REGULATORY COMPLIANCE DEPARTMENT

Jacksonville
Where Florida Begins.

# NOTICE OF PERMIT AMENDMENT

**9171 9690 0935 0087 0477 04**
**CERTIFIED - RETURN RECEIPT**

Mr. Brian Ward, President
TRANSFLO Terminal Services, Inc.
500 Water Street, J975
Jacksonville, FL 32202

**Re: Duval County - Air Pollution**
**TRANSFLO Terminal Services, Inc.**
**Bulk Material Transfer**
**Permit No. 0310325-015-AC**
**Project No. 0310325-019-AC**
**Time Extension**

Dear Mr. Ward:

The City of Jacksonville, Regulatory Compliance Department, Environmental Quality Division (Permitting Authority), hereby amends the referenced permit as follows:

**Operation Permit Application Due Date**

**From:** **January 1, 2016**

**To:** **December 31, 2016**

**Expiration Date**

**From:** **April 1, 2016**

**To:** **March 31, 2017**

The expiration date for this permit is being extended due to delays in obtaining additional business at the above referenced facility.

The Permitting Authority amends the referenced permit as authorized by Florida Administrative Code (FAC), Rule 62-4.080, and Section 403.061(14), Florida Statutes (FS). This Notice of Permit Amendment does not modify any other conditions in the referenced permit. All permit conditions are in effect and fully enforceable. Please attach this Notice of Permit Amendment to your copy of the permit.

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, FS. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, City of Jacksonville, 117 West Duval Street, Suite 480, Jacksonville, FL 32202. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), FS, must be filed within fourteen days of receipt of this notice. Under Section 120.60(3), FS, however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen days of receipt of that notice. 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, FS, 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 Florida Administrative Code (FAC).

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 the petitioner received notice of the agency decision;
d. A statement of all disputed issues of material facts. 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 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 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, FAC.

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 notice. 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 is not available in this proceeding.

This permit is final and effective on the date filed with the Clerk of the Department 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. 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 Department.

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, FS, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, City of Jacksonville, 117 West Duval Street, Suite 480, Jacksonville, FL 32202, and with the Clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, FL 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

City of Jacksonville
Regulatory Compliance Department
Environmental Quality Division

Robert Steven Pace, P.E., Manager
Air Quality Branch

RSP/HDS

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT AMENDMENT was mailed before the close of business on 11-19-15 to the listed person:

**Mr. Brian Ward, President**
**TRANSFLO Terminal Services, Inc.**

In addition, undersigned duly designated deputy agency clerk hereby certifies that notification of access to this PERMIT AMENDMENT was sent by E-mail to the person(s) listed:

**Ms. Becky Heilman, Manager – HSE&Q, TRANSFLO Terminal Services, Inc. (bheilman@transflo.net)**
**Mr. Mitchell Jay Hait, Ph.D, P.E., Mitchell Jay Hait, Ph.D, P.E., Inc. (haitinc.@gmai.com)**
**Mr. Richard Rachal, Program Administrator, FDEP, Northeast District (Richard.Rachal@dep.state.fl.us)**
**Ms. Julie Hudson, Environmental Manager, FDEP, Northeast District (Julie.Hudson@dep.state.fl.us)**
**Mr. Wayne Walker, EQD (WLW@coj.net)**
**Mr. Jeffrey Cowart, EQD (jcowart@coj.net)**
**Ms. Lori Tilley, EQD (TILLEY@coj.net)**

## FILING AND ACKNOWLEDGEMENT

**FILED**, on this date, pursuant to S.120.52 (7), FS, with the duly designated agency clerk, receipt of which is hereby acknowledged.

Clerk

11-19-15
Date

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