

Environmental Protection and Growth Management Department
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION
Mailing Address: 115 South Andrews Avenue, Room A-240, Fort Lauderdale, Florida 33301
954-519-1260 • FAX 954-519-1495

NOTICE OF PERMIT

Ms. Jan M. Barnes
Assistant Director, HS&E
Transflo Terminal Services, Inc. (TTSI)
6735 Southpoint Drive; J975
Jacksonville, Fl 32216

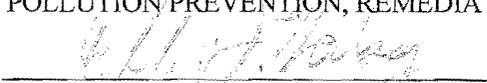
VIA FEDEX

Dear Ms. Barnes:

Enclosed is operation permit Number 0112074-007-AO to operate an air pollution source issued pursuant to Section 403.087 of the Florida Statutes, Broward County's Specific Operating Agreement with the Florida Department of Environmental Protection, and Broward County Code Chapter 27 Article IV which adopts Florida Administrative Code (FAC) 62-4, 62-296 and 62-297.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 62-103 and 28-5.201, FAC, and must be filed (received) in the Pollution Prevention, Remediation and Air Quality Division (PPRAQ), 115 South Andrews Avenue, Room A-240, Fort Lauderdale, Florida 33301 within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes and Chapter 27. This permit is final and effective on the date filed with the Clerk of the PPRAQ unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, FAC. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the PPRAQ. When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order 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 Pollution Prevention, Remediation and Air Quality Division, 115 South Andrews Avenue, Room: A-240, Fort Lauderdale, FL 33301; 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 the Final Order is filed with the Clerk of the Department.

Executed in Broward County, Florida
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION



Jeffery Halsey, Director

cc: District Air Program Administrator, DEP Southeast District Office (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



Date

Environmental Protection and Growth Management Department
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION
Mailing Address: 115 South Andrews Avenue, Room A-240, Fort Lauderdale, Florida 33301
954-519-1260 • FAX 954-519-1495

NOTICE OF AIR POLLUTION PERMIT

ISSUED TO:

PERMITTEE:

Ms. Jan M. Barnes
Assistant Director, HS&E
Transflo Terminal Services, Inc. (TTSI)
6735 Southpoint Drive; J975
Jacksonville, FL 32216

AIRS ID NO: 0112074

Permit Number: 0112074-007-AO

Issue Date: January 5, 2009

Expiration Date: December 2, 2013

County: Broward

Project: Transflo Terminal Services Air Operation Permit.

Lat/Long: 26° 06'30"N/80° 10'00"W

UTM: 17; 583.0Km. E; 2888.7 Km. N

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) Florida Administrative Code (F.A.C.) Rules 62-4 and 62-204 through 62-297 (permitting requirements) and Broward County Code, Chapter 27 (emission limitations) and in conformance with all existing regulations of the Florida Department of Environmental Protection (DEP). 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 Pollution Prevention, Remediation and Air Quality Division (PPRAQ) and made a part hereof and specifically described as follows:

Operate: An air pollution source consisting of bulk solids and liquids transfer operation. Bulk solids are transported from rail cars to a bulk elevator via a screw conveyor and then to tanker trucks. No permanent storage tanks or silos are authorized by this permit. Bulk liquids are transferred from rail cars to tanker trucks and vice versa.

EU #004: Bulk liquids transfer operation. This operation includes the transfer of bulk liquids between rail cars and trucks. A vapor balance system with submerged filling is used for materials with a vapor pressure of at least 0.9 psia as measured at 78° F. Examples of bulk materials transferred at this facility include, but are not limited to, gasoline, ethanol, diesel fuel, pentane, ethylene glycol, petroleum naphtha, animal tallow, petroleum oils, envirodiesel, and fuel additives.

EU #005: Bulk solids transfer operation. This emission unit includes six transfer units with baghouses that do not exceed a design flow of 2000 dscfm, and six transfer units with baghouses that do not exceed a design flow of 1000 dscfm, to control particulate matter emissions. Examples of bulk solids handled in the facility are: Portland cement, rice, plastic pellets, lime and limestone among others.

In accordance with: Application to construct Air Pollution Sources received February 8, 2008, additional information received March 10, 2008, Notice of Intent to Issue Permit issued on March 2008, and Public Notice of Intent published on April 4, 2008 in the Sun-Sentinel Newspaper, application to obtain the operation permit received December 1, 2008 (none are attached).

Location: 890 S.W. 21st Terrace, Ft. Lauderdale, Broward County, Florida.

To serve: A Bulk Transfer Operation (SIC #4789).

Subject to: General Conditions 1-16, Facility-Wide Conditions 17-22 and Specific Conditions 23-30.

GENERAL CONDITIONS:

1. Terms of Permit. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are “permit conditions” and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The Permittee is placed on notice that the PPRAQ will review this permit periodically and may initiate enforcement action for any violation of these conditions.
[Rule 62-4.160 (1), F.A.C.]
2. Permit Validity. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the PPRAQ.
[Rules 62-4.160 (2), F.A.C.]
3. Disclaimer. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other permit that may be required for other aspects of the total project which are not addressed in this permit.
[Rules 62-4.160 (3), F.A.C.]
4. Disclaimer. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interest have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
[Rules 62-4.160 (4), F.A.C.]
5. Liability. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the Permittee to cause pollution in contravention of Florida Statutes and DEP rule, unless specifically authorized by an order from the PPRAQ.
[Rules 62-4.160 (5), F.A.C.]
6. Operation and Maintenance. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by county and state rules. This provision included the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by PPRAQ and DEP rules.
[Rules 62-4.160 (6), F.A.C.]
7. Onsite Inspection Activities. The Permittee, by accepting this permit, specifically agrees to allow authorized PPRAQ personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (depending on the nature of the concern being investigated), access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or PPRAQ and DEP rules.
[Rules 62-4.160 (7), F.A.C.]

8. Notice of Noncompliance. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide PPRAQ with the following information:
 - (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times, or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to educe, eliminate, and prevent recurrence of the noncompliance. The Permittee shall be responsible for any enforcement action by PPRAQ for penalties or for revocation of this permit.
[Rules 62-4.160 (8), F.A.C.]

9. Reporting Noncompliance. The Permittee shall report any periods of noncompliance to the PPRAQ immediately by phone at 954-519-1499 or by Email at EPDHOTLINE@broward.org. This also applies when the period of noncompliance is first determined after normal business hours or on weekends and holidays.
[Rules 62-4.130 and 62-4.070(3), F.A.C.]

10. Evidence Materials. By accepting this permit, the Permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted facility or activity, that are submitted to the PPRAQ as evidence in any enforcement proceeding arising under the Florida Statutes or F.A.C. rules, except where such use is prohibited by Section 403.111 and 403.73, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
[Rules 62-4.160 (9), F.A.C.]

11. Rule Changes. The Permittee agrees to comply with changes in Florida Department of Environmental Protection rules and Florida Statutes after a reasonable time for compliance; provided, however, the Permittee does not waive any other rights granted by Florida Statutes or DEP rules.
[Rules 62-4.160 (10), F.A.C.]

12. Permit Transfer. This permit is transferable only upon PPRAQ approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The Permittee shall be liable for any non-compliance of the permitted activity until the transfer approved by the PPRAQ.
[Rules 62-4.160 (11), F.A.C.]

13. Work Site Copy. This permit or a copy thereof shall be kept at the work site of the permitted activity.
[Rules 62-4.160 (12), F.A.C.]

14. Miscellaneous Compliance Requirements. The Permittee shall comply with the following:
 - (a) Upon request, the Permittee shall furnish all records and plans required under DEP rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the PPRAQ.
 - (b) The Permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recording for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by PPRAQ rule.

(c) Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The person responsible for performing the sampling or measurements;
3. The dates analyses were performed.
4. The person responsible for performing the analyses;
5. The analytical techniques or methods used;
6. The results of such analyses.

[Rules 62-4.160 (14), F.A.C.]

15. Information Submittal. When requested by the PPRAQ, the Permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the PPRAQ, such facts or information shall be corrected promptly.

[Rules 62-4.160 (15), F.A.C.]

16. Rules Adoption. Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, as amended, are adopted by Broward County Code, Sec. 27-173.

[Broward County Code, Sec. 27-173]

FACILITY - WIDE CONDITIONS:

17. Objectionable Odor. 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.]

18. VOC or Organic Solvents Emissions. The owner or operator shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the PPRAQ. The following requirements are deemed necessary by PPRAQ:

- (a) Tightly covering or closing all VOC containers when they are not in use.
- (b) Tightly covering, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use.
- (c) Immediately confining and cleaning up VOC spills and ensuring that discarded hazardous materials are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1) (a), F.A.C.]

19. Unconfined Emissions of Particulate Matter. The permittee shall take the reasonable precautions to control emissions of fugitive particulate matter. Reasonable precautions may include but shall not be limited to the following:

- a) Paving and maintenance of roads, parking areas and yards;
- b) Application of water to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing;
- c) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent reentrainment, and from buildings or work areas to prevent particulate matter from becoming airborne;
- d) Landscaping or planting of vegetation
- e) Use of hoods, fans, filters and similar equipment to contain, capture and/or vent particulate matter;

f) Enclosure or covering of conveyor systems
[Rule 62-296.320(4) (c) F.A.C.; Broward County Code Section 27-177(b)]

20. Concealment. No person shall build, erect, install, or use any article, machine, equipment or other contrivance, the use of which will conceal any emission which would otherwise constitute a violation of any provisions of Broward County Code.
[Broward County Code, Sec. 27-175(b)]
21. Circumvention. No person shall circumvent any air pollution device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Broward County Code, Sec. 27-175(c)]
22. Maintenance. No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with Broward County Code.
[Broward County Code, Sec. 27-175(d)]

SPECIFIC CONDITIONS

Emission Limiting Standards

23. Maximum Throughput for Portland Cement and Bulk Solid Materials. The maximum throughput for Portland Cement shall not exceed 100,000 tons in any consecutive twelve- month period and for other bulk solid materials shall not exceed 400,000 tons in any consecutive twelve- month period.
[Air Construction Permit 0112074-002-AC; Rule 62-4.070(3) F.A.C.]
24. Maximum Throughput for Heavy Liquids (non-HAP) and Light Liquids (HAP). The maximum throughput for heavy liquids (non-HAP) and light liquids (HAP) of various vapor pressures shall not exceed 177,550,000 gallons in any consecutive twelve- month period. Also, vapor balance controls will be used for the transfer of liquids with a vapor pressure (measured at 78 degrees Fahrenheit) of at least 0.9 psia.
[Air Construction Permit 0112074-006-AC; Rule 62-4.070(3) F.A.C.]
25. Facility Wide VOC, Total HAP and Individual HAP Emissions. In order to avoid major source (Title V) applicable standards, the volatile organic compounds (VOC) emissions shall be less than 100 tons in any consecutive twelve - month period, the individual hazardous air pollutants (HAP) emissions shall be less than 10 tons in any consecutive twelve - month period and the total HAP emissions shall be less than 25 tons in any consecutive twelve- month period.
[Rule 62-4.070(3) F.A.C., Rule 62-213.4220(3)(c) 1]

Compliance Testing Requirements

26. Leakage Detection Testing: The Permittee will employ a combination of odor detection and visual recognition by the employees to detect any leaking components during liquid transfer. Valves and flanges will be visually inspected daily before the liquid transfer operation begins and an olfactory sniff test shall be performed during operation. If leakage is detected, the transfer operation shall cease until the leaking component is either repaired or replaced. Records of maintenance including repairs and parts replacement shall be kept on site and shall be available for inspection at all times.
[Air Construction Permits 0112074-002-AC and 0112074-006-AC Rule 62-297.310(7) (b), F.A.C.; Rule 62-4.070(3), F.A.C.]

27. Special Compliance Test. When the PPRAQ, after investigation, has good reason to believe (such as complaints, increased visible emissions or questionable maintenance of control equipment) that any applicable emission standard in F.A.C. Rules 62-204 through 62-297 or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the PPRAQ.
[62-297.310(7) (b), F.A.C]

Recordkeeping Requirement

28. Recordkeeping. The permittee shall maintain records of bulk solid and liquid material throughputs including vapor pressure of liquid materials, to demonstrate compliance with Specific Conditions #23 through #25. A monthly log shall be kept at the facility for this purpose and shall be made available to PPRAQ staff upon request. The log shall be completed by the end of the following month and retained on file at the facility for five years. The monthly log shall contain the following:
- a) Month of record.
 - b) Consecutive 12-month total of:
 - i) Total bulk solids throughput
 - ii) Total liquid throughput
 - iii) VOC emissions
 - iv) Total HAP emissions
 - v) Individual HAP emissions

The emission estimates shall be prepared based on AP-42 Section 5.2, version June 2008 or later; or an alternative method using generally accepted engineering technique. Supporting documentation e.g. material throughput rates, chemical usage tracking logs, MSDS, purchase orders, EPA VOC Data Sheets "As Supplied" and other available documentation shall be kept for each material and associated products. It shall include sufficient information to determine usage rates and VOC and HAP emissions. For mass balance approach, documentation of each material reclaimed will contain enough information to determine net usage (e.g. amount used minus amount collected for disposal or recycle). The permittee shall submit to PPRAQ for review if any change in emission estimates method of calculation occurs.
[62-4.070(3) F.A.C]

Reporting Requirement

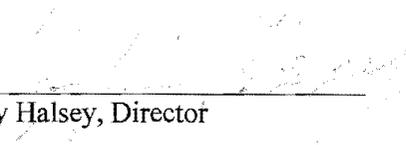
29. Annual Operating Report (AOR). The AOR shall be submitted to the PPRAQ by April 1 of the following year, except that the annual operating report for the year 2008 shall be submitted by May 1, 2009. If the report is submitted using FDEP's electronic annual operating report software (EAOR), there is no requirement to submit a copy to PPRAQ.
[Rule 62-210.370(3), F.A.C.]
{Permitting Note. Information on the EAOR submittal is available at
<http://www.dep.state.fl.us/air/eproducts/eaor/default.htm>}

Renewal Requirements

30. Operating Permit Renewal. Sixty days before the expiration date of this operation permit, the Permittee shall apply for a renewal of permit using the forms incorporated by reference in the specific rule chapter for this type of permit.
[F.A.C. Rule 62-090. (1)]

{Permitting Note}: The Permittee may also elect to submit the application electronically using the Electronic Permit Submittal and Processing system (EPSAP) via the <http://www.dep.state.fl.us/air/software.htm> website, along with the processing fee established in Rule 62-4.050(4), F.A.C. , [62-4.090(1) and 62-4.050(4), F.A.C.]

Executed in Broward County, Florida
Pollution Prevention, Remediation and
Air Quality Division



Jeffery Halsey, Director