Environmental Protection and Growth Management Department
POLLUTION PREVENTION, DIVISION – AIR QUALITY PROGRAM
One North University Drive, Suite 203, Plantation, Florida 33324
954-519-1260 • FAX 954-519-1495

July 31, 2015

Mr. Michael Miller, Operations Manager
Buckeye Terminals, LLC
848 McCloskey Blvd
Tampa, Florida 333605

Via Electronic Mail
E-mail receipt requested

Re: Project No. 0110061-022-AC
Buckeye Terminals, LLC
Air Construction Permit
Bulk Petroleum Terminal

Dear Mr. Miller:

On May 26, 2015, Buckeye Terminals, LLC submitted an application for a construction permit to replace the two vapor recovery units (VRUs) at the truck loading rack with one VRU at the Fort Lauderdale Terminal. Based on the limited scope of the project, there are no changes in applicable rule requirements. Attached are the following documents for your review:

- The Written Notice of Intent to Issue Air Permit,
- The Draft Permit and;
- The Public Notice of Intent to Issue Air Permit.

The Public Notice of Intent to Issue Air Permit is the actual notice that must be published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the project engineer, Ms. Olga M. Ibarra, P.E., at 954-519-1275.

Sincerely,

Robert C. Wong
2015.07.31 13:38:56 -04'00'

Robert C. Wong
Environmental Licensing Manager
Pollution Prevention Division

Broward County Board of County Commissioners
Mark Bogen • Dale V.C. Holness • Beam Furr • Chip LaMarca • Martin David Kiar• Stacy Ritter • Tim Ryan • Barbara Sharief • Lois Wexler

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

In the Matter of an
Application for Air Permit by:

Mr. Michael Miller, Operations Manager
Buckeye Terminals, LLC
848 McCloskey Blvd
Tampa, Florida 33365

Project No: 0110061-022-AC
Air Construction Permit
Broward County, Florida

Authorized Representative:
Mr. Michael Miller, Operations Manager

Facility: Buckeye Terminals, LLC

Location: 1501 S.E. 20th Street, Fort Lauderdale, Florida.

Project: To obtain a construction permit to replace the two vapor recovery units (VRUs) at the truck loading rack with one VRU at the Fort Lauderdale Terminal. The applicable rule requirements remain unchanged.

Additional details of the project are provided in the application.

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 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Pollution Prevention Division (PPD). The PPD's physical and mailing address is: One North University Drive, Suite 203, Plantation, Florida 33324 and telephone number is 954-519-1260.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 4:00 p.m., Monday through Friday (except legal holidays), at the PPD's address indicated above. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the PPD's project engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The PPD gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The PPD will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the PPD at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the PPD at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The PPD will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (4:00 p.m.) on or before the end of the 14-day period. If written comments received result in

a significant change to the Draft Permit, the PPD shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 Office of the Broward County Attorney at 115 S. Andrews Avenue, Room: 423, Fort Lauderdale, Florida 33301-1872 (Telephone: 954/357-7600, Fax: 954/357-7641). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the PPD for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.
A petition that disputes the material facts on which the PPD'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, any email address, and telephone number and any facsimile 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 PPD'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 PPD's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the PPD 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.

Executed in Broward County, Florida.

Robert C. Wong
2015.07.31 13:39:23 -04'00'

Robert C. Wong
Environmental Licensing Manager
Pollution Prevention Division

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, and the Draft Permit) was sent by electronic mail before the close of business on the date shown on the electronic signature to the persons listed below.

Mr. Michael Miller, Buckeye Terminals, LLC, mmiller@buckeye.com

Mr. Radford Murphy, Buckeye Terminals, LLC, rmurphy@buckeye.com

Mr. Lee Hoefert, P.E., SFDEP, Air Section, lee.hoefert@dep.state.fl.us

Mr. Robert Baker, P.E., Baker Environmental Engineering, Inc., baker@atlantic.net

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)