Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Colleen M. Castille
Secretary

NOTICE OF PERMIT

E-CORRESPONDENCE
david_hildreth@kindermorgan.com

Central Florida Pipeline LLC
Post Office Box 665
Bremen, GA 30110

Attention: David Hildreth, Director-Field Operations

Orange County - AP
Orlando Terminal
DEP File Number: 0950069-008-AC

Dear Mr. Hildreth:

Enclosed is Permit Number 0950069-008-AC to construct/modify the above referenced source issued pursuant to Section(s) 403.087, Florida Statutes (F.S.). The permit includes certain administrative corrections as requested in a March 3, 2006 letter signed by Mr. Kevin Golden, P.E.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68 F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the permitting authority in the Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the permitting authority.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

L.T. Kozlov, P.E.
Program Administrator
Air Resources Management

Date: 3-6-06

LTK/jt

Copy: Kevin W. Golden, P.E. **(kgolden@usienvironmental.com)**
Hamp Pridgen, OCEPD **(hamp.pridgen@ocfl.net)**
Gracy Danois, USEPA **(danois.gracy@epamail.epa.gov)**
Caroline Shine, FDEP

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Dina Jones — March 6, 2006
Clerk — Date

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on March 7, 2006 to the listed persons, by _____.

Department of Environmental Protection

Jeb Bush
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Secretary

Permittee:
Central Florida Pipeline LLC
Post Office Box 665
Breman, GA 30110

Attn: David Hildreth,
Director-Field Operations

I.D. Number: 0950069
Permit Number: 0950069-008-AC
Expiration Date: January 30, 2007
County: Orange
Latitude/Longitude:
28° 25' 19"N/81° 22' 01"W
Project: Orlando Terminal

This permit is issued under the provisions of Chapter(s) 403, F.S., and Florida Administrative Code Rule(s) 62-210. 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 Department and made a part hereof and specifically described as follows:

The permittee may construct/modify an existing petroleum storage and distribution facility (Orlando Terminal) as follows:

a) Storage Tank 1059 (630,000 gal.) will be converted from a fixed roof tank storing diesel fuel to a floating roof tank storing ethanol with a PTE of 0.216 tons/yr of VOC, therefore the modified tank will be added to the insignificant emission unit list as requested by the applicant. Truck Loading Rack #3 (EU 12) will be modified to provide two loading risers to allow loading of tank 1059 and allow loading out of ethanol to trucks.

b) Petroleum Loading Rack #1 is to be modified to allow for additional loading capacity. Equipment and controls will be installed on the remaining two lanes. Other details are describe below:

- Install five new load arms per lane, four for gasoline and one for low sulfur diesel. This will include new meters, control valves, strainers, and vapor control equipment (existing northwest enclosed flare, John Zinc, Model GV-ZTOF/TC-20, 500-3).
- Install new multiload equipment to control product and additive equipment.

c) Storage Tank A-28 will be installed. This tank is an 8,000 gallon horizontal fixed roof Lubricity diesel additive tank with a PTE of 0.532 tons/yr of VOC and 0.0266 tons/yr of HAPs, therefore the tank will be added to the insignificant emission unit list as requested by the applicant.

d) The VOC emission limit for the storage tanks at the facility will remain unchanged at 99.26 tons/yr. Permitted combined storage tanks gasoline throughput rate will increase from 1.570 billion gal/yr. to 1.637 billion gal/yr. The VOC emission limit for the petroleum loading racks will increase from 57.6 tons/yr to 71.15 tons/yr due to an increase in gasoline throughput from 1.38 billion gal/yr to 1.69 billion gal/yr, an increase in diesel from 0.222 billion gal/yr to 0.361 billion gal/yr., and the addition of 0.025 billion gal/yr of ethanol. Total facility permitted VOC emissions will be 99.26 + 71.15 = 170.41 tons/yr.

This construction permit supercedes previous construction permits regarding facility wide emission limits for VOCs and permitted capacities. The facility is classified as a minor for HAPs.

The facility is located at 9919 South Orange Avenue, Orlando, Orange County, Florida.

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. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

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, as required by Department rules. This provision includes the operation of backup and 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 this 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 reasonably 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.

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 Rules 62-4.120 and 62-730.300, Florida Administrative Code (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)
    ( ) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
    ( ) Compliance with New Source Performance Standards

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 information) 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.

SPECIFIC CONDITIONS:

OPERATING CONDITIONS

1. The facility is permitted to operate continously.
[Rule 62-210.200, (PTE), F.A.C.]

2. The maximum facility-wide throughput rate for the tanks is 1.637 billion gallons of gasoline per consecutive twelve months.
[Rule 62-210.200, (PTE), F.A.C. and construction permit 0950069-008-AC]

3. The maximum facility-wide throughput rate for the truck loading racks is 1.69 billion gallons of gasoline per consecutive twelve months, 0.361 billion gallons of diesel per consecutive twelve months, and 0.025 billion gallons of ethanol per consecutive twelve months.
[Rule 62-210.200, (PTE), F.A.C. and construction permit 0950069-008-AC]

EMISSION LIMITS

4. No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.
[Rules 62-296.320(2) and 62-210.200, F.A.C.]

5. Emissions of VOC from all storage tanks at the facility shall not exceed 99.29 tons per consecutive twelve months, updated monthly.
[Rule 62-210.200, (PTE), F.A.C. and construction permit 0950069-008-AC]

6. Emissions from the vapor collection system due to the loading of liquid product into tank trucks shall not exceed 10 milligrams of total organic compounds per liter of gasoline loaded and shall not exceed 71.15 tons of VOC per consecutive twelve months, updated monthly.
[Rule 62-210.200, (PTE), F.A.C. and construction permit 0950069-008-AC]

RECORDKEEPING AND DOCUMENT SUBMITTAL

7. In order to demonstrate compliance with specific condition number 2, 3, 5, and 6, the permittee shall maintain a log at the facility for a period of at least 5 years from the date the data is recorded. The log at a minimum shall contain the following:

Monthly

a) month
b) Consecutive 12 month total of:
   - facility-wide throughput of gasoline for the tanks
   - facility-wide throughput of gasoline, diesel, and ethanol for the truck loading racks
   - VOC emissions rates from the tanks and separately from the vapor collection system due to loading of liquid product into tank trucks

[Rules 62-4.070(3), and 62-213.440(1)(b)2., F.A.C.]

SPECIFIC CONDITIONS:

Note: A consecutive 12 month total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12 month total treats each month of the year as the end of a 12 month period. A 12 month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12 month totals using whatever number of months of data are available until such a time as a consecutive 12 month total can be maintained each month.

8. The owner or operator shall complete DEP Form No. 62-210.900(5), F.A.C., "Annual Operating Report for Air Pollutant Emitting Facility," including the Emissions Report, for each calendar year and submit it to the Orange County Environmental Protection Division on or before March 1 of the following calendar year in accordance with Rule 62-210.370(1), F.A.C.

PERMIT APPLICATION

9. The construction shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, he must notify the Department in writing at least 90 days prior to the expiration of the construction permit and submit an application for an extension of the construction permit.

A Title V operating permit revision is required for this source. To obtain a revised permit, the permittee must demonstrate compliance with the conditions of the construction permit and submit the compliance test results (if required), records and Application for Air Permit to the Department's Central Florida District office [Rule 62-4.220, F.A.C.]. **The application shall be submitted no later than 180 days after the permitted construction has been completed and placed in operation.**

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

L.T. Kozlov, P.E.
Program Administrator
Air Resources Management

Issued: 3-6-06