Sarasota County

ADMINISTRATIVELY CORRECTED PERMIT

October 20, 2014

Electronic Mail
Received Receipt Requested

CERTIFIED MAIL # 7006 0810 0004 3327 5626
RETURN RECEIPT REQUESTED

In the Matter of a Request for Administrative Correction:

PERMITTEE:

Florikan ESA, LLC
6801 Energy Ct
Suite 100
Lakewood Ranch, FL 34240

Air Permit No.: 1150179-002-AO
Administrative Correction to Permit No. 1150179-001-AO
Florikan ESA, LLC
Sarasota County

Authorized Representative:
Gilbert Humphrey, QA/QC Manager

Dear Mr. Humphrey,

Enclosed is an Administratively Corrected Condition to the Air Operation Permit No. 1150169-001-AO, for the operation of Florikan ESA, LLC located in Sarasota at 1579 Barber Rd, Sarasota, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated 10/10/2014, to change the number of open drum mixing units from Two (2) to Three (3) under specific condition 2. This corrective action does not alter the effective dates of the existing permit.

Sarasota County Environmental Protection Division (EPD) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of the County Attorney, 1660 Ringling Boulevard, Sarasota, Florida 34236. Under Rule 62-110.106(4), Florida Administrative Code, a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received) in the Office of the County Attorney before the end of the time period for filing a petition for an administrative hearing.

Petitions by the applicant or any of the persons listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within fourteen days of publication of the notice or within fourteen days of receipt of

the written notice, whichever occurs first. Section 120.60(3), Florida Statutes, however, also allows that any person who has Sarasota County Environmental Protection Division (EPD), Air & Water Quality for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The 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 or request for an extension of time within fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which EPD's action is based must contain the following information, as indicated in Rule 28-106.201, Florida Administrative Code:

(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 determination;

(c) A statement of when and how the petitioner received notice of EPD's decision;

(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 EPD's proposed action;

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

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to EPD'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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that EPD'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 EPD have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any party to this Order (air permit) has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Office of the County Attorney, 1660 Ringling Boulevard, Sarasota, Florida 34236; 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 of Appeal must be filed within thirty (30) days from the date this Order is filed with the Clerk of the Office of the County Attorney.

Executed in Sarasota, Florida.

SARASOTA COUNTY NATURAL RESOURCES
AIR & WATER QUALITY

Michael Storino
Environmental Supervisor
Sarasota County Natural Resources
Air & Water Quality

John T. Hickey, P.E.
Manager
Sarasota County Natural Resources
Air & Water Quality

JTH/MFS/mfs

Enclosure

S13PC.004

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this Notice of Final Air Permit package was mailed by certified mail before the close of business on ***October 22 2014*** to:

Gilbert Humphrey, QA/QC Manager, Florikan ESA, LLC, 6801 Energy Ct., Suite 100, Lakewood Ranch, FL 34240; gilbert.humphrey@florikan.com

The undersigned duly designated deputy clerk hereby certifies that this Notice of Final Air Permit package was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on ***October 22 2014*** to the persons listed below:

cc: Chris Stirrat, P.E., Environmental Safety Consultants, Inc., 6400 Manatee Avenue West, Suite C, Bradenton, Florida 34209; escinc@verizon.net

Jeff Koerner, *Program Administrator*, FDEP DARM, Division of Air Resource Management 2600 Blair Stone Road MS 5500, Tallahassee, Florida 32399-2400; Jeff.Koerner@dep.state.fl.us

David M. Pearce, *Attorney*, Sarasota County Office of the County Attorney; dpearce@scgov.net

Melissa L. Wagar, Sarasota County Office of the County Attorney; mwagar@scgov.net

Clerk Stamp

Air & Water Quality

OCT 22 2014

Sarasota County

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated EPD Clerk, receipt of which is hereby acknowledged.

Luana Guio ***October 22 2014***

Clerk Date

ADMINISTRATIVE CORRECTION TO AIR OPERATION PERMIT

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS
Fertilizer Coating Facility

Pursuant to the applicant's request, conditions /requirements contained in permit No. 1150179-001-AO have been corrected as indicated below. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text. All changes are emphasized with yellow highlight.

The fertilizer coating process discussed under specific condition 2 describes Two (2) open drum mixing units. The correction is to change the number of open drum mixing units to Three (3). Specific condition 2 under SECTION 3, EMISSIONS UNIT SPECIFIC CONDITIONS, Emissions Unit 002 is hereby changes as follows:

EQUIPMENT

2) Fertilizer coating & material handling process (EU-002): The permittee is authorized to operate a fertilizer coating process consisting of: Three (3) enclosed drum and ~~Two (2)~~ Three (3) open drum mixing units, coating storage, pump systems, fertilizer transfer, storage and bagging operations. When needed, a recirculating supplemental air heating system utilizing a 1.5 MMBtu/hour indirect fire propane fueled burner is used to maintain a minimum reaction temperature above 165 °F within the enclosed drum mixers. [Design and Application No. 1150179-001-AO]