Florida Department of Environmental Protection

South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

June 13, 2011

CERTIFIED MAIL 7010 1870 0001 8477 7242
RETURN RECEIPT REQUESTED

In the Matter of a Request for Administrative Correction:

Mr. Richard H. Stechmann
Asset Manager
Breitburn Florida, LLC
P.O. Box 3236
Immokalee, Florida 34143

Permit No. 0210031-027-AC
Administrative Correction to Permit No. 0210031-025-AC
Raccoon Point
Collier County

Enclosed are administratively corrected conditions to the air construction permit no. 0210031-025-AC, for the construction a reciprocating internal combustion engine/generator set (emissions unit no. 031) at the Raccoon Point facility located in Collier County 60 Miles southeast of Naples and 11 miles north of U.S. 41, Southeast of Naples, 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 by the Department to correct typographical errors in the permit. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) 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 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 (received) by the Agency Clerk in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. 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. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must 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 interests will be affected by the agency determination; (c) A statement of when and how each 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 notice. 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.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Fort Myers, Florida.

_____ _____

Jon M. Iglehart
Director of
District Management

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit (including the corrected pages) was sent by certified mail (*) or a link to these documents available electronically on a publicly accessible server, or was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Richard H. Stechmann, Breitburn Florida, LLC* (rstechmann@breitburn.com)
Mr. Thomas W. Davis, P.E., ECT (tdavis@ectinc.com)

Clerk Stamp

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

_____ _____

(Clerk) (Date)

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

Pursuant to the Department's action, conditions /requirements contained in permit No. 0210031-025-AC 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.

1. Section 1. General Information, the second paragraph under the heading "Existing Facility" is hereby changed to correct the facility ID number as follows:

The existing facility consists of the following emissions units.

Facility ID No. ~~0210023~~0210031

ID No.	Emission Unit Description
001	Flare
002	Five (5) Storage Tanks (4 @ 1000 BBL and 1 @ 5000 BBL)
003	Eight (8) Heater Treater Units (Heater burners are inactive).
004	Two (2) 80 hp Waukesha engine pumping units
008	Two (2) oil pipeline pumps permitted – 1 operating, Waukesha 817G
009	Two (2) electric generators (One is a stand-by)
012	Two (2) 450 kw Waukesha Engine/Generator Sets 3521
013	One (1) 800 kw Gas Turbine/Generator Set
015	Facility-Wide fugitive volatile organic compound (VOC) emissions
020	One (1) 450 kw, 625 hp Engine/Generator set
021	One (1) Heater Treater unit, 1.35 mmbtu/hr
022	One (1) Heater Treater unit, 1.35 mmbtu/hr
023	One (1) 500 kw, Waukesha Engine/Generator set 3521 GSI
024	One (1) 1000 kw, Caterpillar D399-TA Engine/Generator set
029	One (1) 1,135 kw, Caterpillar 3512 TA IC Engine Generator set
030	One (1) 600 kw, Caterpillar D-398 IC Engine Generator set

2. Section 1. General Information, the second paragraph under the heading "Proposed Facility" is hereby changed to correct the facility ID number as follows:

This project will add the following emissions unit.

Facility ID No. ~~0210023~~0210031

ID No.	Emission Unit Description
031	Engine/Generator Set

3. **Section 3, Subsection A, Condition 21 is hereby changed as follows:**

21. Federal Requirements: This emissions unit must be in compliance with requirements, including but not limited to, emissions limits/standards, testing requirements, and recordkeeping and reporting requirements, of 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines no later than October 19, 2013. [40 CFR 63.6595 (effective 10/19/2010)]