PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Central District
Draft Major Air Construction Permit No. 0090219-007-AC and
Draft Initial Title V Air Operation Permit No. 0090219-006-AV
Seaport Canaveral Corporation, Seaport Canaveral Terminal
Brevard County, Florida

Applicant: The applicant for this project is Seaport Canaveral Corporation. The applicant's responsible official and mailing address are:

Mr. Robert Boudreaux, HSE Manager
Seaport Canaveral Corporation, Seaport Canaveral Terminal
555 Hwy 401
Cape Canaveral, FL 32920

Facility Location: The applicant operates the existing Seaport Canaveral Terminal, which is located in Brevard County at 555 Hwy 401, Cape Canaveral, Florida.

Project: The applicant applied on October 24, 2011 to the Department for an initial Title V air operation permit and concurrent air construction permit. The construction permit authorizes modification of Tank 50-2. The fixed roof tank will be converted to an internal floating roof tank. The construction permit authorizes the installation (after-the-fact) of two (2) emergency fire pumps and two (2) emergency generators. Additionally, it increases the non fugitive VOC emission limit (less than 240 tons per any consecutive twelve months instead of less than 100 tons per any consecutive twelve months) and increases the allowable gasoline throughput of emission unit No. 001 from 589.4 to 772.0 million gallons. The facility stores petroleum liquids and fuel additives products, excluding crude oil, in twenty (20) internal floating roof (IFR) tanks with mechanical shoe seals and four (4) fixed roof tanks. The IFR tanks contain gasoline, jet fuel, diesel fuel, biofuel, ethanol, and several blend components. Three of the fixed roof tanks have heated coils to control viscosity and contain diesel and No. 6 Fuel Oil, while the other one contains diesel or marine diesel oil (MDO). One of the IFR tanks has heated coils.

The terminal uses two (2) dedicated fuel-loading racks and two (2) dedicated Vapor Combustion Units to control VOC and HAP emissions during loading operations. The Marine Loading Rack transfers fuel between the storage tanks and marine vessels, while the Truck Loading Rack transfers fuel from the storage tanks to tanker trucks. The Vapor Combustion Units are assisted by natural gas and have temperature monitors at the outlets.

Permitting Authority: Applications for Title V air operation permits and air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Department of Environmental Protection's Air Resource Section in the Central District is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. The Permitting Authority's mailing address is: 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. The Permitting Authority's telephone number is 407-897-2931.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft permits, the

statement of basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permits by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue a draft air construction permit and initial Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit for the construction permit and a proposed permit then subsequent final permit for the Title V permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft air construction for a period of 14 days from the date of publication of the Public Notice and the draft Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 14-day period for the construction permit and 30-day period for the Title V permit by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 14-day comment period or 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft permit, the Permitting Authority shall issue a revised draft permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) 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 Permitting Authority'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; 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed 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 the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency'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 the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at http://www.epa.gov/region4/air/permits/Florida.htm.