INTENT TO ISSUE
BEFORE THE CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT
ENVIRONMENTAL QUALITY DIVISION

In the Matter of an
Application for Permit by:

BP Products North America, Inc.	)	Revised Draft Permit No. 0310179-018-AC
2101 Zoo Parkway	)	Tank No. 3, Terminal B
Jacksonville, FL 32218	)	County: Duval

INTENT TO ISSUE

The Neighborhoods Department, Environmental Quality Division (Permitting Authority), gives notice of its intent to issue an Air Pollution Source Construction Permit (copy attached) for the proposed project detailed in the application specified above, for the reasons stated below.

The applicant, BP Products North America, Inc. applied on May 24, 2012 (additional information submitted August 8, 2012) to the Permitting Authority for a permit to replace the internal floating roof and several levels of steel wall plates for Tank No. 3, located at Terminal B. BP Products of North America, Inc. is a bulk petroleum products storage and distribution terminal. This facility is located at 2101 Zoo Parkway, Jacksonville, FL 32218.

The Permitting Authority has permitting jurisdiction under Chapter 403, Florida Statutes (FS), and Chapters 62-4, 62-210, 62-212, 62-213, 62-296, and 62-297, Florida Administrative Code (FAC). The project is not exempt from permitting procedures. The Permitting Authority has determined that an Air Pollution Source Construction Permit is required for the proposed modification.

Pursuant to Section 403.815, FS, and Rule 62-110.106, FAC, you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, FS, in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Permitting Authority, at City of Jacksonville, Environmental Quality Division, Ed Ball Building, 214 N. Hogan Street, 7th Floor, Jacksonville, FL 32202, within seven (7) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Permitting Authority will issue the permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Permitting Authority will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of **"PUBLIC NOTICE OF INTENT TO ISSUE PERMIT."** Written comments should be provided to the Permitting Authority office at City of Jacksonville, Environmental Quality Division, 214 North Hogan Street, 7th Floor, Jacksonville, FL 32202. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Permitting Authority shall revise the proposed permit and require, if applicable, another Public Notice.

The Permitting Authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569, and 120.57, FS, before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569, and 120.5, FS. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, City of Jacksonville, 117 West Duval Street, Suite 480, Jacksonville, FL 32202. 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), FS, 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), FS, however, any person who asked the Permitting Authority 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 Section 120.569, and 120.57, FS, 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, FAC.

A petition that disputes the material facts on which the Permitting Authority'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 when and how the petitioner received notice of the agency decision;

d. A statement of all disputed issues of material facts. 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Permitting Authority'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, FAC.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority'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 Permitting Authority 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.

Please direct any questions regarding this matter to Ms. Gloria Hunter-Barnes at (904) 255-7197.

City of Jacksonville
Neighborhoods Department
Environmental Quality Division

_____
Richard L. Robinson, P.E., Manager
Air Pollution Source Permitting Section

RLR/GHB

CERTIFICATE OF SERVICE

The undersigned duly designated Permitting Authority Clerk hereby certifies that this INTENT TO ISSUE was mailed before the close of business on _____ to the listed person:

Mr. Mike Lalli, Terminal Manager, BP Products North America, Inc.

The undersigned duly designated Permitting Authority Clerk hereby certifies that this INTENT TO ISSUE was e-mailed to the listed person(s):

Ms. Rita Felton-Smith, FDEP, Northeast District (Rita.Felton-Smith@dep.state.fl.us)
Mr. Robert A. Baker, P.E., Baker Environmental Engineering, Inc. (baker@atlantic.net)
Mr. Radford Murphy, BP Products North America, Inc. (Radford.Murphy@BP.com)

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to S.120.52 (7), FS, with the designated Permitting Authority Clerk, receipt of which is hereby acknowledged.

_____ _____
Clerk Date

PUBLIC NOTICE OF INTENT TO ISSUE PERMIT
CITY OF JACKSONVILLE
NEIGHBORHOODS DEPARTMENT
ENVIRONMENTAL QUALITY DIVISION
NOTICE OF INTENT TO ISSUE PERMIT

The Neighborhoods Department, Environmental Quality Division (Permitting Authority), gives notice of its intent to issue an Air Pollution Source Construction Permit, 0310179-018-AC, to BP Products North America, Inc. for a permit to replace the internal floating roof and several levels of steel wall plates for Tank No. 3, located at Terminal B. BP Products of North America, Inc. is a bulk petroleum products storage and distribution terminal. This facility is located at 2101 Zoo Parkway, Jacksonville, FL 32218.

The Permitting Authority will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of **"PUBLIC NOTICE OF INTENT TO ISSUE PERMIT."** Written comments should be provided to the Permitting Authority office at City of Jacksonville, Environmental Quality Division, Ed Ball Building, 214 North Hogan Street, 7th Floor, Jacksonville, FL 32202. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Permitting Authority shall revise the proposed permit and require, if applicable, another Public Notice.

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 (FS). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, City of Jacksonville, 117 West Duval Street, Suite 480, Jacksonville, FL 32202. 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) FS, 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), FS, however, any person who asked the Permitting Authority 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 Section 120.569, and 120.57, FS, 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, Florida Administrative Code (FAC).

A petition that disputes the material facts on which the Permitting Authority'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 when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material facts. 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Permitting Authority'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, FAC.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority'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 Permitting Authority 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.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

City of Jacksonville
Neighborhoods Department
Environmental Quality Division
Ed Ball Building, 214 North Hogan Street, 7th Floor
Jacksonville, FL 32202

The complete project file includes the Draft Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, FS. Interested persons may contact the Permitting Authority, at the above address, or call (904) 255-7197, for additional information.