M E M O R A N D U M

DATE: June 21, 2013

TO: Richard D. Garrity, Ph.D.

FROM: Lora Webb **THRU**: Diana M. Lee, P.E.
Sterlin K. Woodard, P.E.

SUBJECT: Draft Construction Permit – Kinder Morgan Bulk Terminals, Inc.
Permit No. 0570092-019-AC

Attached is Draft Permit No. 0570092-019-AC being issued for the construction of two additional transfer routes at the Hartford Street Terminal Warehousing Operations. The main proposed material transfer operation will consist of a new railcar unloading pit and a bucket elevator at the North rail track, in order to transfer bulk material to Storage Buildings 1 and 2 using the existing facility conveyor(s). Also, Kinder Morgan will add an under car unloading conveyor (RBT) at the South rail track which will transfer material directly from railcar to truck. Kinder Morgan's Hartford St. Terminal is a bulk material handling facility, located at 5321 Hartford Street, Tampa, Fl 33619.

The main proposed material transfer operation will allow the facility to transfer dry bulk material from the railcar unloading pit and conveyed to a bucket elevator using a conveying system and then to a "pants-splitter diverter" apparatus which could either transfer the material to existing North Warehouse No. 1 or to the existing overhead enclosed belt conveyor, which would then transfer the material to the existing South Warehouse No. 2. The splitter-diverter will be located at the beginning of an existing conveyor belt, C2. Once inside the warehouses, the material will be transported to an elevated screener, which will sort and direct the material into two piles: one with a larger diameter product and one with a smaller diameter product. This screening process will be completely enclosed within the warehouses. When the material is ready to be loaded out, a truck will drive into either of the two buildings and a front-end loader will load the material into the truck. Alternatively, a front-end loader will load an existing hopper in Building 2 which will transfer the material to an existing bucket elevator. The bucket elevator will direct the material to an existing a railcar/truck loading spout.

A second proposed material transfer operation will involve the transfer of material from the railcar directly into a truck. A fully enclosed portable conveyor belt will be positioned directly under the railcar unloading chute and will be used to transfer the material directly into a truck.

A rubber boot or shroud will be installed at the exit point of the conveyor belt to minimize the drop height into the truck.

Also, in order to provide operational flexibility, this permit removes the limit on the material throughputs. Each group of material handled at the facility has a different PM emission factor. The facility may be able to handle a larger amount of one group of material and still maintain compliance with the PM Potential to Emit (PTE). Therefore, in order to provide the facility maximum flexibility, this permit includes a limit on the overall PM PTE for the Hartford Street Terminal and for the Port Sutton Street Terminal but does not include a limit on the material group throughputs.

PM emissions from the Hartford Terminal are limited to 153.4 tons/year. In addition, the PM emissions from the Port Sutton Terminal are limited to 91.6 tons/year for a facility-wide PM PTE of 245 tons/year. The facility 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 visible emissions to a 5% opacity standard for all of the material handling operations.

Based on our review, we recommend approval of the above referenced permit as drafted.

LAW: 0570092-019-AC

TECHNICAL EVALUATION

AND

PRELIMINARY DETERMINATION

FOR

Kinder Morgan Bulk Terminals, Inc.
Hartford Street Terminal

Hillsborough County

Construction Permit

Application Number

0570092-019-AC

Environmental Protection Commission of

Hillsborough County

Tampa, FL

June 21, 2013

I. Project Description

A. Applicant:

Rodney Palmer
Director of Operations
Kinder Morgan
5321 Hartford St.
Tampa, Fl 33619

B. Engineer:

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

C. Project and Location:

This permit authorizes construction of two material transfer operations. The project has been assigned Source Classification Code (SCC) No. 3-05-105-98 – Industrial Processes, Mineral Products, Bulk Material Loading Operation.

The facility has been assigned SIC Industry No. 51 – Wholesale Trade, Non Durable Goods. The project is located at 5321 Hartford St., Tampa, FL 33619. UTM Coordinates of the location are 17-362.37E and 3087.05N.

D. Process and Controls:

Kinder Morgan's Hartford St. Terminal is a bulk material handling facility, located at 5321 Hartford Street, Tampa, Fl 33619. Bulk dry materials, which are divided into eight groups, are received primarily by truck at the Hartford St. Terminal. This permit authorizes the construction of two additional transfer routes at the Hartford Street Terminal Warehousing Operations. The main proposed material transfer operation will consist of a new railcar unloading pit and a bucket elevator at the North rail track, in order to transfer bulk material to Storage Buildings 1 and 2 using the existing facility conveyor(s). Also, Kinder Morgan will add an under car unloading conveyor (RBT) at the South rail track which will transfer material directly from railcar to truck. Kinder Morgan's Hartford St. Terminal is a bulk material handling facility, located at 5321 Hartford Street, Tampa, Fl 33619.

The main proposed material transfer operation will allow the facility to transfer dry bulk material from the railcar unloading pit and conveyed to a bucket elevator using a conveying system and then to a "pants-splitter diverter" apparatus which could either transfer the material to existing North Warehouse No. 1 or to the existing overhead enclosed belt conveyor, which would then transfer the material to the existing South Warehouse No. 2. The splitter-diverter will be located at the beginning of an existing conveyor belt, C2. Once inside the warehouses, the material will be transported to an elevated screener, which will sort and direct the material into two piles: one with a

larger diameter product and one with a smaller diameter product. This screening process will be completely enclosed within the warehouses. When the material is ready to be loaded out, a truck will drive into either of the two buildings and a front-end loader will load the material into the truck. Alternatively, a front-end loader will load an existing hopper in Building 2 which will transfer the material to an existing bucket elevator. The bucket elevator will direct the material to an existing a railcar/truck loading spout.

A second proposed material transfer operation will involve the transfer of material from the railcar directly into a truck. A fully enclosed portable conveyor belt will be positioned directly under the railcar unloading chute and will be used to transfer the material directly into a truck. A rubber boot or shroud will be installed at the exit point of the conveyor belt to minimize the drop height into the truck.

In addition to the two storage buildings described above, there is a third storage building, referred to as the Material Storage Building, which is used primarily to store salt. Trucks drive into the storage building and dump the material directly onto the ground. Front end loaders then transfer the material to a storage pile. When ready to be loaded, a truck drives into the storage building and a front end loader loads the material directly into the truck. The third storage building does not have any screeners or conveyor belts. The facility also has a Bag Storage Building which is used to store bagged product. Bags of product are received by truck or railcar and are stored in the building until they are ready to be shipped offsite. No bagging of material occurs onsite.

In addition, non-water soluble products may be stored in outdoor storage piles at the Hartford Street Terminal. These products are received by truck and are unloaded directly onto the ground. Front end loaders then transfer the material to a storage pile(s). When ready to be loaded, a front end loader loads the material directly into a truck. A water spray system controls emissions from this operation as needed.

Also, in order to provide operational flexibility, this permit removes the limit on the material throughputs. Each group of material handled at the facility has a different PM emission factor. The facility may be able to handle a larger amount of one group of material and still maintain compliance with the PM Potential to Emit (PTE). Therefore, in order to provide the facility maximum flexibility, this permit includes a limit on the overall PM PTE for the Hartford Street Terminal and for the Port Sutton Street Terminal but does not include a limit on the material group throughputs.

The facility 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 visible emissions to a 5% opacity standard for all of the material handling operations.

E. Application Information:

Received on: May 20, 2013
Information Requested: N/A
Application Complete: May 20, 2013

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 facility is a minor PSD source and this 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 a 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 project is a source of particulate matter and visible emissions.

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 not an 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 not an 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., specifically Rule 62-296.711, F.A.C. Materials Handling, Sizing, Screening, Crushing and Grinding Operations, since the facility is located in a PM maintenance area and the facility wide PM emissions are greater than 15 TPY and 5 lbs/hr.

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 not an 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 for Emission Units Modified

Emission Unit (EU) No.	**EU Description**	Regulated Pollutant	Potential Emissions (tons/yr)	Actual Emissions (tons/yr)	Increase in Emissions (tons/yr)	Allowable Emissions
105	Hartford Street Terminal Warehousing Operations	PM	76.7	0.5	76.2	5% opacity
106	Hartford Street Terminal Stockpiling Operations	PM	76.7	0.03	76.7	5% opacity
	Total for Hartford Street Terminal		153.4	0.5	152.9	

- Potential PM emissions are calculated by using a PM emission factor based on the worst emitting material from each group category, an estimated material throughput, and a maximum of nine transfer points. The Hartford Street Terminal has eight group categories. A 90% control efficiency is applied for a fully enclosed conveyor belt(s) or a storage building(s). Also, a 65% control efficiency is applied for a partially enclosed conveyor or the partially enclosed railcar unloading and loading stations and a 50% control efficiency is applied for the unloading of material from truck onto the ground prior to the hopper loading operation.

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).

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

Rodney Palmer
Director of Operations
Kinder Morgan
5321 Hartford St.
Tampa, Fl 33619

File No.: 0570092-019-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 Bulk Terminals, applied on May 20, 2013 to the EPC for a construction permit for two additional material transfer operations s. Material from railcars will be transferred either to storage buildings or directly to trucks. The facility is located at 4801 Port Sutton Road, Tampa, Hillsborough County, 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 (via email)
David Cibik, P.E. – ARCADIS, Inc. (via email)
Alice Harman – Kinder Morgan (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 _____ 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.

_____ _____

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. 0570092-019-AC to Kinder Morgan Bulk Terminals. The applicant applied on May 20, 2013 to the EPC for a construction permit to construct two additional material transfer operations. Material from railcars will be transferred either to storage buildings or directly to trucks. Particulate matter emissions will be controlled by the use of enclosures. The facility, which is a Title V Source of PM emissions, is located at 5321 Hartford St., Tampa, Hillsborough County, 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.

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Rodney Palmer
Director of Operations
Kinder Morgan
5321 Hartford St.
Tampa, Fl 33619

Re: Hillsborough County - AP

Dear Mr. Palmer:

Enclosed is Permit No. 0570092-019-AC to construct two additional material transfer operations. 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,

_____
Richard D. Garrity, Ph.D.
Executive Director

RDG/LAW/law

cc: Florida Department of Environmental Protection (via email)
David Cibik, P.E. – ARCADIS, Inc. (via email)
Alice Harman – Kinder Morgan (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.

_____ _____
Clerk Date

PERMITTEE:	PERMIT/CERTIFICATION
Kinder Morgan Bulk Terminals	Permit No.: 0570092-019-AC
5321 Hartford Street	County: Hillsborough
Tampa, FL 33619	Expiration Date: June 21, 2015
	Project: Two Railcar Unloading Operations

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 is being issued for the construction of two additional transfer routes at the Hartford Street Terminal Warehousing Operations. The main proposed material transfer operation will consist of a new railcar unloading pit and a bucket elevator at the North rail track, in order to transfer bulk material to Storage Buildings 1 and 2 using the existing facility conveyor(s). Also, Kinder Morgan will add an under car unloading conveyor (RBT) at the South rail track which will transfer material directly from railcar to truck. Kinder Morgan's Hartford St. Terminal is a bulk material handling facility, located at 5321 Hartford Street, Tampa, Fl 33619.

The main proposed material transfer operation will allow the facility to transfer dry bulk material from the railcar unloading pit and conveyed to a bucket elevator using a conveying system and then to a "pants-splitter diverter" apparatus which could either transfer the material to existing North Warehouse No. 1 or to the existing overhead enclosed belt conveyor, which would then transfer the material to the existing South Warehouse No. 2. The splitter-diverter will be located at the beginning of an existing conveyor belt, C2. Once inside the warehouses, the material will be transported to an elevated screener, which will sort and direct the material into two piles: one with a larger diameter product and one with a smaller diameter product. This screening process will be completely enclosed within the warehouses. When the material is ready to be loaded out, a truck will drive into either of the two buildings and a front-end loader will load the material into the truck. Alternatively, a front-end loader will load an existing hopper in Building 2 which will transfer the material to an existing bucket elevator. The bucket elevator will direct the material to an existing a railcar/truck loading spout.

A second proposed material transfer operation will involve the transfer of material from the railcar directly into a truck. A fully enclosed portable conveyor belt will be positioned directly under the railcar unloading chute and will be used to transfer the material directly into a truck. A rubber boot or shroud will be installed at the exit point of the conveyor belt to minimize the drop height into the truck.

In addition to the two storage buildings described above, there is a third storage building, referred to as the Material Storage Building, which is used primarily to store salt. Trucks drive into the storage building and dump the material directly onto the ground. Front end loaders then transfer the material to a storage pile. When ready to be loaded, a truck drives into the storage building and a front end loader loads the material directly into the truck. The third storage building does not have any screeners or conveyor belts. The facility also has a Bag Storage Building which is used to store bagged product. Bags of product are received by truck or railcar and are stored in the building until they are ready to be shipped offsite. No bagging of material occurs onsite.

In addition, non-water soluble products may be stored in outdoor storage piles at the Hartford Street Terminal. These products are received by truck and are unloaded directly onto the ground. Front end loaders then transfer the material to a storage pile(s). When ready to be loaded, a front end loader loads the material directly into a truck. A water spray system controls emissions from this operation as needed.

Location: Hartford Street Terminal - 5321 Hartford Street, Tampa, FL 33619

UTM: 17- 360.10E 3087.5N Facility ID No.: 0570092

Emission Unit Nos.:
105 – Hartford Street Terminal Warehousing Operations
- Emission Point (EP) No. 1 – Truck Unloading to Ground
- EP No. 2 - Railcar Unloading Pit with Conveyor to Bucket Elevator with Splitter
- EP No. 3 - Front End Loader to Outdoor Receiving Hopper
- EP No. 4 - Outdoor Receiving Hopper to Conveyor Belt 1
- EP No. 5 - Conveyor Belt 1 or Splitter to Conveyor Belt 2
- EP No. 6 - Conveyor Belt 2 to Screener 1 or to Warehouse 1 stockpile
- EP No. 7 - Conveyor Belt 2 to Conveyor Belt 4
- EP No. 8 - Conveyor Belt 4 to Screener 2 or to Warehouse 2 stockpile
- EP No. 9 - Screener 1 or Screener 2 to Warehouse 1 or 2 Stockpile
- EP No. 10 - Stockpile 1 or 2 to Truck or to Load Out Hopper via Front End Loader
- EP No. 11 - Load Out Hopper to Truck via to Bucket Elevator

106 - Hartford Street Terminal Stockpiling Operations
- EP No. 1 – Truck to Ground
- EP No. 2 – Pile to Truck via Front End Loader
- EP No. 3 – Truck to Ground in the Material Storage Building
- EP No. 4 - Pile to Truck via Front End Loader in the Material Storage Building
- EP No. 6 – Railcar to under car unloading conveyor (RBT)
- EP No. 7 - Under car unloading conveyor (RBT) to Truck

References Permit Nos.: 0570092-016-AC

Replaces Permit No.: N/A

SPECIFIC CONDITIONS:

1. Not federally enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. 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.]

2. As requested by the permittee, in order to remain a minor facility with respect 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., the facility wide potential to emit particulate matter emissions shall not exceed 245 tons per twelve consecutive month period, which is comprised of the following operations: [Rule 62-4.070(3), F.A.C. and Permit No. 0570092-016-AC]

a. Particulate Matter Emissions from the Port Sutton Terminal: 91.6 tons
b. Particulate Matter Emissions from the Hartford Street Terminal: 153.4 tons

3. Unconfined Particulate Matter. Emissions of Unconfined Particulate Matter. Pursuant to Rules 62-296.320(4)(c)1., 3. & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following requirements. The following requirements are "not federally enforceable": [Rule 62-296.320(4)(c)2., F.A.C. and Permit No. 0570092-016-AC]

a. Enclose all conveyor belts on the top and sides.
b. The vehicles transporting the bulk material on the property shall be completely enclosed by construction or shall be enclosed with tarps prior to leaving the facility.
c. The permittee shall ensure that the bulk material has adequate moisture content in order to comply with the 5% opacity standard prior to being unloaded from trucks.
d. Watering shall be performed as necessary to minimize particulate dust emissions during material unloading, transferring, and loading operations performed outdoors.
e. Dust suppressant shall be applied as necessary to untreated material and plant grounds.
f. All access openings near transfer stations shall stay closed during bulk material transfer.
g. Maintain trafficked roads clean. Limit vehicular traffic to 10 MPH or less if necessary.
h. Inspect material handling equipment for visible emissions daily when in operation. Record any problems and actions taken.
i. Make plant personnel aware of environmental requirements in this permit.
j. Exercise good housekeeping practices at all times.

4. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Environmental Protection Commission and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(2), F.A.C. [Rules 62-213.440(3) and 62-213.900, F.A.C.]

5. The permittee shall submit all compliance related notifications and reports required of this permit to the Environmental Protection Commission of Hillsborough County at: [Rule 62-4.070(3), F.A.C.]

SPECIFIC CONDITIONS:

Environmental Protection Commission
Air Management Division
3629 Queen Palm Dr.
Tampa, FL 33619
Telephone: 813/627-2600, Fax: 813/627-2660

6. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: [Rule 62-4.070(3), F.A.C.]

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303-8960
Telephone: 404/562-9155; Fax: 404/562-9163

7. Submit to the Environmental Protection Commission of Hillsborough County each calendar year on or before April 1, completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year. [Rule 62-210.370(2), F.A.C.]

8. 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(205), 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.
c. The handling of any new material not identified in this permit.

9. 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 requirement or permit condition 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. For the purpose of confirming compliance with the emission limitations in this permit, the EPC may require the use of EPA Method 9 or other approved methods as deemed necessary. [Rules 62-297.310(7)(b) and 62-4.070(3), F.A.C.]

10. Certification by Responsible Official (RO). In addition to the professional engineering

SPECIFIC CONDITIONS:

certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]

11. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of 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.]

12. The permittee shall give prior notification and obtain approval from the EPCHC for the loading and/or unloading of any new material not identified in this permit. [Rules 62-4.070(3) and 62-210.200(205), F.A.C.]

13. A minimum of two copies of a Title V air operating permit application shall be submitted to the Environmental Protection Commission of Hillsborough County within 60 days of completion of the compliance test or at least 180 days prior to the expiration date of this permit, whichever occurs first. [Rules 62-4.050(2) and 62-4.090, F.A.C.]

SPECIFIC CONDITIONS:

Subsection A. This section addresses the following emissions unit(s)

E.U. ID No.	Brief Description
105	Hartford Street Terminal Warehousing Operations
106	Hartford Street Terminal Stockpiling Operations

Enforceable Potential to Emit (PTE) Parameters

14. Permitted Capacity. The following limitations and restrictions shall apply per any 12 consecutive month period: [Rules 62-4.070(3) and 62-210.200, F.A.C., Definitions - (PTE) and Permit No. 0570092-016-AC]

a. Maximum Truck Loading and Unloading Rate: 450 TPH
b. Maximum Railcar Loading Rate: 450 TPH
c. Maximum Railcar Unloading Rate: 300 TPH

15. Hours of Operation. Each emission unit is allowed to operate continuously, i.e., 8,760 hours/year. [Rules 62-4.070(3) and 62-210.200, F.A.C., Definitions - (PTE)]

16. The maximum number of transfer points shall not exceed nine. [Rules 62-4.070(3) and 62-210.200, F.A.C., Definitions - (PTE)]

Emission Limitations and Standards

17. Visible emissions from any emissions unit, building, enclosure, or activity shall not exceed 5 percent opacity. [Rules 62-296.711(2)(a) and 62-4.070(3), F.A.C.]

18. In order to ensure compliance with Facility Wide and Specific Condition No. 2, the following limitations shall apply per any twelve consecutive month period: [Rule 62-4.070(3), F.A.C. and Permit No. 0570092-016-AC]

a. The facility shall handle only the following materials:

Group I – Dusty Fertilizers		
Ammonium Sulfate	Standard Potassium Nitrate	Animal Feed Ingridients
Standard Muriate of Potash	Granular Sulfate of Potash	Granular Muriate of Potash
Standard Sulfate of Potash		
Group II – Minimally Dusty Fertilizers		
Ammonium Nitrate	Sodium Potassium Nitrate	MAP
Calcium Ammonium Nitrate	Compound Fertilizers	DAP

SPECIFIC CONDITIONS:

Group II – Minimally Dusty Fertilizers (continued)		
Potassium Nitrate	Dried Sludge	GTSP
Calcium Nitrate	Urea	Kieserite
Group IV – Semi-Dusty Non-Fertilizer Products		
Coal Fines	Iron Ore Fines	Millscale
Group V – Moderately Dusty Non-Fertilizer Products		
Coal	Syngypsum	Clay
Petcoke	Magnetite/Ferrous Oxides	
Iron Ore	Alumina Hydrate	
Group VI – Minimally Dusty Non-Fertilizer Products		
Gypsum	Alumina Hydrate	Filler Materials
Pumice	Vermiculite	Peanut Hulls
Granulated Furnace Slag	Dolomite	Salt (solar)
Ferrous Sulfate	Glass	Bio-Mass
Ferro Alloys	Iron Scrap (including shredded scrap metal)	Magnetite/Ferrous Oxides
Coal Slag	Wood Chips	Clinker (treated or screened)
Prilled Sulfur		
Group VII – Agricultural Products		
Seeds	Soybeans	Peas
Citrus Pellets		
Group VIII – Bauxite/Alumina and similar Dusty Cement-like Products		
Bauxite	Alumina	Slag Cement
Group IX - Aggregate		
Aggregate	Dirt, Soil	Granite
Limestone	Sand, Gravel	Rocks, stone
Limestone Fines		

b. Compound fertilizers listed in Group II are defined as "ammonium nitrate with potash". The material shall have properties consistent with the MSD sheet received April 2, 2002.

c. When calculating particulate matter emissions in order to demonstrate compliance with Specific Condition No. 2, the emission factors and control efficiencies listed below for each group of material shall be used.

SPECIFIC CONDITIONS:

Group Number	Emission Factor	Max. Number of Transfer Points
I	0.19	9
II	0.01	9
IV	1	9
V	0.2	9
VI	0.067	9
VII	0.086	9
VIII	0.11	9
IX	0.02	9

d. When calculating particulate matter emissions in order to demonstrate compliance with Specific Condition No. 2, the following control efficiencies shall be used.

EU No. 105, Emission Point No.	Control Efficiency
1	50%
2	65%
3	65%
4	65%
5	90%
6	90%
7	90%
8	90%
9	90%
10	90%
11	65%
EU No. 106, Emission Point No.	Control Efficiency
1	50%
2	50%
3	90%
4	90%
5	50%
6	50%
7	50%

SPECIFIC CONDITIONS:

e. Millscale shall be treated with water or a dust suppressant at the first material transfer point and subsequent material transfer points as necessary to meet the 5% opacity standard.

f. All materials in Group VIII shall be treated with a dust suppressant at the first material transfer point and subsequent material transfer points as necessary to meet the 5% opacity standard.

19. The permittee shall not handle grains at the Hartford Street Terminal. [Rule 62-4.070(3), F.A.C. and Permit No. 0570092-016-AC]

Test Methods and Procedures

20. Test EU No. 105, Emission Point (EP) Nos. 2, 5, 6, 8, 9, and 10 and EU No. 106, Emission Point (EP) Nos. 6 and 7 listed on Page 2 of this permit for opacity the first time each emission point is operated and annually thereafter. Tests shall be conducted while handling the dustiest material handled at the facility within the previous 12 months. Test results shall be submitted in duplicate within 45 days of testing to the Air Management Division of the Environmental Protection Commission of Hillsborough County. Testing procedures shall be consistent with the requirements of Rule 62-297.310, F.A.C. Failure to submit the process rate and the moisture content with the test report or operation at conditions during testing which do not reflect actual operating conditions may invalidate the test. [Rules 62-4.070(3), 62-297.310(7)(a) and (8), F.A.C.]

21. Compliance with emission limitations of Specific Condition No. 17 shall be determined using EPA Method 9 contained in 40 CFR 60 Appendix A and adopted by reference in Rule 62-297.310, F.A.C. Each visible emission test shall be at least 30 minutes in duration. EPA Method 9 may be used for operations which are normally completed within less than the minimum observation period and do not recur within that time, in that instance, the period of observation shall be equal to the duration of the operation completion time. The minimum requirements for stack sampling and reporting shall be in accordance with Rule 62-297, F.A.C. The test report shall include information regarding the moisture content of the material as received which may be obtained from information provided by the material supplier. [Rules 62-296.711(3)(a) and 62-297.310(7), F.A.C.]

22. Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of rated capacity listed in Specific Condition No. 14. 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, the actual operating conditions, and information on whether or not the whether the material was treated may invalidate the test. [Rules 62-4.070(3) and 62-297.310(2)(b), F.A.C.]

23. 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(7)(a)9., F.A.C.]

Monitoring, Recordkeeping, and Reporting Requirements

24. The permittee shall perform the following checks and inspect the condition of each of the following equipment on a daily and weekly basis and shall perform any necessary maintenance work in order to keep the equipment in good working order to minimize fugitive particulate matter emissions. [Rule 62-296.700(6)(c)2., F.A.C.]

Daily (when in operation)

Perform daily instantaneous visible emissions checks on each emission unit operated and record the results of the checks.

Weekly

a. Conveyor belts
b. Belt idlers
c. Conveyor covers
d. Chain casings
e. Electric motors
f. Belt drives
g. Transfer points
h. Railcar loading chutes
i. Truck loading enclosures

Quarterly

a. Inspect and test run all conveyor belts
b. Inspect all conveyor belt flashings
c. Verify the correct tracking of the conveyor belts
d. Inspect the belt wipers on each transfer point
e. Inspect the structural enclosures around the transfer points for good condition
f. Inspect the transfer chutes for obstructions

25. Records of the checks and inspections required in Specific Condition No. 24 and records of performance parameters shall be retained for a minimum of five years and shall be made available to the Environmental Protection Commission of Hillsborough County, state, or federal air pollution agency upon request. [Rule 62-296.700(6)(e), F.A.C.]

26. In order to show compliance with Specific Condition Nos. 16, 18, and 19, the permittee shall maintain monthly records of operations for the most recent five year period. The records shall be made available to the Environmental Protection Commission of Hillsborough County, state or federal air pollution agency upon request. The records shall include, but not limited to, the following: [Rules 62-

SPECIFIC CONDITIONS:

296.700(6)(c) and 62-4.070(3) F.A.C.]

a. Month and Year
b. Amount, Group, and Type of each material received (tons)
c. Amount, Group, and Type of each material shipped offsite (tons)
d. Monthly and twelve month rolling summary of particulate matter emissions from material handling. When calculating particulate matter emissions, the emission factors and control efficiencies listed in Specific Condition No. 18 shall be used.
e. Twelve month rolling total of b., c., and d. above
f. Records of significant spills, maintenance activities, and service activities

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

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Richard D. Garrity, Ph.D.
Executive Director