



Permitting and Compliance Authority

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

Applicant

Todd Cannon
Vice President
Vecenergy
101 Sansbury Way
West Palm Beach, FL 33411

Re: Air Construction Permit Revision
DRAFT Permit Project No.: 0112688-004-AC
Vecenergy Logistics Port Everglades Terminal

Dear Mr. Cannon:

On April 20, 2010, you submitted a revised application for an air construction permit to modify an existing Bulk Petroleum Products and Denatured Ethanol Terminal which is located at 1300 SE 32nd Street, Dania Beach, Florida 33316. The purpose of the project is to revise existing permit No. 0112688-003-AC to increase the truck loading rack annual throughput for jet fuel, to allow for the construction of two additional loading lanes at the truck loading rack, and to construct storage tank No. 213.

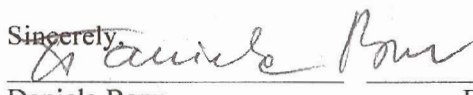
Enclosed are the following documents:

- *The Written Notice of Intent to Issue Air Permit* provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the draft permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- *The Public Notice of Intent to Issue Air Permit (PNOI)* is the actual notice that you must have published (once) in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The PNOI must be published as soon as possible and the proof of publication must be provided to the department at the above letterhead address within seven days of the date of publication.
- *The draft permit*, which include the specific permit conditions that regulate the emissions units covered by the proposed project.

If you have any questions, please contact the Project Engineer, Seree Jairam, P.E., by mail at the above letterhead address, by telephone at 954-519-1248, or by email at sjairam@broward.org.

SJ
Enclosures

Sincerely,

 8/3/2010

Daniela Banu

Date

Air Quality Administrator

Broward County Pollution Prevention, Remediation and Air Quality Division

Broward County Board of County Commissioners

Sue Gunzburger • Kristin D. Jacobs • Albert C. Jones • Ken Keech • Ilene Lieberman • Stacy Ritter • John E. Rodstrom, Jr. • Lois Wexler
www.broward.org

WRITTEN NOTICE OF INTENT TO ISSUE FEDERALLY ENFORCEABLE STATE OPERATION PERMIT

*In the Matter of an
Application for Air Permit by:*
Vecenergy
101 Sansbury Way
West Palm Beach, FL 33411
Authorized Representative:
Todd Cannon

Air Permit No. 0112688-004-AC
Source. Vecenergy Logistics Port
Everglades Terminal
Broward County, Florida
Project. Air Construction Permit

Facility Location: Vecenergy operates Vecenergy Logistics Port Everglades Terminal, which is located at 1300 SE 32nd Street, Dania Beach, Florida 33316.

Project: The purpose of the project is to revise existing permit No. 0112688-003-AC to increase the truck loading rack annual throughput for jet fuel, to allow for the construction of two additional loading lanes at the truck loading rack, and to construct storage tank No. 213.

Permitting Authority: Applications for construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4 and 62-204 through 62-297 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 PPRAQD is the Permitting Authority responsible for making a permit determination for this project. The PPRAQD's physical address is: 1 North University Drive, Room 2300A, Plantation, FL 33325. The PPRAQD's mailing address is: Broward County Environmental Protection and Growth Management Department Pollution Prevention, Remediation and Air Quality Division – Air Quality Program, One North University Drive, Suite 203, Plantation, Florida 33324. The PPRAQD's 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 address indicated above for the PPRAQD. 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 PPRAQD's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The PPRAQD 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 PPRAQD 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 PPRAQD 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 PPRAQD 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 PPRAQD 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 PPRAQD by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the PPRAQD 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) in the Office of Jeffrey J. Newton, Broward County Attorney at 115 South Andrews Avenue, Suite 423, Fort Lauderdale, Florida 33301-1872. Petitions filed

WRITTEN NOTICE OF INTENT TO ISSUE FEDERALLY ENFORCEABLE STATE OPERATION PERMIT

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 PPRAQD 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 PPRAQD's action is based must contain the following information:

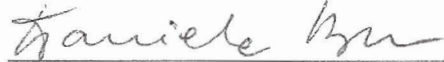
- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes 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 PPRAQD'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 PPRAQD'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 PPRAQD 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 Plantation, Florida.



Daniela Banu, Air Quality Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Intent to Issue Air Permit package (including the Public Notice and the Draft Permit) was sent by mail with received receipt requested before the close of business on _____ to the persons listed below.

Todd Cannon, Vice President

Kenneth E. Given, P.E.

Richard Vogel, Manager, Environmental & Regulatory Affairs

Paul R Crissman, Terminal Manager

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)