



#### COMMISSION

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

#### 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.

EXECUTIVE DIRECTOR  
Richard D. Garrity, Ph.D.

In the Matter of an  
Application for Permit by:

File No.: 0570033-015-AC  
County: Hillsborough

Richard K. Nath  
Manager Environmental Programs  
CSX Transportation, Inc.  
500 Water Street, J-275  
Jacksonville, FL 32202

### **INTENT TO ISSUE A NON-TITLE V AIR CONSTRUCTION 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 Construction Permit (DRAFT copy attached) to combine the CSX Rockport and CSX Newport facilities under one permit and establish the facility as a Synthetic non-Title V source. This permit is for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, CSX Transportation, Inc., applied on March 20, 2014 to the permitting authority for a Synthetic non-Title V Air Construction Permit for the CSX Rockport and CSX Newport terminals at 3701 Causeway Boulevard, Tampa, Hillsborough County. This construction permit combines the CSX Rockport and Newport terminals into one permitted facility, and establishes the combined facility as a Synthetic non-Title V source, based on updated emission factors from AP-42, and by limiting the material throughput, and the hours of operation of the baghouses. In addition, both facilities will no longer be permitted to handle dry phosphate rock.

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

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center  
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://www.epchc.org)

*An Affirmative Action/Equal Opportunity Employer*



- (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.

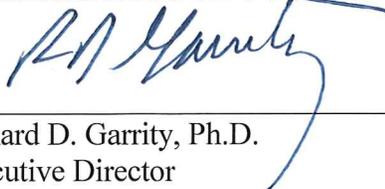
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable 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: Florida Department of Environmental Protection, Southwest District (via e-mail)  
William F. Karl, P.E., Environmental Consulting & Technology, Inc.

CERTIFICATE OF SERVICE

The undersigned duly designated clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on June 26, 2014 to the listed persons.

FILING AND ACKNOWLEDGEMENT

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

Maddie Mishler

Clerk

6/26/2014

Date

**COMMISSION**  
Kevin Beckner      Lesley "Les" Miller, Jr.  
Victor D. Crist     Sandra L. Murman  
Ken Hagan         Mark Sharpe  
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.

ENVIRONMENTAL PROTECTION COMMISSION OF  
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

Richard K. Nath  
Manager Environmental Programs  
CSX Transportation, Inc.  
500 Water Street, J-275  
Jacksonville, FL 32202

Dear Mr. Nath:

Enclosed is Air Construction Permit No. 0570033-015-AC to combine the CSX Rockport and Newport Terminals into one Synthetic non-Title V source of air pollution, 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 Drive, 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

cc: FDEP, Southwest District (via e-mail)  
William F. Karl, P.E. – Environmental Consulting and Technology, Inc.

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center  
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://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          Mark Sharpe  
Al Higginbotham

#### 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.

EXECUTIVE DIRECTOR  
Richard D. Garrity, Ph.D.

# DRAFT

#### PERMITTEE:

Richard K. Nath  
Manager Environmental Programs  
CSX Transportation, Inc.  
500 Water Street, J-275  
Jacksonville, FL 32202

#### PERMIT/CERTIFICATION

Permit No.: 0570033-015-AC  
County: Hillsborough  
Expiration Date: June 26, 2015  
Project: Initial Non-Title V Construction  
Permit for Combined Facilities

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 air construction permit combines the CSX Rockport and CSX Newport facilities into one permitted source, and establishes the combined CSX Rockport/Newport Terminal facility as a Synthetic non-Title V source. The process description for each facility is described below.

#### **Rockport Terminal**

The operation at the CSXT Rockport Terminal involves a phosphate fertilizer materials (DAP, MAP, GTSP) railcar unloading, handling, storage, and ship loading operation. Railcars containing oiled phosphate fertilizer materials are unloaded into the receiving pits at either Railcar Dumper #1 and/or Railcar Dumper #2. Both of these dumpers are housed inside a partially enclosed building. The material is then conveyed to the Storage Building or directly to shiploading through the use of a belt conveyor system with multiple transfer points, all of which are enclosed, except for Belt #9. The operation inside of the Storage Building involves two (2) stacker/reclaimer units and a chokefeeder. When the phosphate materials are reclaimed from the Storage Building for export, they are re-oiled prior to leaving the building, belt conveyed, and loaded into ships using a telescoping chute. The emission units associated with this operation are described in more detail, as follows:

#### **Emission Unit Nos. 001 and 003 Railcar Unloading**

Oiled phosphate fertilizer materials (MAP, DAP, GTSP) are delivered to the facility by railcar. The railcars are emptied by Rotary Dumper #1 and #2. The rotary dumpers attach to the railcars and invert them, directing the materials to either of two below-grade receiving pits. The dumpers are contained within partially enclosed buildings, which have plastic curtains that hang at the ends of the building to further enclose the operation. The material from Railcar Dumper #1 is transferred by two feeder belts, Conveyor Belt #1 and #2, to covered Conveyor Belt #3.

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center

3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://www.epchc.org)

*An Affirmative Action/Equal Opportunity Employer*



PERMITTEE:  
CSX Transportation, Inc.

PERMIT/CERTIFICATION NO.: 0570033-015-AC  
PROJECT: Combine Rockport/Newport Facilities

SPECIFIC CONDITIONS:

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

**DRAFT**

---

Richard D. Garrity, Ph.D.  
Executive Director