



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

November 28, 2006

ELECTRONIC MAIL - RECEIVED RECEIPT REQUESTED

Mr. Jeffery M. Stewart
Environmental Superintendent
Mosaic Fertilizer, LLC
8813 Highway 41 South
Riverview, FL 33569

Re: Extension Request/ DEP File No. 0570008-054-AC
Extension of Time for Permit Nos. PSD-FL-315 (0570008-036-AC) and PSD-FL-336 (0570008-044-AC)
Facility Expansion, Animal Feed Ingredient (AFI) Plant Modification and Ammoniated Phosphate Plant

Dear Mr. Stewart,

On October 17, 2006, the Department received a request from Mosaic Fertilizer, LLC (Mosaic) for an extension of time for air construction projects 0570008-036-AC (PSD-FL-315) including associated modifications and 0570008-044-AC (PSD-FL-336), for its Riverview Facility located at 8813 US Highway 41 South, Riverview, Hillsborough County. All planned construction activities and testing are complete for these projects. The purpose of the request is to maintain valid air construction permits throughout the ongoing Title V permit revision process. The Department agrees and the expiration dates are hereby extended to December 1, 2007, to allow sufficient time to process the current Title V revision. No new construction is authorized by this project. The Department notes that it is currently reviewing a request under Project No. 0570008-053-AC (PSD-FL-315G) for remaining construction on the AFI Plant.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition 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; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department. Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order and all copies were sent electronically (with Received Receipt) before the close of business on 11/28/06 to the person(s) listed:

Jeff Stewart, Mosaic (jeff.stewart@mosaicco.com)
Scott McCann, Golder Associates, Inc. (smccann@golder.com)
Quaid Noor, FL DEP- SWD (quaid.noor@dep.state.fl.us)
Diana Lee, EPCHC (lee@epchc.org)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Mary L. Army 11/28/06
(Clerk) (Date)

Adams, Patty

From: Harvey, Mary
Sent: Tuesday, November 28, 2006 3:51 PM
To: 'jeff.stewart@mosaicco.com'; 'smccann@golder.com'; Noor, Quaid; 'lee@epchc.org'
Cc: Arif, Syed; Adams, Patty; Gibson, Victoria
Subject: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC
Attachments: 0570008.054.AC.D_pdf.zip

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

Adams, Patty

From: Harvey, Mary
Sent: Friday, December 01, 2006 2:23 PM
To: Adams, Patty
Subject: FW: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

From: Noor, Quaid
Sent: Friday, December 01, 2006 11:55 AM
To: Harvey, Mary
Subject: Read: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

Your message

To: 'jeff.stewart@mosaicco.com'; 'smcann@golder.com'; Noor, Quaid; 'lee@epchc.org'
Cc: Arif, Syed; Adams, Patty; Gibson, Victoria
Subject: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC
Sent: 11/28/2006 3:51 PM

was read on 12/1/2006 11:55 AM.

Adams, Patty

From: Harvey, Mary
Sent: Wednesday, November 29, 2006 8:55 AM
To: Arif, Syed; Adams, Patty
Subject: FW: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

From: Lee, Diana [<mailto:Lee@epchc.org>]
Sent: Tuesday, November 28, 2006 4:56 PM
To: Harvey, Mary
Subject: Read: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

Your message

To: Lee@epchc.org
Subject:

was read on 11/28/2006 4:56 PM.

Adams, Patty

From: Harvey, Mary
Sent: Wednesday, November 29, 2006 8:55 AM
To: Adams, Patty
Subject: FW: Read: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

Attachments: ATT45300.txt



ATT45300.txt (233
B)

-----Original Message-----

From: Stewart, Jeff M - Riverview [mailto:Jeff.Stewart@mosaicco.com]
Sent: Tuesday, November 28, 2006 4:46 PM
Subject: Read: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

Your message

To: Stewart, Jeff M - Riverview; smccann@golder.com; Noor, Quaid;
lee@epchc.org
Cc: Arif, Syed; Adams, Patty; Gibson, Victoria
Subject: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC
Sent: Tue, 28 Nov 2006 15:50:34 -0500

was read on Tue, 28 Nov 2006 15:54:10 -0500

Adams, Patty

From: Harvey, Mary
Sent: Thursday, November 30, 2006 8:51 AM
To: Adams, Patty
Subject: FW: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

From: McCann, Scott [mailto:Scott_McCann@GOLDER.com]
Sent: Thursday, November 30, 2006 8:28 AM
Subject: Read: Mosaic Fertilizer, LLC - Riverview Facility #0570008-054-AC

Your message

To: Scott_McCann@GOLDER.com
Subject:

was read on 11/30/2006 8:28 AM.

Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer
THRU: Jeff Koerner *JFK*
FROM: Syed Arif *Syed Arif*
DATE: November 27, 2006
SUBJECT: Mosaic Fertilizer, LLC – Riverview Facility
DEP File No. 0570008-054-AC
Extension of Time for Construction Permits

Attached is a letter to extend the expiration dates for the following projects:

- 0570008-036-AC/PSD-FL-315 – Facility-wide expansion and associated modifications
- 0570008-044-AC/PSD-FL-336 – Ammoniated Phosphate Plant

Even though all the construction activities for the above projects have been completed, the applicant requests extensions to maintain valid construction permits while the facility is going through a Title V revision process. SWD requested that the above construction permits be extended until December 1, 2007, which will provide them enough time to process the Title V revision permit. The AFI plant is still under construction mode through another project (0570008-053-AC/PSD-FL-315G) that is currently being processed.

We recommend your approval and signature.

JFK/sa

Attachments