has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statues, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and 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 Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

Richard D. Garrity, Ph.D.
Executive Director

cc: Florida Department of Environmental Protection (via email)
David Cibik, P.E. – Malcolm Pirnie, Inc. (via email)
Alice Harman – Kinder Morgan (via email)

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on 5/22/12 to the listed persons.

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statues, with the clerk, receipt of which is hereby acknowledged.

Patricia L. Fons 5/22/12

Clerk Date

SPECIFIC CONDITIONS:

allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. Failure to submit the pressure drop, the throughput rate and actual operating conditions may invalidate the test. [Rules 62-4.070(3) and 62-297.310(2), F.A.C.]

A.9. In order to demonstrate compliance with Specific Condition Nos. FW7., A.1., A.2., and A.3., the permittee shall maintain a monthly recordkeeping system for the most recent five year period. The records shall be made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request. The records shall include, but not limited to, the following: [Rules 62-4.070(3) and 62-213.440(1)(b)2.b., F.A.C.]

A) Day, Month, Year
B) Hours of operation of the emission unit
C) Amount and type of material transferred from Conveyor C93 to Conveyor C12 (tons)
D) Rolling twelve month total of B) and C) above

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

DRAFT

Richard D. Garrity, Ph.D.
Executive Director