

COMMISSION

Kevin Beckner	Lesley "Les" Miller, Jr.
Victor D. Crist	Sandra L. Murman
Ken Hagan	Stacy White
Al Higginbotham	



EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

DIVISION DIRECTORS

Legal & Admin.	Richard Tschantz, Esq.
Air Management	Jerry Campbell, P.E.
Waste Management	Hooshang Boostani, P.E.
Water Management	Sam Elrabi, P.E.
Wetlands Management	Scott Emery, Ph.D.

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

Rodney Palmer
Director of Operation
Kinder Morgan
5321 Hartford Street
Tampa, FL 33619

File No.: 0570024-030-AC
County: Hillsborough

INTENT TO ISSUE

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP) gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Kinder Morgan OLP "C", applied on April 17, 2015 to the EPC for a construction permit to transfer sulfate of potash-magnesium (KMAG) to Warehouse No.1 (EU 100) through a new pathway. KMAG is one of the materials that is authorized to be stored and transferred at the facility and is classified under Group I as a Dusty Fertilizer. Also, per KM's request, the new pathway will be used not only for the handling of KMAG material, but also for the entire material handling list of permitted materials under the existing Title V permit. PM emission controls for this new pathway operation will consist of enclosures, dust suppressants in the form of pre-oiled material, and best management practices (BMPs).

The EPC has permitting jurisdiction under Chapter 403 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-210. The project is not exempt from permitting procedures. The EPC has determined that an air pollution construction permit is required to commence or continue operations at the described facility.

The EPC intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 and 62-4. Pursuant to Section 403.815 and 403.0872, F.S. and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to

publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the EPC at the address or telephone number listed below. **The applicant shall provide proof of publication to the EPC, Air Permitting Section, at 3629 Queen Palm Drive, Tampa, Florida 33619 (Phone 813-627-2600 - FAX 813-627-2660) within 7 (seven) days of publication.** Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

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, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Drive, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) 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 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 EPC'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 and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;
- (c) A statement of how and when the petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. 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 EPC's proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC'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 EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner,
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any,
- (c) Each rule or portion of a rule from which a variance or waiver is requested,
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above,
- (e) The type of action requested,
- (f) The specific facts that would justify a variance or waiver for the petitioner,
- (g) The reason by the variance or waiver would serve the purposes of the underlying statute (implemented by the rule), and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the

application of the rule would create a substantial hardship or violate principles of fairness, as each of the those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY



Richard D. Garrity, Ph.D.
Executive Director

cc: David Cibik, P.E. - ARCADIS (david.cibik@arcadis-us.com)

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
NOTICE OF INTENT TO ISSUE PERMIT

The Environmental Protection Commission of Hillsborough County (EPC), as delegated by the Florida Department of Environmental Protection (DEP), gives notice of its intent to issue an air pollution Permit No. 0570024-030-AC to Kinder Morgan OLP "C" (KM), Tampaplex Terminal. The applicant, applied on April 17, 2015 to the EPC to conduct material transfer operations to Warehouse No.1 through a new pathway involving a railcar unloading station and covered conveyors. PM emission controls for this new pathway operation will consist of enclosures, dust suppressants in the form of pre-oiled material, and best management practices (BMPs). The KM Tampaplex Terminal, which is Title V source, is located at 4801 Port Sutton Road, Tampa, FL 33619.

A Best Available Control Technology (BACT) determination was not required.

The EPC will issue the Final permit with the conditions of the DRAFT permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for hearing are set forth below.

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, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Drive, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) 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 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 F.A.C.

A petition that disputes the material facts on which the EPC'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, and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. 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 EPC proposed action;

(f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the EPC's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the EPC on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition this order will not be effective until further order of the EPC.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Drive, Tampa, Florida 33619 and 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 thirty days after this order is filed with the clerk of the Department.

The complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Environmental Protection Commission of Hillsborough County, 3629 Queen Palm Drive, Tampa, Florida 33619. The complete project file includes the proposed Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Diana M. Lee, P.E., at the above address, or call 813-627-2600, for additional information. Any written comments filed shall be available for public inspection. If written comments received result in a significant change in the proposed agency action, the EPC shall revise the proposed permit and require, if applicable, another Public Notice.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

FOR

Kinder Morgan OLP "C"

Tampaplex Terminal

Hillsborough County

Construction Permit

Application Numbers

0570024-030-AC

Environmental Protection Commission of

Hillsborough County

Tampa, FL

May 15, 2015

I. Project Description

A. Applicant:

Rodney Palmer
Director of Operation
Kinder Morgan
5321 Hartford Street
Tampa, FL 33619

B. Engineer:

David Cibik, P.E.
P.E. No.: 55467
ARCADIS
14025 Riveredge Drive, Suite 600
Tampa, FL 33637

C. Project and Location:

Kinder Morgan (KM) is proposing to transfer sulfate of potash-magnesium (KMAG) to Warehouse No.1 (EU 100) through a new pathway. KMAG is one of materials that is authorized to be stored and transferred at the facility and is classified under Group I as a Dusty Fertilizer. Also, KM requested that the new pathway be used for all the permitted materials under the existing Title V permit.

The project has been assigned the following Source Classification Codes No. 3-05-105-97 for Bulk Material Loading Operations for Fertilizers. The facility has been assigned SIC Industry No. 51 – Wholesale Trade, Non Durable Goods. The project is located at 4801 Port Sutton Road, Tampa, FL 33619. UTM Coordinates of the location are 17- 360.10E and 3087.50N.

D. Process and Controls:

The new pathway for handling KMAG will be as follows; KMAG will be unloaded from the Railcar Unloading Station (new EU 137) and transferred to Conveyor C-101 (new EU 138), which will convey the KMAG material onto Conveyor C-102 (new EU 139). Then, Conveyor C-102 will convey the KMAG material onto Conveyor C-4 (new EU 140) and into the Warehouse No.1 (existing EU 100). From the warehouse, the material will ultimately be transferred offsite via Conveyors C-11 (existing Warehouse No. 1) or C-94 (existing Warehouse No. 2).

The existing Title V Permit No. 0570024-024-AV has no restrictions on each of the permitted Group of Materials that the facility can handle and store. However, the facility shall ensure that the combined material handled will not exceed the PM PTE emission limit of 129.2 TPY.

PM emission controls for this new pathway operation will consist of enclosures, dust suppressants in the form of pre-oiled material, and best management practices (BMPs). Additionally all conveyors will be equipped with 180 degree covers or be fully enclosed inside the buildings.

This project is subject to Rule 62-296.711, F.A.C. Materials Handling, Sizing, Screening, Crushing and Grinding Operations and Chapter 1-3.52, Rules of the EPC, which limit the visible emissions to a 5% opacity standard. The facility-wide PM PTE is 248.3 TPY, in which the total potential PM Emissions for all of the emission units associated with the Stevedoring operation shall not exceed 129.2 tons/year.

E. Application Information:

Application Received: April 17, 2015

Information Requested: N/A

Application Complete: April 17, 2015

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes, Chapters, 62-204, 62-210, 62-212, 62-296, and 62-297, Florida Administrative Code (F.A.C.) and Chapter 1-3 of the Rules of the Environmental Protection Commission of Hillsborough County.

This project is subject to the requirements of Rule 62-212.300, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C., since the project is not exempt from the permit requirements in Rule 62-210.300, F.A.C.

This project is not subject to the requirements of Rule 62-212.400, Prevention of Significant Deterioration, F.A.C. or Rule 62-212.500, New Source Review for Nonattainment Areas, F.A.C., since the project does not result in a major modification.

This project is subject to the requirements of Rule 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C., since the facility is a Title V source by state definition.

This project is subject to the requirements of Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C., since the facility is a source of particulate matter.

This project is not subject to the requirements of Rule 62-296.401 through 62-296.480, Specific Emission Limiting and Performance Standards, F.A.C., since there is not an applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.500, Volatile Organic Compounds and Nitrogen Oxide Reasonably Available Control Technology, F.A.C., since there is no applicable source specific category in this rule.

This project is not subject to the requirements of Rule 62-296.600, Lead Reasonably Available Control Technology, F.A.C., since there is no applicable source specific category in this rule.

The project is subject to the requirements of Rule 62-296.700, Particulate Matter Reasonably Available Control Technology, F.A.C., specifically Rule 62-296.711, F.A.C. Materials Handling, Sizing, Screening, Crushing and Grinding Operations since the facility is located in a particulate matter air quality maintenance area and the facility total maximum allowable emissions of PM are greater than 15 TPY and lbs/hr.

This project is not subject to the requirements of Rule 62-204.800 Standards of Performance for New Stationary Sources, Federal Regulations Adopted by Reference, F.A.C., since there is no applicable source specific category in this rule.

This project is subject to the requirements of Chapter 84-446, Laws of Florida and Chapter 1-3, Rules of the Environmental Protection Commission of Hillsborough County.

III. Summary of Emissions

Emission Unit (EU) No.	EU Description	PTE PM Emission (TPY)	Allowable Emissions
EU 137 (new)	Railcar Unloading Station	5.9	5% opacity
EU 138 (new)	Railcar Unloading to C-101	5.9	5% opacity
EU 139 (new)	C-101 to C-102	5.9	5% opacity
EU 140 (new)	C-102 to C-4	5.9	5% opacity

- PTE PM Emissions for EU 137 thru EU 140 are based on the assumption of that all Group of materials will be handled and transferred through the new pathway. The total potential PM Emissions for a total of 22 emission units (includes the 4 new EUs under this AC project) associated with the Stevedoring operation shall not exceed 129.2 tons/year (5.9 tpy/EU), in which a control efficiency of 90% was given for each transfer points with enclosures and water sprays, or the building.

IV. Conclusions:

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., and Chapter 1-3, Rules of the Commission.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

V. Proposed Agency Action:

Pursuant to Section 403.087, Florida Statutes and Rule 62-4.070, Florida Administrative Code the Environmental Protection Commission of Hillsborough County hereby gives notice of its intent to issue a permit for construction of the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).

COMMISSION

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham

Lesley "Les" Miller, Jr.
Sandra L. Murman
Stacy White



EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

DIVISION DIRECTORS

Legal & Admin.	Richard Tschantz, Esq.
Air Management	Jerry Campbell, P.E.
Waste Management	Hooshang Boostani, P.E.
Water Management	Sam Elrabi, P.E.
Wetlands Management	Scott Emery, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Rodney Palmer
Director of Operation
Kinder Morgan
5321 Hartford Street
Tampa, FL 33619

DRAFT

Re: Hillsborough County - AP

Dear Mr. Palmer:

Enclosed is Permit No. 0570024-030-AC for a construction permit to transfer sulfate of potash-magnesium (KMAG), as well as all of the permitted materials to the Warehouse No.1 through a new pathway, at the Kinder Morgan (KM) Tampaplex Terminal. This permit is issued pursuant to Section 403.087, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit 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 EPC in the Legal Department at 3629 Queen Palm Dr, Tampa, FL 33619; 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 this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely,

DRAFT

Richard D. Garrity, Ph.D.
Executive Director

RDG/KRZ/krz

cc: David Cibik, P.E. - ARCADIS (david.cibik@arcadis-us.com)

An agency with values of environmental stewardship, fairness, and cooperation

Roger P. Stewart Center

3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org

An Affirmative Action / Equal Opportunity Employer

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 Stamp

FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated clerk, receipt of which is hereby acknowledged.

DRAFT

Clerk

Date

COMMISSION

Kevin Beckner	Lesley "Les" Miller, Jr.
Victor D. Crist	Sandra L. Murman
Ken Hagan	Stacy White
Al Higginbotham	



EXECUTIVE DIRECTOR
Richard D. Garrity, Ph.D.

DIVISION DIRECTORS

Legal & Admin.	Richard Tschantz, Esq.
Air Management	Jerry Campbell, P.E.
Waste Management	Hooshang Boostani, P.E.
Water Management	Sam Elrabi, P.E.
Wetlands Management	Scott Emery, Ph.D.

DRAFT

PERMITTEE:

Kinder Morgan OLP "C"
Tampaplex Terminal
5321 Hartford Street
Tampa, FL 33619

PERMIT/CERTIFICATION

Permit No.: 0570024-030-AC
County: Hillsborough
Expiration Date: September 1, 2016
Project: New Transfer Operational Pathway

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297, and 62-4. 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 EPC and made a part hereof and specifically described as follows:

This permit authorizes a new pathway to transfer sulfate of potash-magnesium (KMAG) to the Warehouse No.1 (EU 100), which will involve one existing railcar unloading station and two (2) existing conveyors. KMAG is one of materials that is authorized to be stored and transferred at the facility and is classified under Group I as a Dusty Fertilizer. As requested, this permit also authorizes the new pathway can be used for transferring the entire material handling list of permitted materials under the existing Title V permit.

The new pathway for handling KMAG will be as follows; KMAG will be unloaded from the Railcar Unloading Station (new EU 137) and transferred to Conveyor C-101 (new EU 138), which will convey the KMAG material onto Conveyor C-102 (new EU 139). Then, Conveyor C-102 will convey the KMAG material onto Conveyor C-4 (new EU 140) and into the Warehouse No.1 (existing EU 100). From the warehouse, the material will ultimately be transferred offsite via Conveyors C-11 (existing Warehouse No. 1) or C-94 (existing Warehouse No. 2). From the warehouse, the material will ultimately be transferred offsite via Conveyors C-11 (existing Warehouse No. 1) or C-94 (existing Warehouse No. 2).

PM emission controls for this new pathway operation will consist of enclosures, dust suppressants in the form of pre-oiled material, and best management practices (BMPs). Additionally all conveyors will be equipped with 180 degree covers or be fully enclosed inside buildings.

This project is subject to Rule 62-296.711, F.A.C. Materials Handling, Sizing, Screening, Crushing and Grinding Operations and Chapter 1-3.52, Rules of the EPC, which limit the visible emissions to a 5% opacity standard.

Location: 4801 Port Sutton Road, Tampa, FL 33619

UTM: 17- 360.10E 3087.5N Facility ID No.: 0570024

DRAFT

An agency with values of environmental stewardship, fairness, and cooperation

Roger P. Stewart Center

3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - www.epchc.org

An Affirmative Action / Equal Opportunity Employer

Emission Unit Nos.:

EU 137 - Railcar Unloading Station

EU 138 - Railcar Unloading to C-101

EU 139 - C-101 to C-102

EU 140 - C-102 to C-4

EU 100 - Truck and Railcar Unloading Station No. 2 and Transfer Points
(C2, C3, C4, C7, C11, C94) in Warehouse Nos. 1 and 2

DRAFT

PERMITTEE:
KM Tampaplex Terminal

PERMIT/CERTIFICATION NO.: 0570024-030-AC
PROJECT: New Transfer Operational Pathway

SPECIFIC CONDITIONS:

DRAFT

1. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]
2. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]
3. The use of property, facilities, equipment, processes, products, or compounds, or the commission of paint overspraying or any other act, that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.
4. 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.]
5. The permittee shall not cause, permit, or allow any visible emissions (five percent opacity) from any emission unit, transfer point, or activity associated with the material handling operation. [Rule 62-296.711(2)(a), F.A.C. and Ch. 1-3.52.2. of the Rules of the EPCHC]

DRAFT

6. The permittee shall comply with the following limitations:
[Rule 62-4.070(3), F.A.C., and Permit Application received April 17, 2015]
 - a) Each conveyor shall be equipped with 180 degree covers to transfer the materials with dust suppressants in the form of pre-oiled material, and handled by best management practices (BMPs).
 - b) All warehouse doors in Warehouse No. 1 that are exposed to wind draft shall be closed when material is being handled inside the warehouse.
 - c) When calculating actual emissions from handling the materials through the new pathway, an assigned emission factor for each group of material shall be used accordingly, with a control efficiency of 90% for each emission unit (EUs 137 thru 140).
7. In order to ensure compliance with Facility Wide and Specific Condition Nos. FW12. and H.1., the following limitations shall apply per any twelve consecutive month period: [Rule 62-4.070(3), F.A.C. and Permit Nos. 0570024-016-AC and Permit No. 0570024-023-AC]
 - a) The Stevedoring operation is permitted to handle the following materials only:

PERMITTEE:
 KM Tampaplex Terminal

PERMIT/CERTIFICATION NO.: 0570024-030-AC
 PROJECT: New Transfer Operational Pathway

SPECIFIC CONDITIONS:

DRAFT

Group I – Dusty Fertilizers		
Ammonium Sulfate	Granular Sulfate of Potash	Animal Feed Ingredients
Standard Muriate of Potash	Standard Sulfate of Potash	Standard Potassium Nitrate
Granular Muriate of Potash	Granular Sulfate of Potash-Magnesium (KMAG)	Standard Sulfate of Potash-Magnesium
Group II – Phosphate Rock		
Phosphate Products Rock		
Group III – Minimally Dusty Fertilizers		
Ammonium Nitrate	Sodium Potassium Nitrate	MAP
Calcium Ammonium Nitrate	Compound Fertilizers	DAP
Potassium Nitrate	Dried Sludge	GTSP
Calcium Nitrate	Urea	Kieserite
Group IV – Millscale		
Millscale		
Group V – Moderately Dusty Non-Fertilizer Products		
Coal	Syngypsum	Clay
Petcoke	Iron Ore	Magnetite/Ferrous Oxides
Group VI – Minimally Dusty Non-Fertilizer Products		
Gypsum	Alumina Hydrate	Filler Materials
Pumice	Vermiculite	Peanut Hulls
Wood Chips	Dolomite	Salt (solar)
Ferrous Sulfate	Glass	Bio-Mass
Ferro Alloys	Iron Scrap (including shredded scrap metal)	Granulated Furnace Slag
Clinker (treated or screened)	Prilled Sulfur	
Group VII – Coal Slag		
Coal Slag		
Group VIII – Agricultural Products		
Grains	Grain Meals	Seeds
Soybeans	Grain Byproducts	Peas
Wheat, Rye, Barley	Citrus Pellets	

DRAFT

PERMITTEE:
 KM Tampaplex Terminal

PERMIT/CERTIFICATION NO.: 0570024-030-AC
 PROJECT: New Transfer Operational Pathway

DRAFT

SPECIFIC CONDITIONS:

Group IX – Bauxite/Alumina and similar Dusty Cement-like Products		
Bauxite	Alumina	Slag Cement
Group X - Aggregate		
Limestone	Granite	Rocks
Gravel	Stone	
Group XI – Sand and Similar Materials		
Sand	Soil	Limestone Fines
Dirt		

- b) When calculating particulate matter emissions in order to demonstrate compliance with Specific Condition Nos. FW12. and H.1., the emission factors and control efficiencies listed below for each group of material shall be used.

Group Number	Emission Factor	Control Efficiency for Water Sprays	Max. Number of Transfer Points
I	0.016	0.9	12
II	0.24	0.9	12
III	0.01	0.9	12
IV	6.8	0.9	6
V	0.2	0.9	16
VI	0.067	0.9	12
VII	0.155	0.9	12
VIII	0.086	0.9	12
IX	1.1	0.9	6
X	0.02	0.9	12
XI	0.12	0.9	12

- c) Millscale shall be treated with water or a dust suppressant at the first material transfer point and subsequent material transfer points as necessary to meet the 5% opacity standard.
- d) All materials in Group IX shall be treated with a dust suppressant at the first material transfer point and subsequent material transfer points as necessary to meet the 5% opacity standard.

8. Test EUs 137 thru 140, the first time that any material is handled through these emission units, for visible emissions at the point of highest opacity. Submit two copies of the test data to the Air Management Division of the Environmental Protection Commission of Hillsborough County within forty-five days of such testing. Testing procedures shall be consistent with the requirements of Rule 62-297.310, F.A.C. [Rule 62-297.310, F.A.C.]

DRAFT

PERMITTEE:
KM Tampaplex Terminal

PERMIT/CERTIFICATION NO.: 0570024-030-AC
PROJECT: New Transfer Operational Pathway

DRAFT

SPECIFIC CONDITIONS:

9. Compliance with the emission limitations of Specific Condition No. 5. shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. Each EPA Method 9 test shall be a minimum of thirty (30) minutes in duration. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A. [Rule 62-297.310(4)(a)2., F.A.C.]

10. Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 90-100% of handling 250 tons/hour. If it is impracticable to test at capacity, then the source may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the unit is so limited, then operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. Failure to submit the throughput rates and actual operating conditions may invalidate the test.

[Rules 62-297.310(2) and 62-4.070(3), F.A.C. and Permit Application received April 17, 2015]

11. The permittee shall notify the Air Compliance Section of the Environmental Protection Commission of Hillsborough County at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the contact person who will be responsible for coordinating and having such test conducted. [Rule 62-297.310, F.A.C.]

12. When the Environmental Protection Commission of Hillsborough County (EPC) after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C., or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC.

[Rule 62-297.310(7)(b), F.A.C.]

13. In order to limit the potential to emit, the permittee shall maintain a monthly recordkeeping system for the most recent five year period. The records shall be made available to the EPC of Hillsborough County, state or federal air pollution agency upon request. The records shall include, but are not limited to, the following: [Rule 62-4.070(3), F.A.C.]

- a) Day, Month, Year
- b) Amount and type of material transferred (tons)
- c) Rolling twelve month total of b) above

DRAFT

14. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include.

PERMITTEE:
KM Tampaplex Terminal

PERMIT/CERTIFICATION NO.: 0570024-030-AC
PROJECT: New Transfer Operational Pathway

SPECIFIC CONDITIONS:

DRAFT

[Rules 62-4.070(3) and 62-296.320(4)(c)2., F.A.C.]

- a) Post and enforce a speed limit of 10 miles per hour
- b) Maintain material drop points as low as possible
- c) Curtail operations during high wind conditions, if necessary
- d) Exercise good housekeeping at all times
- e) Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, and open stock piles, as necessary
- f) Removal of particulate matter from buildings, work areas, roads and other paved areas under the control of the owner or operator of the facility to prevent entrainment, as necessary
- g) Maintenance of parking areas and yards
- h) Landscaping or planting of vegetation

15. The permittee shall provide timely notification to the Environmental Protection Commission of Hillsborough County prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200(205), F.A.C., Modification. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [Rules 62-210.300 and 62-4.070(3), F.A.C.]

- a) Alteration or replacement of any equipment or major component of such equipment.
- b) Installation or addition of any equipment which is a source of air pollution.

16. The permittee shall submit to the Environmental Protection Commission of Hillsborough County each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(2), F.A.C.]

17. A minimum of two copies of an application for a Title V permit revision shall be submitted to the Environmental Protection Commission of Hillsborough County within 60 days of completion of the initial visible emissions test or at least 90 days prior to the expiration date of this permit, whichever occurs first. [Rules 62-4.070(3) and 62-213.420(1)(a)3, F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

DRAFT

Richard D. Garrity, Ph.D.
Executive Director

ATTACHMENT - GENERAL CONDITIONS

1. 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, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. 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 Department.
3. 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 any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. Not applicable to Air Permits.
5. 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 Department rules, unless specifically authorized by an order from the Department.
6. 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, are required by Department rules. This provision includes 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 Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, 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 reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. 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 the Department 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 reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

ATTACHMENT - GENERAL CONDITIONS

9. In 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 source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department 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 Department rules.

11. This permit is transferable only upon Department 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 is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- Determination of Best Available Control Technology (BACT)
- Determination of Prevention of Significant Deterioration (PSD)
- Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- 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 recordings 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 Department 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.

15. When requested by the Department, 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 Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.