



Florida Department of Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Sent by Electronic Mail – Received Receipt Requested

Mr. Jon Elrod, Manager of Environmental Affairs
Darling Ingredients Inc.
4221 Alexandria Pike
Cold Spring, KY 41076

Re: Exemption from the Requirement to Obtain an Air Construction Permit
Darling Ingredients Inc., Hampton Facility
Project No. 0070004-030-AC
Like-Kind Replacement of a Venturi Scrubber and Two Building Air Scrubbers (EUs 014, 019, 020)

Dear Mr. Elrod,

On November 22, 2017, Darling Ingredients Inc. submitted a request to make a like-kind replacement of a Venturi Scrubber and Two Building Air Scrubbers (EUs 014, 019, 020). The existing Hampton Facility is located in Bradford County at 11313 SE 52nd Avenue in Starke, Florida.

Determination: A complete review of this project is summarized in the attached Technical Evaluation. Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons stated in the Technical Evaluation, the Office of Permitting and Compliance determines that the activity will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified." Therefore, the project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

Permitting Authority: Applications for 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 and 62-212, F.A.C. The Permitting Authority responsible for making a permit determination for this project is the Northeast District Office. The Permitting Authority's physical address is: 8800 Baymeadows Way W., Suite 100, Jacksonville, Florida 32256. The Permitting Authority's mailing address is: 8800 Baymeadows Way W., Suite 100, Jacksonville, Florida 32256. The Permitting Authority's telephone number is 904-256-1657.

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 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 must be filed within 21 days of receipt of this exemption from air permitting requirements. 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

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

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 state; (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.

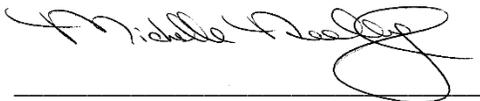
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this permitting action. Persons whose substantial interests will be affected by any such 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 in this proceeding.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure 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 30 days after this order is filed with the clerk of the Department.

Executed in Jacksonville, Florida



Michelle Neeley
Environmental Permitting Manager

MN/pr

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Air Permit Exemption was sent by electronic mail, or a link to this document made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following person.

Mr. Tim Garris, Regional Vice President, Responsible Official, Darling Ingredients Inc.,

TGarris@DarPro.com

Mr. Jon Elrod, Manager of Environmental Affairs, Application Contact, Darling Ingredients Inc.,

jelrod@darlingii.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.



November 29, 2017

Clerk

Date

CONDITIONS OF EXEMPTION

Subject to the following provisions and restrictions, the Darling Ingredients Inc. is authorized to make like-kind replacements to a venturi scrubber and two building air scrubbers associated with emission units (EUs) 014, 019, 020 in accordance with the following conditions.

1. Within 60 days after completing any scrubber replacement, the facility shall conduct a VOC emissions test from EUs 014, 019, and 020. The VOC emissions test is necessary to re-establish the VOC emission factors that apply from the three EUs 014, 019, 020 and to establish whether VOC emissions have increased from EUs 014, 019, or 020 as a result of the like-kind replacements.
2. The air flow rate and scrubbant flow rate of each scrubber shall be recorded as part of the VOC emissions test. Recording of the air flow rate and scrubbant flow rate are for the purpose of verifying each replacement scrubber satisfies the like-kind replacement exemption of Rule 62-4.040, F.A.C. by not materially changing the design characteristic compared with the existing scrubber control.
3. The facility is to provide the Department a minimum of 15-days written notification prior to each required VOC emissions test.