

Financial Responsibility Report



2010



Florida Department of Environmental Protection

Bureau of Mining and Minerals Regulation
2051 East Dirac Drive
Tallahassee, FL 32310

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2010 Financial Responsibility Report for the Phosphate Mines

December 16, 2011

The Department of Environmental Protection's Bureau of Mining and Minerals Regulation is the state's lead agency in the regulation of mine reclamation. Currently, all mining in Florida is subject to reclamation requirements. Reclamation standards are set forth in Chapter 378, Florida Statutes (F.S.).

Of the commodities mined in Florida, phosphate mining is the most land intensive. In 2010, 3,041 acres of land were mined for phosphate. All lands mined for phosphate since July 1, 1975 are subject to a mandatory reclamation requirement. Reclamation standards specific to phosphate lands are detailed in Chapter 62C-16, Florida Administrative Code (F.A.C.).

Pursuant to Chapter 378, Part III, F.S. and Chapter 62C-16, F.A.C., operators of phosphate mineral extraction (mines) must meet the rate of reclamation established in Subsection 378.209(1)(b), F.S., and specifically Subsections 62C-16.0075(5)(a)-(e), F.A.C which reads:

(5) For the purpose of Rule 62C-16.0075, F.A.C., the reclamation shall be accomplished in accordance with the following criteria:

- (a) For the period July 1, 1975, to December 31, 1980, for existing mines, or the first five-year period of mining for new mines, no reclamation shall be required and any reclamation which is completed shall be credited forward.
- (b) For the period January 1, 1981, to December 31, 1985, for existing mines, or the second five-year period of mining for new mines, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 15 percent of the acres

mined during the period July 1, 1975, to December 31, 1980, or the immediately preceding five-year period, as appropriate. Reclamation in excess of the required percentage shall be credited forward.

(c) For the period January 1, 1986, to December 31, 1990, for existing mines, or the third five-year period of mining for new mines, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 60 percent of the acres mined during the period January 1, 1981, to December 31, 1985, or the immediately preceding five-year period, as appropriate. Reclamation in excess of the required percentage shall be credited forward.

(d) For the period January 1, 1991, to December 31, 1995, for existing mines, or the fourth five-year period of mining for new mines, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 75 percent of the acres mined during the period January 1, 1986, to December 31, 1990, or the immediately preceding five-year period, as appropriate. Reclamation in excess of the required percentage shall be credited forward.

(e) For the period January 1, 1996, to December 31, 2000, for existing mines, or the fifth five-year period of mining for new mines, and each five-year period thereafter, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 100 percent of the acres mined during the immediately preceding five-year period. Reclamation in excess of the required percentage shall be credited forward.

Reclamation (for the purpose of financial responsibility) is defined as reclaimed through the initial revegetation as described in paragraph 62C-16.0075(5)(f), F.A.C., which states, "For the purposes of this subsection, completed shall mean reclaimed through the initial revegetation and not through final release of the reclaimed area."

This document shall be considered the thirteenth Financial Responsibility Report and gives the status of financial responsibility for existing mines as of December 31, 2010. Although data has been presented for all operators of phosphate mines, only nine mines are required to meet the reclamation requirements as specified in Chapter 378, F.S., and Chapter 62C-16, F.A.C. for the year ending in 2010. Failure to meet the Financial Responsibility requirements will result in the imposition of Financial Security, pursuant to subsection 62C-16.0075, F.A.C. At the present time, Mosaic's Ft. Green Mine did not meet the Rate of Reclamation in 2010. Mosaic has posted financial security to cover the number of acres that the operator is delinquent in reclaiming in the required time (2006-2010).

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Data used to generate the Financial Responsibility Report is compiled from the Annual Reports required by Chapter 62C-16, F.A.C. and deemed complete by Bureau of Mining and Minerals Regulation staff for the year ending December 31, 2010.

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TABLE 1 - FIVE YEAR BLOCKS

Five Year Block	Chapter 62C-16, F. A. C.	Percentage of Required Reclamation	Mine(s) in Five Year Block
1st 5-Year Block	For the period July 1, 1975, to December 31, 1980, for existing mines, or the first five-year period of mining for new mines, no reclamation shall be required and any reclamation which is completed shall be credited forward.	0% Reclamation Required	Mosaic's South Ft. Meade Hardee Co. Mine
2nd 5-Year Block	For the period January 1, 1981, to December 31, 1985, for existing mines, or the second five-year period of mining for new mines, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 15 percent of the acres mined during the period July 1, 1975, to December 31, 1980, or the immediately preceding five-year period, as appropriate. Reclamation in excess of the required percentage shall be credited forward.	15% Required Reclamation of acres mined from previous 5-Year Block must be reclaimed	None
3rd 5-Year Block	For the period January 1, 1986, to December 31, 1990, for existing mines, or the third five-year period of mining for new mines, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 60 percent of the acres mined during the period January 1, 1981, to December 31, 1985, or the immediately preceding five-year period, as appropriate. Reclamation in excess of the required percentage shall be credited forward.	60% Required Reclamation of acres mined from previous 5-Year Block must be reclaimed	None
4th 5-Year Block	For the period January 1, 1991, to December 31, 1995, for existing mines, or the fourth five-year period of mining for new mines, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 75 percent of the acres mined during the period January 1, 1986, to December 31, 1990, or the immediately preceding five-year period, as appropriate. Reclamation in excess of the required percentage shall be credited forward.	75% Required Reclamation of acres mined from previous 5-Year Block must be reclaimed	Mosaic Fertilizer's South Ft. Meade Polk Co. Mine; CF Industries' South Pasture Mine
5th 5-Year Block and Subsequent 5-Year Blocks	For the period January 1, 1996, to December 31, 2000, for existing mines, or the fifth five-year period of mining for new mines, and each five-year period thereafter, reclamation of acres mined shall be completed at the rate of an acreage equivalent of 100 percent of the acres mined during the immediately preceding five-year period. Reclamation in excess of the required percentage shall be credited forward.	100% Required Reclamation of acres mined from previous 5-Year Block must be reclaimed	Agrifos' Nichols Mine; Brewster Phosphate's Haynsworth Mine; Mosaic Fertilizer's Hopewell, Hookers Prairie, Ft. Meade, Big Four, Clear Springs, Ft. Green, Four Corners/Lonesome, Kingsford Complex, Noralyn/Phosphoria, Payne Creek, and Wingate Creek Mines; and PCS Phosphate's Hamilton County Mine

TABLE 2 - Year In Which Individual Mine Five Year Block Ends

2010	Agrifos' Nichols Mine; Brewster Phosphates' Haynsworth Mine; Mosaic Fertilizer's Ft. Meade Mine; Mosaic Fertilizer's Clear Springs, Ft. Green, Kingsford Complex, Noralyn/Phosphoria, and Payne Creek Mines; and PCS Phosphate's Hamilton County Mine
2011	Mosaic Fertilizer's Hookers Prairie Mine and Wingate Creek Mine
2012	Mosaic Fertilizer's Big Four Mine
2013	None
2014	Mosaic Fertilizer's South Ft. Meade Polk Co., South Ft. Meade Hardee Co., Hopewell, and Four Corners/Lonesome Mines; CF Industries' South Pasture Mine

NOTE: Individual mines may have its Five Year Block end on different dates within the same year. This date is dependent upon the date when mining started for each individual mine.

TABLE 3 - Financial Responsibility 5-Year Block Ending in 2010

Company	Mine(s)	Operating Status	Mandatory Acres Mined from 07/15/75 to 12/31/2010	Mandatory Acres of Reclamation Completed from 07/15/75 to 12/31/2010	Mandatory Acres Mined from 01/01/01 to 12/31/2005	Mandatory Acres of Reclamation Completed from 01/01/06 to 12/31/2010	Mandatory Acres of Required Reclamation 100% of Previous 5-Year Block	Over or Under Required Reclamation	Acres to be Credited Forward from Previous 5-Year Block	Acres Forward to Subsequent 5 Year Block
Company	Nichols (1,16)	Under Final Reclamation	4,951	3,584	836	998	836	162	0	162
Brewster Phosphates	Haynsworth (2, 3, 4, 5)	Under Final Reclamation	3,234	3,216	0	89	0	89	2,070	2,159
Mosaic Fertilizer, LLC (7)	Clear Springs (5)	Under Final Reclamation	5,272	4,132	0	79	0	0	955	955
	Fort Green (21)	Operating	22,246	14,771	2,728	735	2,728	-1,993	155	-1,838
	Fort Meade (13, 20)	Operating	9,114	6,424	0	0	0	0	138	138
	Kingsford Complex (3)	Operating	14,476	14,313	1,118	4,699	1,118	3,581	17	3,598
	Noralyn / Phosphoria (5)	Under Final Reclamation	8,480	6,368	0	151	0	151	1,516	1,667
	Payne Creek (20)	Operating	9,856	8,526	1,296	220	1,296	-1,076	2,482	1,406
PCS Phosphate (11, 18)	Hamilton County Mine	Operating	25,301	16,152	2,824	3,326	2,824	502	-157	345

Figures above indicate that the mines listed in this chart are in the financial responsibility 5-Year Block that ends on **December 31, 2010**. Figures provided are an assessment of performance through December 31, 2010.

TABLE 4 - Financial Responsibility 5-Year Block Ending in 2011

Company	Mine(s)	Operating Status	Mandatory Acres Mined from 11/01/81 to 10/31/10	Mandatory Acres Reclaimed from 11/01/81 to 10/31/10	Mandatory Acres Mined from 11/1/01 to 10/31/06	Mandatory Acres of Reclamation Completed as of 11/01/06 to 10/31/11	Mandatory Acres of Required Reclamation (100% of Previous 5-Year Block)	Over or Under Requirement	Acres Credited Forward from Previous 5-Year Blocks	Acres Forward to Subsequent 5-Year Block
Mosaic Fertilizer, LLC (7)	Wingate Creek (17)	Operating	1005	432	54	155	54	101	6	107

Figures above indicate that Mosaic Fertilizer's Wingate Creek Mine is in the financial responsibility 5-Year Block that ends on **October 31, 2011**. Figures provided are an assessment of performance through October 31, 2009.

Company	Mine(s)	Operating Status	Mandatory Acres Mined from 1977 to 2010	Mandatory Acres Reclaimed from 1977 to 2010	Mandatory Acres Mined from 2002 to 2006	Mandatory Acres of Reclamation Completed as of 01/01/07 to 12/31/11	Mandatory Acres of Required Reclamation (100% of Previous 5-Year Block)	Over or Under Requirement	Acres Credited Forward from Previous 5-Year Blocks	Acres Forward to Subsequent 5-Year Block
Mosaic Fertilizer, LLC (7)	Hookers Prairie (14, 20)	Operating	9,214	6,566	1,218	1,115	1,218	-103	1	-102

Figures above indicate that Mosaic Fertilizer's Hookers Prairie Mine is in the financial responsibility 5-Year Block that ends on **December 31, 2011**. Figures provided are an assessment of performance through December 31, 2010.

TABLE 5 - Financial Responsibility 5-Year Block Ending in 2012

Company	Mine(s)	Operating Status	Mandatory Acres Mined from 1977 to 2010	Mandatory Acres of Reclamation Completed from 1977 to 2010	Mandatory Acres Mined from 1/1/03 to 12/31/07	Mandatory Acres of Reclamation Completed from 01/01/08 to 12/31/12	Mandatory Acres of Required Reclamation 100% of Previous 5-Year Block	Over or Under The Requirement	Acres to be Credited Forward from Previous 5-Year Block	Acres Forward to Subsequent 5-Year Block
Mosaic Fertilizer, LLC (7)	Big Four (9)	Under Final Reclamation	4,175	4,073	155	789	155	634	666	1,300

Figures listed above indicate that Mosaic Fertilizer's Big Four Mine are in the financial responsibility block that ends on **December 31, 2012**. Figures provided are an assessment of performance through December 31, 2010.

TABLE 6 - Financial Responsibility 5-Year Block Ending in 2013

There are no mines required to meet the reclamation requirements as specified in Chapter 378, F.S., and Chapter 62C-16, F.A.C. for the year 2013.

TABLE 7 - Financial Responsibility 5-Year Block Ending in 2014

Company	Mine(s)	Operating Status	Mandatory Acres Mined from 01/01/85 to 12/31/10	Mandatory Acres Reclaimed from 01/01/85 to 12/31/10	Mandatory Acres Mined from 1/1/05 to 12/31/09	Mandatory Acres of Reclamation Completed from 1/1/10 to 12/31/14	Mandatory Acres of Required Reclamation (100% of Previous 5-Year Block)	Over or Under The Requirement	Acres to be Credited Forward from Previous 5-Year Block	Acres Forward to Subsequent 5-Year Block
Mosaic Fertilizer, LLC (7)	Four Corners / Lonesome (3, 19)	Operating	24,768	11,579	5,093	167	5,093	-4,926	-2,399	-7,325

Figures above indicate that Mosaic Fertilizer's Four Corners / Lonesome Mine is in the financial responsibility 5-Year Block that ends on **December 31, 2014**. Figures provided are an assessment of performance through December 31, 2010.

Company	Mine(s)	Operating Status	Mandatory Acres Mined from 01/01/95 to 12/31/10	Mandatory Acres Reclaimed from 01/01/95 to 12/31/10	Mandatory Acres Mined from 1/1/05 to 12/31/09	Mandatory Acres of Reclamation Completed from 1/1/10 to 12/31/14	Mandatory Acres of Required Reclamation (75% of Previous 5-Year Block)	Over or Under The Requirement	Acres to be Credited Forward from Previous 5-Year Block	Acres Forward to Subsequent 5-Year Block
Mosaic Fertilizer, LLC (7)	South Ft. Meade Polk County Mine (6, 20)	Operating	10,701	3,798	4,139	766	3,104	-2338	413	-1925
CF Industries	South Pasture	Operating	6,053	1,770	1,895	285	1,421	-1136	122	-1014

Figures above indicate that Mosaic Fertilizer's South Fort Meade Mine and CF Industries' South Pasture Mine are in the financial responsibility 5-Year Block that ends on **December 31, 2014**. Figures provided are an assessment of performance through December 31, 2010.

Company	Mine	Operating Status	Mandatory Acres Mined from 10/89 to 9/30/10	Mandatory Acres Reclaimed from 10/89 to 9/30/10	Mandatory Acres Mined from 10/04 to 9/30/09	Mandatory Acres of Reclamation Completed from 10/09 to 9/30/14	Mandatory Acres of Required Reclamation (100% of Previous 5-Year Block)	Over or Under Requirement	Acres Credited Forward from Previous 5-Year Block	Acres Credited Forward to Subsequent 5-Year Block
Mosaic Fertilizer, LLC (7)	Hopewell (8)	Operating	2,575	1,997	585	239	585	-346	926	580

Figures above indicate that Mosaic Fertilizer's Hopewell Mine is in the financial responsibility 5-Year Block that ends on **September 30, 2014**. Figures provided are an assessment of performance through September 30, 2010.

NOTES

(1) The Mobil Nichols Mine was sold to Agrifos Mining L.L.C. on April 8, 1996. Agrifos assumed the reclamation responsibility and continued mining the unmined property and debris areas. On December 3, 2002, IMC Phosphates Company, Agrifos Mining LLC, and The Mims Group entered into an agreement to document their respective reclamation obligations for the Nichols Mine. In 2004, IMC Phosphates Company changed its name to Mosaic Phosphates Company. On July 29, 2005, Mosaic Phosphates Company changed its name to Mosaic Fertilizer, LLC.

(2) Brewster Phosphates (now known as Cytec Industries) is no longer engaged in mining operations and has transferred the remainder of their reclamation obligation at the Haynsworth Mine to Kovacs Brothers, Incorporated.

(3) On June 12, 1991, the Governor and the Cabinet approved a request by IMC Fertilizer, Incorporated (now known as Mosaic Fertilizer, LLC) and Brewster Phosphates (now known as Cytec Industries) to consolidate their mines. Currently, the Kingsford Complex includes the Kingsford Mine, Haynsworth Mine, and portions of the Brewster Lonesome Mine which lies north of the South Prong of the Alafia River. The Four Corners / Lonesome Mine now includes the Four Corners Mine and portions of the Brewster Lonesome Mine lying below the South Prong of the Alafia River.

(4) Any remaining areas to be mined at the Haynsworth or Lonesome mines will be mined by IMC Phosphates Incorporated. IMC Phosphates Incorporated is responsible for reclaiming the following areas which were previously part of the Brewster Phosphates (now known as Cytec Industries) mining operations: BP-H-SPA, Southeast of O Pond; BP-H-LB(2A), South of Doc Durance Road; BP-H-86(3), North County Road 630; BP-L-SP(8), DL Pond and IMC-KC-BOG(5), AL/BL Pond. In 2004, IMC Phosphates Company changed its name to Mosaic Phosphates Company. On July 29, 2005, Mosaic Phosphates Company changed its name to Mosaic Fertilizer, LLC.

(5) This mine is shut down and final reclamation is ongoing or complete.

(6) The Mobil South Fort Meade Mine was sold to Cargill Fertilizer, Inc. on December 15, 1995. In 2004, Cargill Fertilizer, Inc. transferred its obligations to Cargill Fertilizer, L.L.C. and subsequently changed its name to Mosaic Fertilizer, L.L.C.

(7) IMC Fertilizer, Inc. and Agrico Mining Company (Agrico) merged on July 1, 1993. The new company, IMC Agrico, assumed the reclamation responsibility for lands mined by both IMC and Agrico. On August 7, 2000, IMC Agrico became IMC Phosphates Company and assumed reclamation responsibility for the mines listed under IMC Phosphates Company. In 2004, IMC Phosphates Company changed its name to Mosaic Phosphates Company. On July 29, 2005, Mosaic Phosphates Company changed its name to Mosaic Fertilizer, LLC.

(8) The Hopewell Mine was owned and operated by the Hopewell Land Corporation. However, in October 1989, mining operations and the reclamation responsibility was transferred to IMC Fertilizer, Inc. In 2000, IMC Agrico changed its name to IMC Phosphates Company. In 2004, IMC Phosphates Company changed its name to Mosaic Phosphates Company. On July 29, 2005, Mosaic Phosphates Company changed its name to Mosaic Fertilizer, LLC.

(9) The Mobil Big Four Mine was sold to IMC Agrico June 28, 1996. IMC Agrico (now known as Mosaic Fertilizer, LLC) is now completing the mining and reclamation of the mine site.

(10) The Fort Meade Mine owned by Mobil Mining & Minerals was sold to Glawson Investments Corporation on December 21, 1998. Mobil Mining & Minerals remains responsible for all reclamation obligations for all mined and disturbed lands at the Fort Meade Mine through final release. Mobil was merged with Exxon Corporation in December 1999, and Exxon has now assumed the reclamation obligation through final release of the remaining unreleased portions of the Fort Meade Mine.

(11) Occidental Chemical Company (Oxy) was sold to PCS Phosphate on October 31, 1995. On January 18, 1996, PCS Phosphate combined their two mines (Suwannee River Mine and Swift Creek Mine) at their site into one mine named the Hamilton County Mine.

(12) The Polk County North Central Landfill is located on land that was mined for phosphate in the former Saddle Creek Mine. The last remaining reclamation requirements in the Saddle Creek Mine for parcel AGR-SC-84(3) were released to allow for expansion of the landfill. Due to the industrial nature of the landfill expansion, the Department issued a variance on April 19, 2005 for the reclamation requirements and determined that the site should be under the oversight of the Southwest Florida Water Management District and the Department's Solid Waste Section for management as a solid waste facility. There are no other outstanding mandatory reclamation requirements in the former Saddle Creek Mine.

(13) Ownership of the Gardiner Fort Meade Mine was transferred to Cargill Fertilizer, Inc. on March 4, 1991. In 2004, Cargill Fertilizer, Inc. transferred its obligations to Cargill Fertilizer, L.L.C. and subsequently changed its name to Mosaic Fertilizer, L.L.C.

(14) Ownership of the Bonnie Lake and Hookers Prairie Mines was with W.R. Grace and Company until November 1, 1988 when Seminole Fertilizer Corporation took over operation of the these mines. On May 4, 1993, Seminole Fertilizer Corporation transferred ownership of the Bonnie Lake and Hookers Prairie Mines to Cargill Fertilizer, Inc. In 2004, Cargill Fertilizer, Inc. transferred its obligations to Cargill Fertilizer, L.L.C. and subsequently changed its name to Mosaic Fertilizer, L.L.C.

(15) Prior to May of 1987, Agrico was owned by the Williams Company, subsequently Agrico was sold to Freeport McMoran and the Fort Green and Payne Creek Mines were transferred and operated by Agrico. The Williams Company assumed the reclamation responsibility for the Saddle Creek Mine.

(16) On December 3, 2002, a Four-Party Agreement was signed between Agrifos Mining L.L.C., IMC Phosphates, Mims Group, and the Department as to the reclamation responsibilities of lands within the Nichols Mine.

(17) NuGulf's Wingate Creek Mine was purchased by Cargill Fertilizer, Inc., in 2004. Later that year, Cargill Fertilizer, Inc. transferred its reclamation obligations to Cargill Fertilizer, LLC. This company subsequently changed its name to Mosaic Fertilizer, LLC.

(18) PCS Phosphate's Hamilton County Mine carries over a reclamation deficit from the previous 5-year block and is required to reclaim those acres in addition to their current requirement by December 31, 2010. The Department has determined that PCS is not in compliance with the rate of reclamation for the 2001-2005 five year period. PCS has posted financial security to cover the number of acres that the operator is delinquent in reclaiming in the required time (2001-2005). On June 2, 2008, PCS was granted a variance from the requirement to post security on the number of acres it must reclaim during the current (2006-2010) five year period.

(19) The Department has determined that Mosaic Fertilizer LLC's Four Corners/Lonesome mine is not in compliance with the rate of reclamation for the 2005-2009 five year period. Mosaic has posted financial security to cover the number of acres that the operator is delinquent in reclaiming in the required time (2005-2009). On September 15, 2010, Mosaic was granted a variance from the requirement to post security on the number of acres it must reclaim during the current (2010-2014) five year period.

(20) Some 5-year block acres have been updated due to improvements in mapping techniques and GIS capabilities.

(21) The Department has determined that Mosaic Fertilizer LLC's Ft. Green mine is not in compliance with the rate of reclamation for the 2006-2010 five year period. Mosaic has posted financial security to cover the number of acres that the operator is delinquent in reclaiming in the required time (2006-2010).

COMMENTS FOR MINES NOT LISTED IN THIS REPORT

Brewster Phosphate's Lonesome Mine, Estech's Silver City and Watson Mines, Mosaic's Bonnie Lake and Pebbledale Mines, Mobil/Exxon's Fort Meade Mine, CF Industries North Pasture Mine, US Agri-Chemical's Rockland Mine, and The William's Company Saddle Creek Mine were not listed in this report because the mines are now 100 percent reclaimed and meet the criteria for financial responsibility.

Florida Power Corporation's Hines Energy Complex, Tampa Electric Company's Polk Power Station and IMC Phosphate Company's New Wales Chemical Complex have been or are being reclaimed as industrial sites and are currently in compliance with Section 62C-16.0075, F.A.C., regarding financial responsibility.