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Wetlands Management — Scott Emery, Ph.D.

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 in the area affected" means publication in a newspaper meeting

the requirements of Sections 50.011 and 50.031, F.S., 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 EPC at the address or telephone number listed below. **The applicant shall provide proof of publication to the EPC, Air Permitting Section, at 3629 Queen Palm Drive, Tampa, Florida 33619 (Phone 813-627-2600 - FAX 813-627-2660) within 7 (seven) 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 pursuant to Rule 62-103.150(6), F.A.C.

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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner,
(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any,
(c) Each rule or portion of a rule from which a variance or waiver is requested,
(d) The citation to the statute underlying (implemented by) the rule identified in (c) above,
(e) The type of action requested,
(f) The specific facts that would justify a variance or waiver for the petitioner,
(g) The reason by the variance or waiver would serve the purposes of the underlying statute (implemented by the rule), and
(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of the those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or 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 (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 11/12/14 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.

Patricia A. Ferrs 11/12/14

Clerk Date

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
NOTICE OF INTENT TO ISSUE PERMIT

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 an air pollution Permit No. 0570024-028-AC to Kinder Morgan OLP "C". The applicant 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 Title V source, is located at 4801 Port Sutton Road, Tampa, FL 33619.

A Best Available Control Technology (BACT) determination was not required.

The EPC will issue the Final permit with the conditions of the DRAFT permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for 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 of the 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 agency determination;

(c) A statement of how and when 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 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.

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 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.

The complete project file 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 the Environmental Protection Commission of Hillsborough County, 3629 Queen Palm Drive, Tampa, Florida 33619. The complete project file includes the proposed Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Diana M. Lee, P.E., at the above address, or call 813-627-2600, for additional information. Any written comments filed shall be available for public inspection. If written comments received result in a significant change in the proposed agency action, the EPC shall revise the proposed permit and require, if applicable, another Public Notice.

TECHNICAL EVALUATION

AND

PRELIMINARY DETERMINATION

FOR

Kinder Morgan OLP "C"

Tampaplex Terminal

Hillsborough County

Construction Permit

Application Numbers

0570024-028-AC

Environmental Protection Commission of

Hillsborough County

Tampa, FL

November 12, 2014

I. Project Description

A. Applicant:

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

B. Engineer:

David Cibik, P.E.
P.E. No.: 55467
ARCADIS
14025 Riveredge Drive, Suite 600
Tampa, FL 33637

C. Project and Location:

This permit authorizes the one-time handling of conditioned flyash (CFA) using a series of hoppers, conveyor belts, and enclosed radial stackers. Particulate matter emissions will be controlled through the use of water sprays, telescopic chutes, and enclosures.

The project has been assigned Source Classification Code No. 3-05-105-99 for Bulk Material Loading Operations. The facility has been assigned SIC Industry No. 51 – Wholesale Trade, Non Durable Goods. The project is located at 4801 Port Sutton Road, Tampa, FL 33619. UTM Coordinates of the location are 17- 360.10E and 3087.50N.

D. Process and Controls:

The Draft Permit was issued on October 16, 2014. On October 30, 2014, one comment was submitted via email by Kinder Morgan. Listed below is the comment and the response. The comment will not be restated but is summarized.

Comment No. 1: Kinder Morgan requests that the potential to emit from the truck load out, EU No. 111, be adjusted to reflect a 50% control efficiency. Kinder Morgan will construct a partial enclosure prior to loading trucks at EU No. 111 under 0570024-028-AC to consist of a roof, one outside wall, and plastic sheeting to enclose the operation on the truck entrance and exit.

Response: Based on the information provided, a 50% control efficiency can be applied to the truck load-out operation. The process description and Specific Condition Nos. 6.l) and 6.n) are changed as follows to reflect the use of the partial truck loading enclosure.

From:
When material is ready to be shipped offsite, the CFA from Storage Building No. 3 will be loaded into trucks using a front-end loader (EU 111) inside the building or in an enclosed area adjacent to the building.

6. The permittee shall comply with the following limitations: [Rule 62-4.070(3), F.A.C., and Permit Application received September 17, 2014]

l) Loading of CFA into trucks shall be conducted either inside Storage Building No. 3 or in the partially enclosed area, if performed outside of the building.

n) When calculating actual emissions from handling conditioned flyash, an emission factor of 0.032 lb PM/ ton material shall be used. A control efficiency of 90% for each transfer point except for the Front-End Loader to Truck (EU 111) transfer point can be applied. No additional control efficiency shall be applied for the Front-End Loader to Truck (EU 111) transfer point.

To:
When material is ready to be shipped offsite, the CFA from Storage Building No. 3 will be loaded into trucks using a front-end loader (EU 111) inside the building or in a partially enclosed area adjacent to the building. The partially enclosed area will consist of a structure with one outside wall, a roof, and plastic sheeting on the truck entrance and exit points or a similar structure.

6. The permittee shall comply with the following limitations: [Rule 62-4.070(3), F.A.C., and Permit Application received September 17, 2014]

l) Loading of CFA into trucks shall be conducted either inside Storage Building No. 3 or in the partially enclosed area, if performed outside of the building. The partially enclosed area shall consist of a structure with one outside wall, a roof, and plastic sheeting on the truck entrance and exit points or a similar structure.

n) When calculating actual emissions from handling conditioned flyash, an emission factor of 0.032 lb PM/ ton material shall be used. A control efficiency of 90% for each transfer point except for the Front-End Loader to Truck (EU 111) transfer point can be applied. A 50% control efficiency can be applied for the Front-End Loader to Truck (EU 111) transfer point.

This permit authorizes the one-time handling of 50,000 tons of 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 Conveyor Belt No. C84 which will allow the storage piles to be placed at different locations within the building.

The third transfer route pathway will consist of gravity feeding the material from the existing RH-01 and RH-02 directly into trucks (EU 133). The trucks will then drive offsite for delivery to a customer(s).

When material is ready to be shipped offsite, the CFA from Storage Building No. 3 will be loaded into trucks using a front-end loader (EU 111) inside the building or in an enclosed area adjacent to the building. The partially enclosed area will consist of a structure with one outside wall, a roof, and plastic sheeting on the truck entrance and exit points or a similar structure.

The potential PM Emissions for handling 50,000 tons of CFA were estimated at 1.1 tons/year. The emissions are based on an emission factor of 0.032 lb/ton from the drop equation in AP 42 Ch. 13.2.4 – Aggregate Handling and Storage Piles using a maximum moisture content of 0.5%, as submitted in the permit application. The potential emissions are calculated using this emission factor; a maximum of nine transfer points; a control efficiency of 90% for the eight transfer points with enclosures and water sprays, or the building; and a 50% control efficiency for the truck loading transfer point due to the partial enclosure and the moisture content of the material. The total potential PM Emissions for all of the emission units associated with the Stevedoring operation shall not exceed 129.2 tons/year.

This project is subject to Rule 62-296.711, F.A.C. Materials Handling, Sizing, Screening, Crushing and Grinding Operations and Chapter 1-3.52, Rules of the EPC, which limit the visible emissions to a 5% opacity standard.

E. Application Information:

Application Received: September 17, 2014
Information Requested: N/A
Application Complete: September 17, 2014

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes, Chapters, 62-204, 62-210, 62-212, 62-296, and 62-297, Florida Administrative Code (F.A.C.) and Chapter 1-3 of the Rules of the Environmental Protection Commission of Hillsborough County.

This project is subject to the requirements of Rule 62-212.300, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C., since the project is not exempt from the permit requirements in Rule 62-210.300, F.A.C.

This project is not subject to the requirements of Rule 62-212.400, Prevention of Significant Deterioration, F.A.C. or Rule 62-212.500, New Source Review for Nonattainment Areas, F.A.C., since the project does not result in a major modification.

This project is subject to the requirements of Rule 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C., since the facility is Title V source by state definition.

This project is subject to the requirements of Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C., since the facility is a source of particulate matter.

This project is not subject to the requirements of Rule 62-296.401 through 62-296.470, Specific Emission Limiting and Performance Standards, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.500, Volatile Organic Compounds and Nitrogen Oxide Reasonably Available Control Technology, F.A.C., since there is no applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.600, Lead Reasonably Available Control Technology, F.A.C., since there is no applicable source specific category in this rule.

The project is subject to the requirements of Rule 62-296.700, Particulate Matter Reasonably Available Control Technology, F.A.C., since there an applicable source specific category in this rule, specifically, Rule 62-296.711, F.A.C. Materials Handling, Sizing, Screening, Crushing and Grinding Operations.

This project is not subject to the requirements of Rule 62-204.800 Standards of Performance for New Stationary Sources, Federal Regulations Adopted by Reference, F.A.C., since there is no applicable source specific category in this rule.

This project is subject to the requirements of Chapter 84-446, Laws of Florida and Chapter 1-3, Rules of the Environmental Protection Commission of Hillsborough County.

III. Summary of Emissions

Emission Unit (EU) No.	EU Description	PTE PM Emission (TPY)	Actual PM Emissions (TPY)	Increase PM Emissions (TPY)	Allowable Emissions
102	Truck Unloading Station No. 1 and Transfer Point C82 AND C83	0.1	0.1	0	5% opacity
103	Transfer Pts. in Storage Bld. No. 3 (C83, C84, C104)	0.1	0.1	0	5% opacity
104	Clamshell to Hopper(s) RH-01 and RH-02	0.1	0.2	-0.1	5% opacity
105	RH-01 and RH-02 to Conveyor BC-01	0.1	0.2	-0.1	5% opacity
106	Conveyor BC-01 to Radial Stacker RS-01	0.1	0.2	-0.1	5% opacity
111	Front End Loader to Truck/Railcar	0.1	1.9	-1.8	5% opacity
131	Radial Stacker RS-01 to Radial Stacker RS-02	0.1	NA	0.1	5% opacity
133	Hopper RH-01 or RH-02 to Truck	0.1	NA	0.1	5% opacity
134	Conveyor BC-01 to Radial Stacker RS-02	0.1	NA	0.1	5% opacity
135	Radial Stacker RS-02 to Radial stacker RS-03	0.1	NA	0.1	5% opacity
136	Radial Stacker RS-03 to Radial Stacker RS-04	0.1	NA	0.1	5% opacity
	Total	1.1	2.7	-1.6	

- Actual PM Emissions are based on the average of 2012 and 2013 AOR data while the emission units were handling any material in the authorized materials list. Actual emissions are not available for new EUs 131 and 133 - 136.
- The potential PM Emissions for handling 50,000 tons of CFA are based on an emission factor of 0.032 lb/ton from the drop equation in AP 42 Ch. 13.2.4 – Aggregate Handling and Storage Piles using a maximum moisture content of 0.5%, as submitted in the permit application. The potential emissions are calculated using this emission factor; a maximum of nine transfer points; a control efficiency of 90% for the eight transfer points with enclosures and water sprays, or the building; and a 50% control efficiency for the truck loading transfer point due to the partial enclosure and the moisture content of the material. The total potential PM Emissions for all of the emission units associated with the Stevedoring operation shall not exceed 129.2 tons/year.

IV. Conclusions:

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204,

62-210, 62-212, 62-296, and 62-297, F.A.C., and Chapter 1-3, Rules of the Commission.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

V. Proposed Agency Action:

Pursuant to Section 403.087, Florida Statutes and Rule 62-4.070, Florida Administrative Code the Environmental Protection Commission of Hillsborough County hereby gives notice of its intent to issue a permit for construction of the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).

COMMISSION

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe

EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

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Water Management — Sam Elrabi, P.E.
Wetlands Management — Scott Emery, Ph.D.

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)

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

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe

EXECUTIVE DIRECTOR
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Air Management — Jerry Campbell, P.E.
Waste Management — Hooshang Boostani, P.E.
Water Management — Sam Elrabi, P.E.
Wetlands Management — Scott Emery, Ph.D.

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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 Conveyor Belt No. C84 which will allow the storage piles to be placed at different locations within the building.

The third transfer route pathway will consist of gravity feeding the material from the existing

RH-01 and RH-02 directly into trucks (EU 133). The trucks will then drive offsite for delivery to a customer(s).

When material is ready to be shipped offsite, the CFA from Storage Building No. 3 will be loaded into trucks using a front-end loader (EU 111) inside the building or in a partially enclosed area adjacent to the building. The partially enclosed area will consist of a structure with one outside wall, a roof, and plastic sheeting on the truck entrance and exit points or a similar structure.

Location: 4801 Port Sutton Road, Tampa, FL 33619

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UTM: 17- 360.10E 3087.5N Facility ID No.: 0570024

Emission Unit Nos.:
102 - Truck Unloading Station No. 1 and Transfer Point C82 AND C83
103 - Transfer Pts. in Storage Bld. No. 3 (C83, C84, C104)
104 - Clamshell to Hopper(s) RH-01 and RH-02
105 - RH-01 and RH-02 to Conveyor BC-01
106 - Conveyor BC-01 to Radial Stacker RS-01
111 - Front End Loader to Truck/Railcar
131 - Radial Stacker RS-01 to Radial Stacker RS-02
133 – Hopper RH-01 or RH-02 to Truck
134 - Conveyor BC-01 to Radial Stacker RS-02
135 - Radial Stacker RS-02 to Radial stacker RS-03
136 - Radial Stacker RS-03 to Radial Stacker RS-04

References Permit No.: 0570024-016-AC

Replaces Permit No.: NA

SPECIFIC CONDITIONS:

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1. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]

2. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

3. The use of property, facilities, equipment, processes, products, or compounds, or the commission of paint overspraying or any other act, that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.

4. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320(2), F.A.C.]

5. The permittee shall not cause, permit, or allow any visible emissions (five percent opacity) from any emission unit, transfer point, or activity associated with EU Nos. 102 – 106, 111, 131, and 133 - 136. [Rule 62-296.711(2)(a), F.A.C. and Ch. 1-3.52.2. of the Rules of the EPCHC]

6. The permittee shall comply with the following limitations: [Rule 62-4.070(3), F.A.C., and Permit Application received September 17, 2014]

a) The permittee shall receive only one shipment of conditioned flyash.
b) The amount of conditioned flyash received by ship shall not exceed 50,000 tons.
c) The conditioned flyash shall be stored in Storage Building No. 3 only (EU 103).
d) The number of transfer points shall not exceed nine when handling conditioned flyash.
e) The permittee shall operate a maximum of two ship unloading cranes.
f) The receiving hoppers shall be equipped with wind shields and water sprays and the material drop height shall be minimized to the extent practicable. In no case shall the drop height be greater than 5 feet or above the top of the wind shields.
g) During ship unloading, a tarp or other material shall be placed between the ship and the dock in order to prevent conditioned flyash from falling into the water.
h) Except for Conveyor BC-01, all conveyors and stackers used during the handling of conditioned flyash shall have 180 degree covers.
i) Each hopper, conveyor, and stacker shall be equipped with water sprays or other dust suppressant sprays to be used as necessary in order to meet the 5% opacity standard.
j) All warehouse doors in Storage Building No. 3 that are exposed to wind draft shall be closed when material is being handled inside the warehouse.
k) When transferring material, Storage Building No. 3 and the Truck Unloading Station (EU 102) shall have draping (plastic or rubber strips) on the entrances/exits.

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l) Loading of CFA into trucks shall be conducted either inside Storage Building No. 3 or in the partially enclosed area, if performed outside of the building. The partially enclosed area shall consist of a structure with one outside wall, a roof, and plastic sheeting on the truck entrance and exit points or a similar structure.
m) Install a truck wash station that each truck leaving the facility will exit through.
n) When calculating actual emissions from handling conditioned flyash, an emission factor of 0.032 lb PM/ ton material shall be used. A control efficiency of 90% for each transfer point except for the Front-End Loader to Truck (EU 111) transfer point can be applied. A 50% control efficiency can be applied for the Front-End Loader to Truck (EU 111) transfer point.

7. Test EUs 102 – 106, 111, 131, and 133 – 136, during the handling of conditioned flyash, for visible emissions at the point of highest opacity. Submit two copies of the test data to the Air Management Division of the Environmental Protection Commission of Hillsborough County within forty-five days of such testing. Testing procedures shall be consistent with the requirements of Rule 62-297.310, F.A.C. [Rule 62-297.310, F.A.C.]

8. Compliance with the emission limitations of Specific Condition No. 5. shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. Each EPA Method 9 test shall be a minimum of thirty (30) minutes in duration. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A. [Rule 62-297.310(4)(a)2., F.A.C.]

9. Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of handling 1,000 tons/hour. If it is impracticable to test at capacity, then the source may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is 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 throughput rates and actual operating conditions may invalidate the test. [Rules 62-297.310(2) and 62-4.070(3), F.A.C.]

10. The permittee shall notify the Air Compliance Section of the Environmental Protection Commission of Hillsborough County at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the contact person who will be responsible for coordinating and having such test conducted. [Rule 62-297.310, F.A.C.]

11. When the Environmental Protection Commission of Hillsborough County (EPC) after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C., or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC. [Rule 62-297.310(7)(b), F.A.C.]

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12. The permittee shall perform the following observations and checks on the schedule specified below. The permittee shall perform any necessary maintenance work in order to keep the equipment in good working order to minimize fugitive particulate emissions. [Rules 62-296.700(6), 62-4.070(3) and 62-213.440(1)(b)2.b., F.A.C. and Permit No. 0570024-016-AC]

a) Daily (when in operation)
   1) Inspect the water sprinkler system for proper operation, including, but not limited to, leaks and adequate wetness of material.

b) Each day of Hauling (when in operation)
   1) Inspect the unpaved areas to ensure they are adequately wet.
   2) Inspect the paved haul areas to ensure they are free of dust and debris.
   3) Inspect the truck wash station for proper operation.

c) Each Marine Vessel Unloading Operation (when in operation)
   1) Record the maximum throughput rate in tons per hour for each marine vessel as measured by Belt Scale, BSC-01, or as determined by the Draft Survey and/or the Statement of Facts for each vessel.

d) Records of inspections, maintenance, and performance parameters shall be retained for a minimum of five years and shall be made available to any local, state, or federal air pollution control agency upon request.

13. In order to demonstrate compliance with Specific Condition Nos. 6. and 12., the permittee shall maintain a monthly recordkeeping system for the most recent five year period. The records shall be made available to the EPC of Hillsborough County, state or federal air pollution agency upon request. The records shall include, but are not limited to, the following: [Rule 62-4.070(3), F.A.C.]

a) Amount of conditioned flyash unloaded from ship (tons)
b) Amount of conditioned flyash loaded into trucks (tons)
c) Rolling twelve month total of b) and c) above
d) Records as required in Specific Condition No. 12. above

14. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include: [Rule 62-296.320(4)(c)2., F.A.C.]

a) Post and enforce a speed limit of 10 miles per hour.
b) Maintain material drop points as low as possible.
c) Curtail operations during high wind conditions, if necessary.

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

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Richard D. Garrity, Ph.D.
Executive Director