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ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT AMENDMENT

CERTIFIED MAIL

Mr. Kevin Wertman
Plant Manager
Sea-3 of Florida, Inc.
3606 Pendola Point Road
Tampa, FL 33619

Re: Hillsborough County - AP
DEP File No. 0571217-011-AC

Dear Mr. Wertman:

On November 1, 2013, the Environmental Protection Commission of Hillsborough County (EPC) received your request to extend Air Construction Permit No. 0571217-009-AC an additional two (2) years from the current expiration date of November 15, 2013. After reviewing the request, the EPC will grant the extension of the construction permit for an additional two (2) years to allow for the completion of construction, testing, and submittal of the operation permit application.

Also, please be advised that, pursuant to Specific Condition No. 33 of Permit No. 0571217-009-AC, a minimum of two copies of an operation permit application with the applicable compliance test report for incorporating this construction permit into an operation permit shall be submitted to the Environmental Protection Commission of Hillsborough County within 60 days of completion of testing, or 90 days before the expiration date of this permit, whichever comes first.

Therefore, as requested, the expiration date is changed as follows:

CHANGE FROM: November 15, 2013

CHANGE TO: November 15, 2015

FACILITY ID NO.: 0571217

Location: 3606 Pendola Point Road, Tampa, FL

Emission Unit ID's: 002 - Vessel Unloading
003 - Two Algas-SDI, Inc Boilers (13.3 MMBtu/hr each)
004 - Cleaver Brooks Boiler (33.5 MMBtu/hr)
006 - Vessel Loading

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. 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 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Drive, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (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), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (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, F.A.C.

A petition that disputes the material facts on which the EPC'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 and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;

(c) A statement of how and when the petitioner received notice of the EPC 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 EPC's proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

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

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

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 Drive, 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.

This letter must be attached to and becomes a part of permit number 0571217-009-AC. If you have any questions, please contact Stephen Hathaway, P.E. of my staff at (813)627-2600 ext. 1268.

Sincerely,

Jerry R Campbell

Jerry R. Campbell, P.E.
Director
Air Management Division

JRC/SRH/srh

cc: Lynn Robinson, P.E. – Southern Environmental Sciences, Inc.

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT AMENDMENT and all copies were mailed before the close of business on 1/27/13 to the listed persons.

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

Clerk Date 1/27/13