



ARS

Annual Report Summary

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DRI #68 - CARGILL RIVERVIEW FACILITY HILLSBOROUGH COUNTY RY 2007-08

On September 17, 1980, the Hillsborough County Board of County Commissioners (hereafter referred to as “the Board”) granted a Development Order (Resolution No. 80-20) to Gardinier, Inc. for a 326-acre gypsum disposal project located on 629.9 acres in west central Hillsborough County. Specific approval was granted for modification and expansion of the existing chemical plant (Phase I). No Development Order expiration date was established for the project.

The Development Order has been amended only once, on October 9, 2001 (Resolution No. R01-206), to authorize the following Development Order modifications:

- increase the production rate of P_2O_5 from 720,000 tons to 1.2 million tons annually. As a result the facility will increase utilization of sulfur to 2,277,081 tons/year, ammonia to 1,242,800 tons/year, and water to 5.97 million gallons per day;
- increase the number of daily rail cars from 90 to 150;
- increase molten sulfur transport truck trips destined to the applicant’s Bartow facility;
- increase ship traffic to the site from eight ships/barges per month to ten;
- establish a Development Order expiration date of December 31, 2037 to coincide with the expiration date for the Cargill Gypsum Stack Expansion Development Order (DRI #242);
- allow dock modifications/berth extension;
- formally recognize the change of ownership (to Cargill Fertilizer, Inc.) and project name (to “Cargill Riverview Facility”);
- initiate Annual Reporting; and
- revise the Development Master Plan (Map H) and the legal description to reflect the changes identified above.

Phase II (the gypsum disposal area) was approved under its own identity (DRI #76) on August 20, 1984 and subsequently amended only once, in 1993, to increase the authorized gypsum stack height. On June 13, 2000, Hillsborough County adopted a Substantial Deviation Development Order (Resolution No. 00-111/DRI #242) to address further modifications to the gypsum disposal area.

PROJECT STATUS

Development this Reporting Year: no development activity occurred during the reporting period. However, the following occurred: produced 1,002,332 tons of P_2O_5 ; and utilized 831,571 tons of sulfur, 305,103 tons of ammonia and 3.76 million gallons per day of water.

Cumulative Development: all necessary infrastructure to facilitate the processing of sulfur has been

completed.

Projected Development: no development plans or anticipated plant operations have been identified.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Condition III.E. of the Development Order obligates the developer to provide several deliverables within each Annual Report, all of which have been provided:
 - A. A summary of the water quality monitoring required by the Florida Department of Environmental Protection was provided (Exhibit H).
 - B. The number of trucks passing the guard gate on the first Wednesday of February and August were provided. The report identified 35 round truck trips on February 6, 2008 and 58 round truck trips on August 6, 2008.
 - C. The developer is required to report the amount of reclaimed water used on site during the reporting year. The facility utilized an estimated 250,000 gallons of reclaimed water during the reporting period.
 - D. The developer shall provide a copy of the “5-year compliance report” prepared in conjunction with the Southwest Florida Water Management District Permit #20001532.004 every fifth year with each appropriate Annual Report. This report was allegedly last submitted on September 29, 2005.
 - E. A summary of the developer’s security and risk management plans has been provided in the Annual Report.
2. Condition III.H. requires the developer to utilize the maximum amount of reclaimed water practicable once it becomes available to the site. The developer has previously reported that the necessary changes have been made to “accommodate acceptance of the County reuse water.”
3. Condition III.J.4. requires the developer submit an emission control plan to the Hillsborough County Environmental Protection Commission. The intent of such Plan is to “reduce emissions during construction to the lowest practicable level.” No date for such deliverable was specified. While the Plan has not been submitted, the developer alleges that through the use of Best Management Practices for on-site construction activities and through the continued abidance to the Hillsborough County Environmental Protection Commission site permits, the intent of this Condition has been (and will continue to be) met.
4. The Developer has acknowledged that Cargill Riverview Facility DRI was ultimately acquired by Mosaic Fertilizer, LLC following approval of the merger between Cargill Fertilizer, LLC and IMC Global, Inc. on October 25, 2004. Although the Developer is not required to submit a Notice of Proposed Change application to administer a change in project name and/or Master Developer, as recognized under Subsection 380.06(19)(e)2., F.S., the Applicant is required to submit an “application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order.” Until or unless the Developer has followed the above-referenced procedures, as required, Council staff will continue to recognize

the project name as “Cargill Riverview Facility.”

DEVELOPER OF RECORD

Mosaic Fertilizer, LLC, 8813 Highway 41 South, Riverview, FL 33569-4865 is the entity responsible for adhering to the terms and conditions of the Development Order.

DEVELOPMENT ORDER COMPLIANCE

The project appears to be proceeding in a manner consistent with the Development Order. Hillsborough County is responsible for ensuring compliance with the terms and conditions of the Development Order.