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CERTIFIED MAIL

In the Matter of an
Application for Permit by:

Rodney Palmer
Director of Operation
Kinder Morgan
5321 Hartford Street
Tampa, FL 33619

File No.: 0570024-028-AC
County: Hillsborough

INTENT TO ISSUE

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Kinder Morgan OLP "C", applied on September 17, 2014 to the EPC for the one-time handling of conditioned flyash. The material will be unloaded from ships using a series of hoppers and enclosed conveyors and will be stored indoors in a warehouse. Particulate Matter emissions will be controlled by a combination of water sprays, telescopic chutes, and enclosures. The facility, a TV source, is located at 4801 Port Sutton Road, Tampa, FL 33619.

The EPC has permitting jurisdiction under Chapter 403 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-210. The project is not exempt from permitting procedures. The EPC has determined that an air pollution construction permit is required to commence or continue operations at the described facility.

The EPC intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 and 62-4. Pursuant to Section 403.815 and 403.0872, F.S. and Rules 62-103.150 and 62-210.350(3), F.A.C., 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 as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation

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 (posting online)
David Cibik, P.E. - ARCADIS (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 10/16/14 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.

Natalie L Fons 10/16/14

Clerk Date

COMMISSION

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Victor D. Crist
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ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Rodney Palmer
Director of Operation
Kinder Morgan OLP"C"
5321 Hartford Street
Tampa, FL 33619

Re: Hillsborough County Air Permitting

Dear Mr. Palmer:

Enclosed is Permit No. 0570024-028-AC for the one-time handling of conditioned flyash. This permit is issued pursuant to Section 403.087, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit 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 EPC in the Legal Department at 3629 Queen Palm Dr, Tampa, FL 33619; 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 30 days from the date this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely,

DRAFT

Richard D. Garrity, Ph.D.
Executive Director

RDG/LAW/law

cc: Florida Department of Environmental Protection (posting online)
David Cibik, P.E. - ARCADIS (via email)

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on _____ to the listed persons.

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

DRAFT

_____ _____
Clerk Date

COMMISSION

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Victor D. Crist
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DRAFT

PERMITTEE:
Kinder Morgan OLP "C"
Tampaplex Terminal
5321 Hartford Street
Tampa, FL 33619

PERMIT/CERTIFICATION
Permit No.: 0570024-028-AC
County: Hillsborough
Expiration Date: October 1, 2015
Project: Conditioned Flyash Handling

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297, and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the EPC and made a part hereof and specifically described as follows:

This permit authorizes the one-time handling of 50,000 tons of conditioned flyash (CFA). The CFA will be received by ship and will be unloaded into two receiving hoppers using a clamshell (EU 104). From the receiving hoppers, RH-01 and RH-02, the material will be handled using any of three (3) different transfer routes.

The first transfer route pathway will consist of gravity feeding the material from the existing RH-01 and RH-02 to the existing conveyor belt BC-01 (EU 105), which will then transfer the material to an existing Radial Stacker, RS-01 (EU 106). The CFA will be transferred from RS-01 to a second Radial Stacker, RS-02 (EU 131), and then to a third Radial Stacker, RS-03 (new EU 135), which will transfer the material to a fourth Radial Stacker, RS-04 (new EU 136). RS-04 will transfer the material to the existing Unloading Station No. 1 (EU 102).

The second transfer route pathway will consist of gravity feeding the material from the existing RH-01 and RH-02 to the existing conveyor belt BC-01 (EU 105) which will then transfer material to a Radial Stacker, RS-02 (new EU 134). The CFA will be transferred from RS-02 to another Radial Stacker, RS-03 (new EU 135). RS-03 will transfer the material to the existing Truck Unloading Station No. 1 (EU 102). This pathway will require the conveyor belt direction reversal for Conveyor BC-01. KM will need to retrofit this conveyor in order to enable it to reverse the conveyor direction.

At the Truck Unloading Station No. 1 (EU 102), the material will be transferred onto Conveyor Belt No. C82, which will transfer the material to Conveyor Belt No. C83. Conveyor Belt No. C83 will transfer the material to Conveyor Belt No. C84, which is located inside Storage Building No. 3 (EU 103). There is a movable tipper located on

SPECIFIC CONDITIONS:

d) Exercise good housekeeping at all times.
e) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, and open stock piles, as necessary.
f) Removal of particulate matter from buildings, work areas, roads and other paved areas under the control of the owner or operator of the facility to prevent entrainment, as necessary.
g) Maintenance of parking areas and yards.
h) Landscaping or planting of vegetation.
i) Vehicles shall be completely enclosed by design or shall be enclosed with tarps prior to leaving the facility.

15. The permittee shall provide timely notification to the Environmental Protection Commission of Hillsborough County prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200, F.A.C., Modification. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [Rules 62-210.300 and 62-4.070(3), F.A.C.]

a) Alteration or replacement of any equipment or major component of such equipment.
b) Installation or addition of any equipment which is a source of air pollution.

16. The permittee shall submit to the Environmental Protection Commission of Hillsborough County each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(2), F.A.C.]

17. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

DRAFT

Richard D. Garrity, Ph.D.
Executive Director