

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Roy W. Dowling, Ph.D., P.E.
Vice President – EH&S
Martin Operating Partnership, LP
10100 Woolworth Road
Keithville, LA 71047

File No.: 0570477-011-AO
County: Hillsborough

Enclosed is Permit Number 0570477-011-AO for the operation of a molten sulfur storage and handling facility, Tampa Terminal, located at 4118 Pendola Point Road, Tampa, FL 33619, issued pursuant to Section 403.087, Florida Statutes. Please read this new permit thoroughly as there are changes from the previous permit.

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 Dr, 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 receipt of this permit. 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 is required to 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 that the petitioner contends requires reversal or modification of the EPC'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 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. 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 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 Statutes, 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

RDG/KRZ/krz

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 Statutes, with the clerk, receipt of which is hereby acknowledged.

Clerk

Date

PERMITTEE:
Martin Operating Partnership, LP
10100 Woolworth Road
Keithville, LA 71047

PERMIT/CERTIFICATION
Permit No.: 0570477-011-AO
County: Hillsborough
Expiration Date: January 9, 2019
Project: Sulfur Storage and Handling Operation

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 of hereof and specifically described as follows:

The Tampa Terminal is a molten sulfur storage and handling facility. Molten sulfur is pumped from vessels via enclosed piping to a heated storage tank (Tank No. 13) with a 16,000 long ton (LT) capacity. The molten sulfur is heated by steam from three natural gas boilers. The facility handles only recovered molten sulfur; however, but the facility is also permitted to handle mined molten sulfur. From its storage tank, the molten sulfur is transferred through enclosed piping to the two loadout stations where it is loaded into tanker trucks. Loading activities utilize an arm that is lowered into the opening at the top of the tanker.

The sulfur particulate matter and gaseous emissions generated due to the storing and handling of the molten sulfur are controlled by restrictions on material throughput. The allowable product throughput is 700,000 long tons per 12 consecutive months. The maximum truck loading rate is 200 LT/hr and the maximum ship unloading rate is 1,430 LT/hr.

Sulfur particulate matter emissions from the tank are also controlled by the use of two collection boxes connected to the exhaust streams. The storage tank is vented through two ducts located on the northern side of the tank. The center vent acts as an emergency vent. The exhaust streams from the main vents are ducted down approximately 25' through 12" diameter high temperature hoses and into aluminum separation (knockout) boxes. The collection boxes measures approximately 2' high X 2' deep X 4' wide. From the boxes, the airstreams moves back up another 12" hose and are exhausted near the top of the tank. As the emissions cool and slow in the ducts and collection boxes, sulfur particulate condenses out and is collected. The bottom of the collection boxes have a slide so collected sulfur particulate can be dropped into a barrel for temporary storage and removal.

The facility also contains 7 other fixed roof storage tanks for various products (i.e. diesel fuel, No. 6 oil, road asphalt, asphalt flux, etc.) and 3 different truck loading racks associated with the tanks. The tanks are identified as follows and the typical product stored is listed:

Tank No.	Diameter (ft)	Volume (gal)	Typical Product Stored
1	110	3,400,000	Road Asphalt
2	150	6,300,000	No. 6 Oil
3	150	3,400,000	Diesel Fuel
4	110	3,400,000	Road Asphalt
5	110	3,400,000	Diesel Fuel
6	110	3,400,000	Asphalt Flux
14	80	1,800,000	No. 6 Oil

The main truck loading station has 4 loading lanes and can handle diesel fuel, No. 6 oil and asphalt. A secondary loading station has two lanes dedicated to diesel loadout. The last station is a single arm dedicated to loadout of the asphalt flux. The storage tank and loadout operations were determined to be exempt from permitting based on Rule 62-210.300(3)(b), F.A.C. However, in order to maintain the exemption for the tanks, the tanks are restricted from handling gasoline or any other product with a vapor pressure greater than 1.5 psia.

There are three natural gas-fired boilers (5.0 MMBtu/hr each, diesel backup) for heating the molten sulfur tank and two natural gas-fired hot oil heaters (7.8 MMBtu/hr each, diesel backup) for circulating hot oil through the asphalt tanks to maintain a minimum temperature in the tanks. The boilers and the hot oil heaters have been categorically exempted from permitting pursuant to Rule 62-210.300(3)(a)34., F.A.C.

The facility is no longer subject to Rules 62-296.411 and 62-212.600, F.A.C. (Sulfur Storage and Handling Facilities) because they have been repealed from the state rules in February 2012. However, the opacity limits of 10% (15% during ship unloading) are still required to be met by the facility pursuant to Chapter 1-3.52(2)(a)(3), Rules of the EPC.

Submittal of an AOR is not required consistent with the other sulfur handling facilities due to relatively low level of emissions from these operations.

Location: 4118 Pendola Point Road, Tampa, FL 33619

UTM: 17-358.934 E 5086.81 N NEDS NO: 0477

EU ID No.: 002 – Molten Sulfur Ship Unloading
003 – Molten Sulfur Truck Loading Station Nos. 1 and 2
004 – Molten Sulfur Tank No. 13

Replaces Permit No.: 0570477-010-AO

PERMITTEE:
Martin Operating Partnership, LP

PERMIT/CERTIFICATION NO.: 0570477-011-AO
PROJECT: Sulfur Storage and Handling Facility

SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]
2. 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.]
3. 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.]
4. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320, F.A.C.]
5. [Reserved.]
6. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provision in Rule 62-296.320, F.A.C. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. [Rule 62-296.320(4)(c)]
 - A) Ceasing of all loadout operations if visible emissions are observed in excess of the opacity limit. Corrective actions to minimize the visible emissions shall be taken prior to restarting the loadout operations.
 - B) Maintain the drop tubes in the bulk truck loading stations in good operational condition.
 - C) Maintenance of roads, parking areas, and yards.
 - D) Removal of particulate matter from roads and other paved areas under control of the owner or operator to mitigate reentrainment and from building or work areas to reduce airborne particulate matter.
7. Visible emissions from any emissions point in the molten sulfur system shall not exceed 10% opacity (six minute average) except during periods of ship unloading when visible emissions from the molten sulfur storage tank shall not exceed 15% opacity (six minute average). [Rules 62-4.070(3), F.A.C. and Chapter 1-3.52(2)(a)(3), Rules of the EPC]

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SPECIFIC CONDITIONS:

8. In order to limit the potential to emit for particulate matter, hydrogen sulfides, and volatile organic compounds from this facility, the maximum throughput of molten sulfur shall not exceed 700,000 LT per any 12 consecutive month period.

[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C. and Permit No. 0570477-007-AC]

9. The hours of operation are not limited (i.e. 8760 hrs/yr). [Rule 62-4.070(3), F.A.C.]

10. The permittee shall implement the necessary recordkeeping, maintenance, and work practices in order to minimize emissions from the molten sulfur system as follows:

[Rule 62-4.070(3), F.A.C.]

- A) All molten sulfur transfer shall be through enclosed piping systems. Contact surfaces between moveable unloading arms and stationary pipes shall seat effectively around the entire circumference to minimize spillage.
- B) All truck loading shall be accomplished through dropped tubes.
- C) All tanks shall be filled using submerged loading.
- D) All areas surrounding points where molten sulfur pipes are routinely disconnected and areas where molten sulfur is transferred to trucks shall be paved and curbed within 20 feet of the point of disconnection or transfer to contain any spilled molten sulfur, or shall be provided with non-corrosive drip pans or other secondary containment, positioned to collect spills, that are adequate to contain amounts of molten sulfur that may escape during routine disconnection, reconnection or operation of the piping system.
- E) All spilled molten sulfur shall be collected and properly disposed of whenever the containment area is filled to one-half its containment capacity, or monthly, whichever is more frequent. Spills of molten sulfur outside of a containment area, or an area subject to vehicular traffic, shall be collected and disposed of as soon as possible, but no later than 24 hours after the spill occurred. Drip pans or other secondary containment shall be cleaned as needed to prevent exceedance of capacity, but at least weekly.
- F) All vent surfaces shall be cleaned monthly to remove captured particles.
- G) Maintain records of spills outside of containment areas and of collection and disposal of spilled sulfur. Such records shall be retained for a minimum of two years and shall be available for inspection by the EPC upon request.
- H) All pressure relief valves on the storage tank shall be maintained and only opened in case of emergency. The primary vents from the tank shall be exhausted through the control system (i.e. collection boxes).
- I) The control systems on the storage tank shall be monitored and maintained to ensure proper operation and integrity of the hoses and collection boxes.

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11. Test at least one ship unloading to the tank and the truck loading operation for visible emissions annually during each federal fiscal year (October 1 - September 30), with a target date of June 18th. This will consist of a reading on the point of highest opacity emanating from the storage tank during filling, and a reading on the point of highest opacity emanating from the truck loading operations. In addition, within 30 days of receipt of mined molten sulfur, test a tank vent for volatile organic compounds (VOC) emissions while being filled from a vessel. Submit two copies of test data to the Air Section of the Environmental Protection Commission of Hillsborough County office within forty-five days of such testing. Testing procedures shall be consistent with the requirements of Rule 62-297, F.A.C. [Rules 62-4.070(3) and 62-297.310, F.A.C.]

12. Compliance with the emission limitations of Specific Condition No. 7 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. The EPA Method 9 observation period shall be at least thirty (30) minutes in duration. The VOC emissions shall be determined using EPA Method 25. Any required PM testing shall be performed using EPA Method 5 and the specifications stated in Rule 62-296.411(1)(j)2, F.A.C. 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. [Rules 62-4.070(3) and 62-297.310, F.A.C.]

13. Testing of emissions shall be conducted with the sources operating at capacity. Capacity is defined as 90-100% of the capacities listed below. Testing of tank loading shall occur while the tank is loaded at its maximum typical loading rate. 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. The filling/transfer rates for each source shall be specified in the test results. Failure to submit the operating rate and actual operating conditions may invalidate the test. This may include the molten sulfur temperature and the origin of the sulfur (mined or recovered). [Rules 62-4.070(3) and 62-297.310(2)(b), F.A.C.]

<u>Source</u>	<u>Operation</u>	<u>Capacity</u>
Tank	Ship Unloading to Tank	1,430 LT/hr
Truck Loading	Sulfur Loadout to Truck	200 LT/hr/station

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14. 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.]

15. In order to demonstrate compliance with Specific Condition Nos. 8 and 10, the permittee shall maintain the following records of operations for the most recent three 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 62-4.070(3) and 62-4.160(14), F.A.C.]

- A) Date (mm/dd/yyyy)
- B) Molten sulfur received and loaded out to trucks (LT)
- C) Monthly total of molten sulfur received and loaded out to trucks (LT/month)
- D) Rolling twelve month total of molten sulfur received and loaded out to trucks (LT/yr)
- E) Documentation of monthly cleaning of the tank vents
- F) Documentation of spilled sulfur and disposal of spilled sulfur
- G) Records of monthly inspection and maintenance procedures performed on the control system on the tank as required by Specific Condition No. 16

16. In order to ensure proper operation of the control systems on the storage tank, the following inspection and maintenance procedures shall be performed at least monthly on the control systems: [Rule 62-4.070(3), F.A.C.]

- A) Visually inspect the control systems to ensure their integrity and proper operation. Specifically note any holes or tears in the collection boxes or duct hoses and observe the immediate area for any accumulated build-up of sulfur particulate.
- B) Perform necessary maintenance to address any problems discovered during inspection.
- C) Tap or shake the duct hoses to ensure that sulfur particulate accumulated on the interior walls of the duct hoses fall to the collection boxes.
- D) Following procedure from B), remove the accumulated sulfur particulate from the interior of the collection boxes as needed.

17. The permittee shall conduct tank inspections for Tank No. 13, and maintain records of all corresponding inspections and maintenance performed on the tank. The interval between inspections of the tank (both internal and external) should be determined by its service history

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unless special reasons indicate that an earlier inspection must be made. The intervals between internal inspections shall be determined by the corrosion rates measured during previous inspections or anticipated based on experience with tanks in similar service. The inspection interval will be governed by the measured or anticipated corrosion rates and the calculations for minimum required thickness of the tank roof in accordance with API-653, Section 4.4.7. A copy of the inspection report(s) for both the external and the internal inspections shall be submitted to EPC within 45 days of the inspection itself.

[Rule 62-4.070(3), F.A.C. and API-653 Sections 6.2.2, 6.4.2.1]

18. 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.]

19. 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(187), 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 62-4.070(3) and 62-210.300, 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.

20. Changes in the method of operation or the material being handled which results in an increase in potential emissions, shall be prohibited unless prior authorization is received by the Environmental Protection Commission of Hillsborough County. This shall include, but not be limited to, factors such as the volume or the distribution of purge air from the storage tank within the normal operating range, or the percent of hydrocarbons in either the mined or a significant increase in the percent of hydrocarbons in either the mined or industrially recovered sulfur.

[Rule 62-4.070(3), F.A.C.]

21. 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.]

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SPECIFIC CONDITIONS:

22. 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.

23. In order to remain exempt from permitting requirements, the non-sulfur bulk storage tanks and loadout stations shall not handle gasoline or any other product with a true vapor pressure greater than 1.5 psia. The permittee shall also ensure that product throughput is limited in order to keep emissions below the permit required thresholds from Rule 62-210.300, F.A.C. [Rules 62-4.070(3), 62-210.300, and 62-296.508, F.A.C.; 40 CFR 60 Subparts K, Ka and Kb]

24. Prior to sixty days before the expiration of this operating permit, the permittee shall apply for a renewal of the permit using the current version of the permit renewal application form. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty days before the expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the EPC or, if there is court review of the final agency action, until a later date is required by Section 120.60, Florida Statutes. [Rule 62-4.090, F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

Richard D. Garrity, Ph.D.
Executive Director