

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 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.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY



Richard D. Garrity, Ph.D.
Executive Director

cc: Florida Department of Environmental Protection (via email)
Brad James, P.E. – Trinity Consultants (via email)

Titan America, LLC
Deerfield Beach, FL 33441

Page 5 of 5

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 5/30/13 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.

Tatiana Peters 5/30/13
Clerk 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

Cindy Burns
Director, Environmental and Property Development
Titan America, LLC
455 Fairway Dr.
Deerfield Beach, FL 33441

Dear Ms. Burns:

Enclosed is Permit Number 0571290-009-AC to change the status of the facility from a Title V source to a Synthetic non-Title V source of air pollution by removing the diesel-fired stationary compression ignition internal combustion engines. Also, this permit authorizes the construction of a permanent aggregate conveying system and an increase in the aggregate throughput, 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

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

 **DRAFT**

Richard D. Garrity, Ph.D.
Executive Director

RDG/LAW/law

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

Roger P. Stewart Center
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An Affirmative Action/Equal Opportunity Employer



Titan America, LLC
Deerfield Beach, FL 33441

Page 2 of 2

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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.

 **DRAFT**

Clerk

Date

PERMITTEE:
Titan America, LLC

Permit/Certification No.: 0571290-009-AC
Project: Aggregate Handling Modification and
Initial Non-Title V Construction Permit

SPECIFIC CONDITIONS:

- F) Records of moisture content testing on each aggregate shipment received from ships

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

 **DRAFT**

Richard D. Garrity, Ph.D.
Executive Director