEPT OF ENVIRONMENTAL  
PROTECTION

STATE OF FLORIDA, DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,

APP 4

Respondents.

OFFICE OF  
GENERAL COUNSEL

WITHDRAWAL OF FIRST  
REQUEST FOR ENLARGEMENT OF TIME

Pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.) and Rule 28-106.201, Florida Administrative Code (F.A.C.), Petitioner, Mosaic Fertilizer, LLC (“Mosaic”) hereby withdraws its previously-filed Request for Enlargement of Time regarding Draft Permit No. 0570008-061-AC, issued by the Florida Department of Environmental Protection (Department) on or about March 3, 2009.

Mosaic and the Department have agreed on a resolution of the issues involved in this Draft Permit, as reflected in Attachment A. Conditioned on the Department’s issuance of a Final Permit in accordance with the agreement in Attachment A, Mosaic hereby withdraws its First Request for Enlargement of Time.

DEPT OF ENVIRONMENTAL  
PROTECTION

APR 13 2009

OFFICE OF  
GENERAL COUNSEL

*for Robert A. Manning*

Robert A. Manning  
Florida Bar No. 0035173  
HOPPING GREEN & SAMS, P.A.  
123 South Calhoun Street  
Tallahassee, Florida 32301  
Phone: 850-222-7500  
Fax: 850-224-8551  
Email: [robertm@hgslaw.com](mailto:robertm@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 Chisolm, Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Room 659, Tallahassee, Florida 32399-3000, and by electronic mail to Scott Sheplak, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, this 13th day of April, 2009.

  
\_\_\_\_\_  
Attorney

~ FOR SETTLEMENT DISCUSSION PURPOSES ~  
version dated April 8, 2009

**PERMITTEE**

Mosaic Fertilizer, LLC  
8813 U.S. Highway 41 South  
Riverview, FL 33569

*Authorized Representative:*  
Mr. Alan Lulf, Plant Manager

Air Permit No. 0570008-061-AC Expiration Date: June 30, 2013  Riverview Facility BART Exemption Project
---

**PLANT AND LOCATION**

The Mosaic Fertilizer, LLC operates the Riverview Facility, which is located at 8813 U.S. Highway 41 South, Riverview in Hillsborough County, Florida. The facility is an existing phosphate fertilizer manufacturer, which is identified by Standard Industrial Classification (SIC) code No. 2874.

**STATEMENT OF BASIS**

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). Pursuant to Rule 62-296.340(5)(c) (escape BART), F.A.C., the permittee shall install the air pollution control equipment and/or implement the air pollution control measures that are specified by this permit to be exempt from a Best Available Retrofit Technology (BART) determination.

**EFFECTIVE DATE**

Unless otherwise specified by this permit, the affected emissions units shall comply with the conditions of this permit as expeditiously as practicable, but not later than the expiration date of this permit. [Rule 62-296.340(3)(b)2., F.A.C.]

Executed in Tallahassee, Florida

\_\_\_\_\_  
Joseph Kahn, Director  
Division of Air Resource Management

\_\_\_\_\_  
Effective Date

JK/tlv/jkh/sms

**Sheplak, Scott**

---

**From:** Jennifer McNeill [JenniferM@hgslaw.com]  
**Sent:** Monday, April 13, 2009 5:10 PM  
**To:** Sheplak, Scott  
**Subject:** FW: Mosaic-Riverview BART  
**Attachments:** Mosaic-Riverview BART Withdrawal.pdf.PDF

Good Afternoon Mr. Iyer:

Attached please find the Withdrawal that was filed today with DEP. Should you have any questions, or if I can be of any further assistance, please let me know.

Sincerely,  
Jennifer McNeill, Legal Assistant to  
**Robert A. Manning & Julie M. Murphy**  
**Hopping Green & Sams, P.A.**  
123 South Calhoun Street  
Tallahassee, Florida 32301  
<http://www.hgslaw.com>  
Reception Desk: (850) 222-7500  
Direct Line: (850) 425-3464  
Fax: (850) 224-8551  
E-mail: [JenniferM@hgslaw.com](mailto:JenniferM@hgslaw.com)

**Notice:** The information contained in this email message is Attorney/Client Privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone at (850)425-2204 and delete the original message.

Thank you.