



Florida Department of Environmental Protection

Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard, Jr.
Secretary

Titan America
c/o Cindy Burns
Director of Environmental and Project Development
455 Fairway Drive
Deerfield Beach, FL 33441
cburns@titanamerica.com

August 16, 2012

File No.: 29-0266058-003
Project Name: Titan-Tampa Aggregate Unloading Facility

Dear Ms. Burns,

Your request to modify permit number 29-0266058-002 for a Phase I and II aggregate uploading facility and surface water management system (SWMS) has been reviewed by Department staff. The modifications include the re-design of the Phase II SWMS which involves the replacement of the wet detention system authorized under ERP No. 29-0266058-002, with a detention with effluent filtration side bank filter (underdrain) system. Also the Phase II stormwater contributing area to the SWMS will increase from 11.48 acres to approximately 16.95 acres.

The Phase I SWMS was previously constructed and transferred to the operations phase. No changes to the Phase I SWMS are proposed or authorized.

The above changes are not expected to adversely affect water quality and will not be contrary to the public interest provided the following permit specific conditions are amended/added (~~striketroughs~~ are deletions and underlines are additions) to the permit as issued:

SPECIFIC CONDITIONS

1. Submittals required herein (e.g., progress reports, as-built drawings, etc.) shall include the permittee's name and permit number 29-0266058-~~002~~ -003 and shall be directed to:

Department of Environmental Protection
Southwest District
Submerged Lands and Environmental Resource Program
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

PRIOR TO CONSTRUCTION CONDITIONS (The permittee shall comply with the following conditions prior to commencement of any construction activities)

4. The permittee shall have the filter material that will be used in construction of the Phase ~~I~~ II SWMS underdrain treatment unit tested at a certified independent laboratory for the following parameters listed in Section 5.2.b.3 of the Southwest Florida Water Management District Environmental Resource Permitting Information Manual, Part B, Basis of Review: uniformity coefficient, effective grain size, sieve analysis, percent silts, clays, and organic matter, and permeability test (constant head). The engineer of record shall certify that:
 - a. the filter media used in construction of the treatment system is of same source as material used for the certified laboratory test, and
 - b. the material meets the requirements listed Section 5.2.b.3 of the Basis of Review. The permittee shall submit the test results and the engineer certification to the Department with the as-built drawings required by Specific Condition No. 13.

5. Best management practices for erosion control shall be implemented prior to construction commencement for and shall be maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards (>29 NTU's above background, pursuant to Rule 62-302, F.A.C.).
 - a. Erosion control methods for Phase I shall be implemented as depicted in Sheets E1, D1, and D2 of the attached permit drawings.
 - b. Erosion control methods for Phase II shall be implemented as depicted in Sheet ~~E4~~ E2 of the attached permit drawings.

CONSTRUCTION COMPLETION CONDITIONS (The permittee shall comply with the following conditions prior to the transfer to operation phase of the facility. All documentation required below shall be included with the permittee's request to transfer the project to the operation phase [Form No. 62-343.900(7), F.A.C.])

8. The permittee shall submit two copies of signed, dated and sealed as-built drawings to the Department for review and approval within 30 days of completion of construction. The as-built drawings shall be based on the Department permitted construction drawings, which should be revised to reflect changes made during construction. Both the original design and constructed elevation must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. Surveyed dimensions and elevations required shall be verified and signed, dated and sealed by a Florida registered surveyor or engineer. *As-builts shall be submitted to the Department regardless of whether or not deviations are present. In addition to the "As-built Certification" form; the permittee shall submit the "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" form as required in General Condition #13.*
 - a. The following information shall be verified on the as-built drawings for Phase ~~I~~ II from the following engineering drawings signed and sealed by Mr. Al Andreansky, P.E., #39387:

Plan View/Cross-Section
Phasing Layout

Sheet Number
12 of 2

Date
November 22, 2011

Permittee: Tampa Port Authority / Titan – Tampa Aggregate Unloading Facility, Phases I and II
File No.: 29-0266058-003

Proposed Site Layout	S2 of 2	November 22, 2011
Stormwater System Details	D1 of 2	November 22, 2011
Stormwater System Details	D2 of 2	December 13, 2011
<u>Phase II Layout</u>	<u>S3 of 3</u>	<u>June 22, 2012</u>
<u>Phase II System Details</u>	<u>D3 of 3</u>	<u>June 22, 2012</u>

~~b. The following information shall be verified on the as-built drawings for Phase II from the following engineering drawings signed and sealed by Ms. Karen Somerder, P.E., #54865 on April 2, 2007:~~

<u>Plan View/Cross Section</u>	<u>Sheet Number</u>
Parcel C on Overall Drainage Plan	C4
CS-2 and Section C-C on Drainage Details	C5

OPERATING CONDITIONS (The permittee shall comply with the following operation conditions for the life of the facility.)

11. ~~A minimum of 35 percent of the area of the Phase II wet detention pond shall be comprised of a vegetated littoral shelf shown on Sheet C4 of the attached project drawings. The littoral shelf shall be vegetated with native wetland species as defined by Rule 62-340, F.A.C. Should the establishment of native vegetation not be accomplished within 24 months of construction of the wet detention pond, the permittee shall plant the littoral shelf to achieve the required coverage. Periodic replanting is required if the areal coverage of the littoral shelf falls below the 35 percent coverage during the life of the facility. Details on the size of the littoral shelf in relation to the pond shall be included with the inspection certification reports required in Specific Condition No. 13.~~
12. ~~Permanent signs shall be posted around the Phase II wet detention ponds and the signs shall clearly read:~~

~~Stormwater Treatment Pond
No mowing or spraying of aquatic vegetation
allowed unless authorized by FDEP.
Call the Department of Environment Protection at
(813) 632-7600 for more information~~

~~The signs shall consist of aluminum posts, driven well into the ground and extending a minimum of three feet above the ground, with a highly visible aluminum sign (minimum 12 inches by 12 inches) bolted to the post. The signs shall be posted at 100-foot intervals and in conspicuous locations along around the pond perimeters and be maintained for the life of the facility.~~

13. ~~Beginning 24 18 months after operation is authorized and every 24 18 months thereafter, the Operation and Maintenance Entity shall inspect the Phase II wet detention detention with effluent filtration side bank filter ponds and submit inspection reports in~~

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the form required by the Department (see attached FDEP Inspection Certification Form, 62-343.900(6), F.A.C.)

Since the proposed modification with the above permit conditions is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as requested. By copy of this letter and the attached drawings, we are notifying all necessary parties of the modification(s).

This letter of approval does not alter the original construction phase expiration date, of January 13, 2017 the remaining Specific Conditions or General Conditions, requirements of the permit. This letter and accompanying drawings must be attached to the original permit.

RIGHTS OF AFFECTED PARTIES

This permit modification is hereby granted. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired.

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right

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to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), Florida Administrative Code, petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The 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 for an administrative hearing 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 of the Florida Statutes.

A petition that disputes the material facts on which the Department'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 are or 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 fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department'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.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This permit modification constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department. The applicant, or any party within the meaning of section 373.114(1)(a) or 373.4275 of the Florida Statutes, may also seek appellate review of the order before the Land and Water Adjudicatory Commission under section 373.114(1) or 373.4275 of the Florida Statutes. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Executed in Temple Terrace, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



William L. Vorstadt
Program Administrator
Submerged Lands and Environmental Resource Program
Southwest District

WLV/(rdh)

Copies furnished to:

Tampa Port Authority (TPA), c/o Bruce Laurion, P.E., BLAURION@Tampaport.com
Al Andreansky, P.E., via e-mail: andreansky@verizon.net
U.S. Army Corps of Engineers
File

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit modification, including all copies, were mailed before the close of business on 8/16/12, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

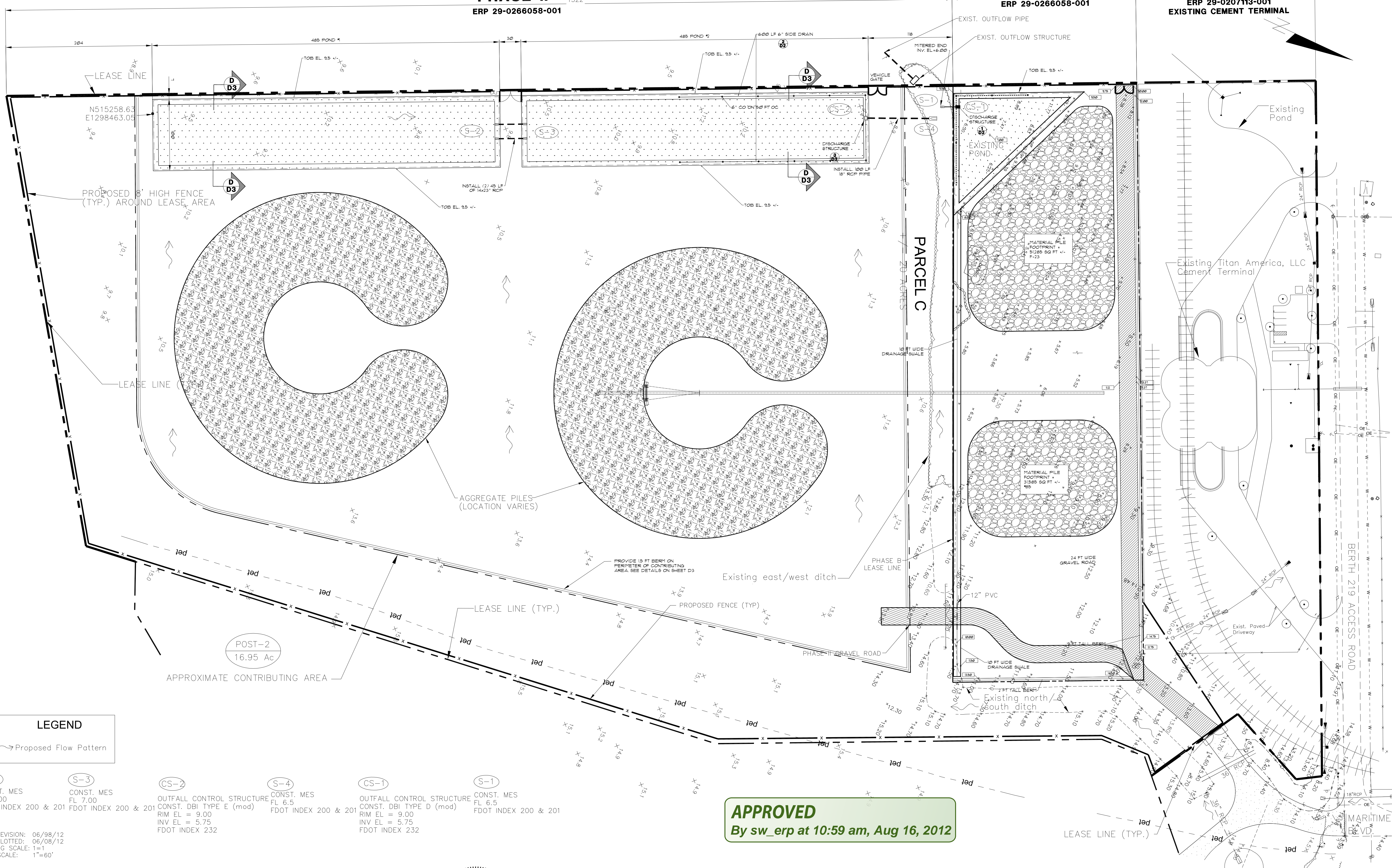
Clerk  Date 8/16/12

Attachments: 5 pages

PHASE II
ERP 29-0266058-001

EXIST. PHASE I
ERP 29-0266058-001

EXISTING
ERP 29-0207113-001
EXISTING CEMENT TERMINAL



APPROVED
By sw_erp at 10:59 am, Aug 16, 2012

LEGEND
~ Proposed Flow Pattern

- S-2** CONST. MES FL 7.00 FDOT INDEX 200 & 201
- S-3** CONST. MES FL 7.00 FDOT INDEX 200 & 201
- CS-2** OUTFALL CONTROL STRUCTURE CONST. DBI TYPE E (mod) RIM EL = 9.00 INV EL = 5.75 FDOT INDEX 232
- S-4** CONST. MES FL 6.5 FDOT INDEX 200 & 201
- CS-1** OUTFALL CONTROL STRUCTURE CONST. DBI TYPE D (mod) RIM EL = 9.00 INV EL = 5.75 FDOT INDEX 232
- S-1** CONST. MES FL 6.5 FDOT INDEX 200 & 201

LAST REVISION: 06/98/12
LAST PLOTTED: 06/08/12
DRAWING SCALE: 1"=1'
PLOT SCALE: 1"=60'

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SCALE VERIFICATION
THIS BAR REPRESENTS ONE INCH ON THE ORIGINAL DRAWING
USE TO VERIFY FIGURE

REVISION	DATE	DESCRIPTION	BY	APPROVED

AL ANDREANSKY, P.E.
No. 39387
STATE OF FLORIDA
PROFESSIONAL ENGINEER
6/20/2012
DATE SIGNED:

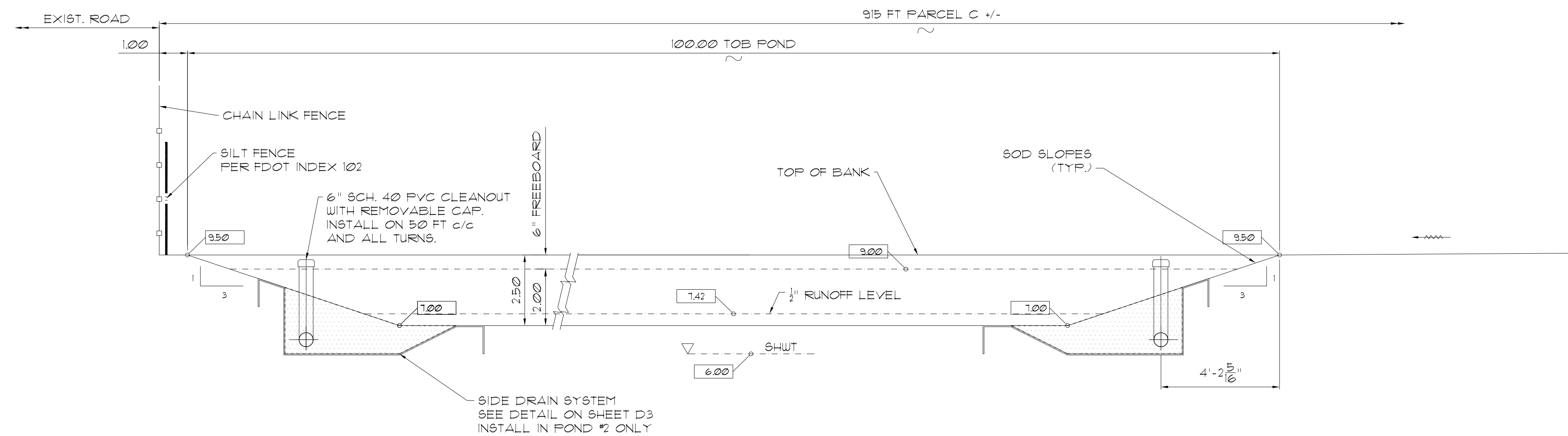
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DRAWN BY: A.A. DATE: 10-14-11
CHECKED BY: DATE:
APPROVED BY: DATE:

AL ANDREANSKY, P.E.
P.O. BOX 456
PALM HARBOR, FLORIDA 34682-0456
PHONE: (727) 460-8612, FAX: (727) 789-9565

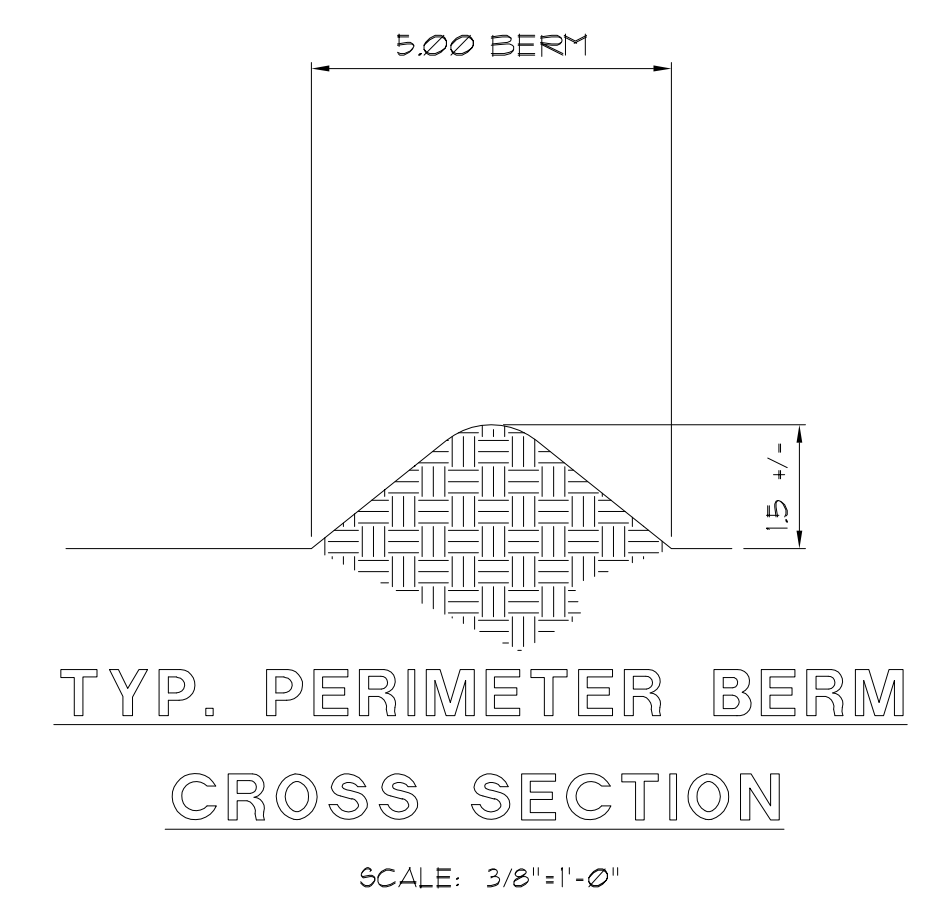
PHASE II LAYOUT
MARITIME BLVD
TAMPA, FLORIDA

PROJECT No. 11082901.001
SHEET
S3 of 3

TITAN-TAMPA AGGREGATE UNLOADING FACILITY, TITAN AMERICA, DEERFIELD BEACH, FLORIDA

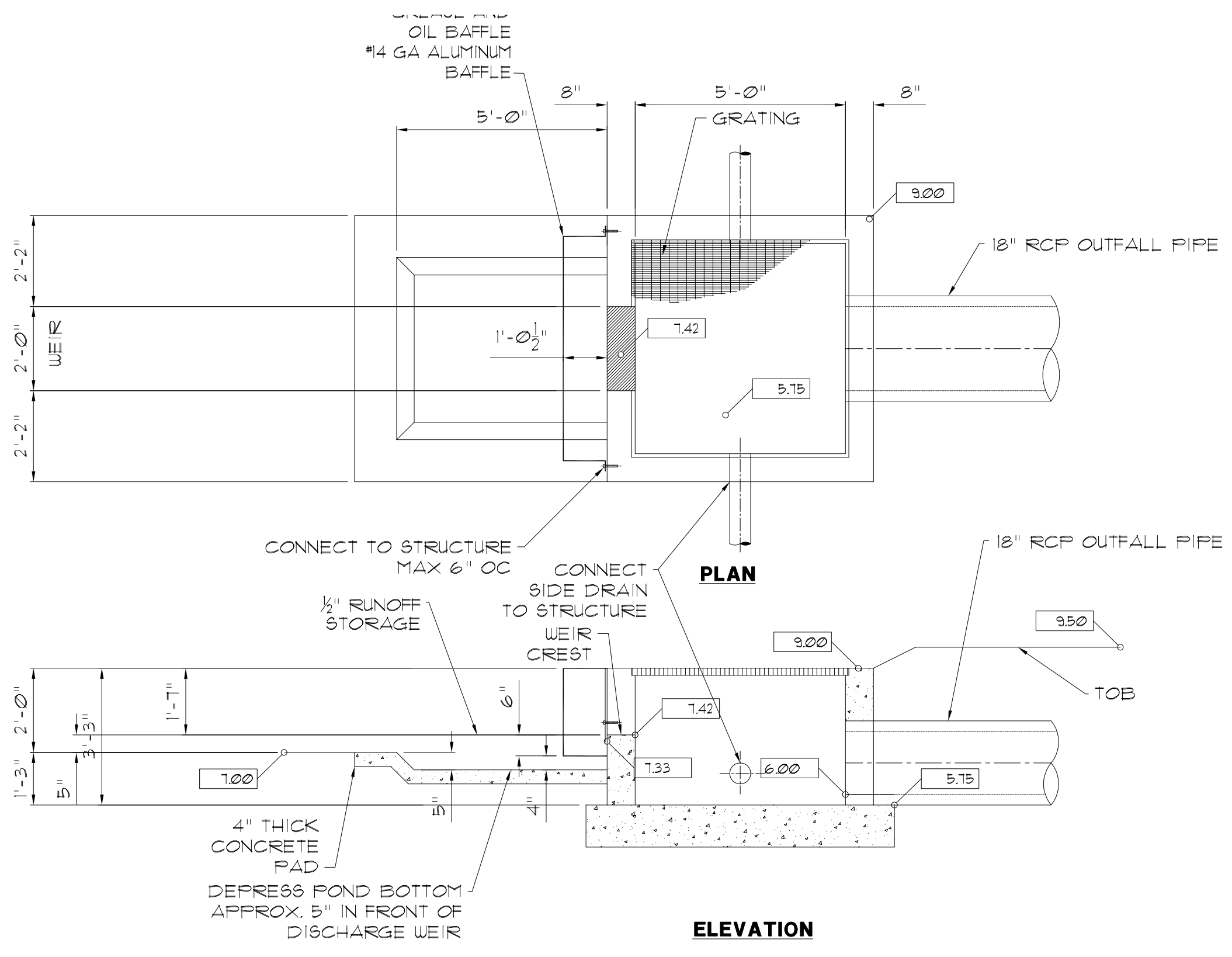


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38
POND CROSS SECTION
SCALE: 3/8" = 1'-0"

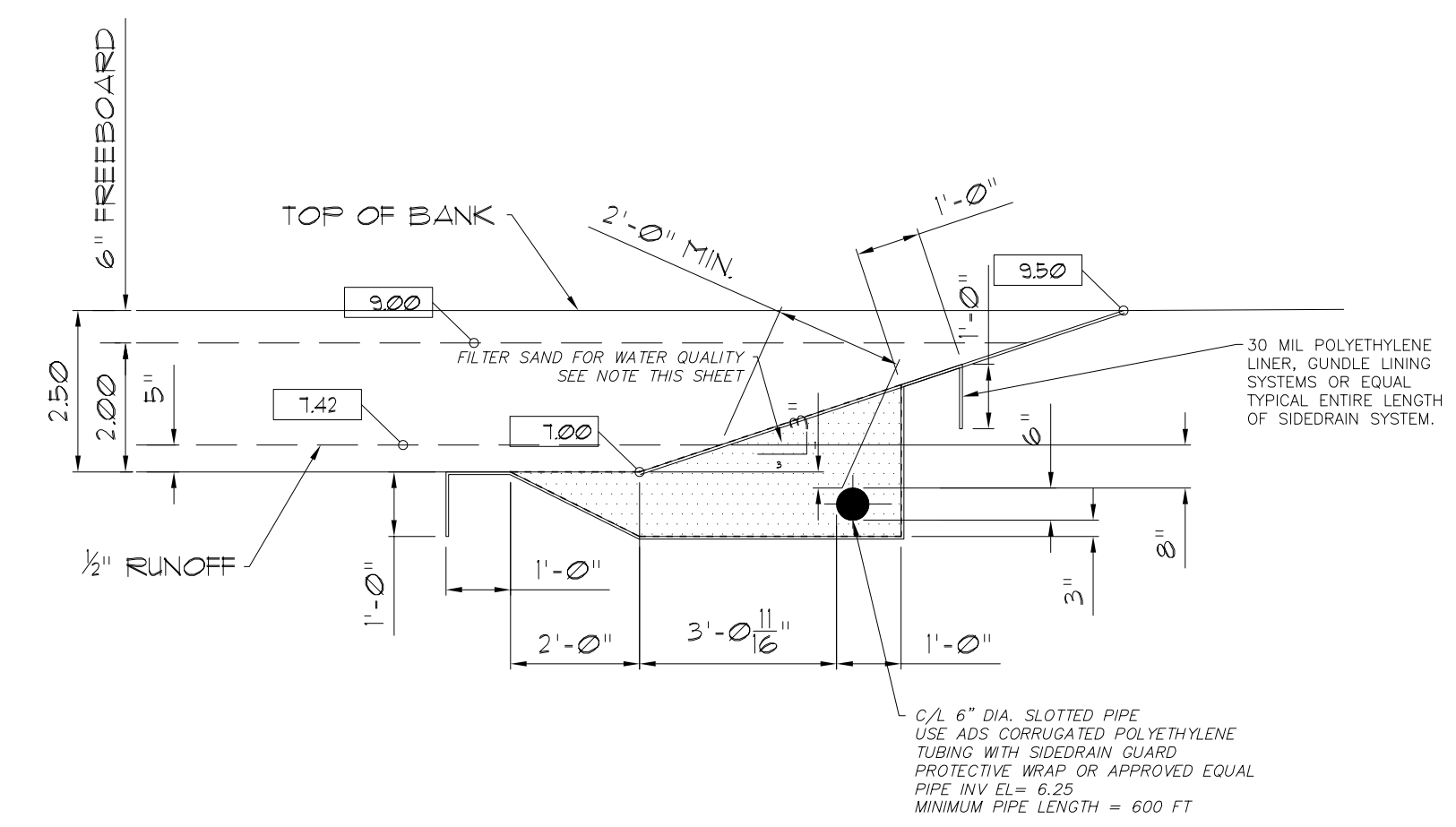


TYP. PERIMETER BERM
CROSS SECTION
SCALE: 3/8" = 1'-0"

APPROVED
By sw_erp at 11:00 am, Aug 16, 2012



3
38
OUTFALL STRUCTURE
SCALE: 3/8" = 1'-0"

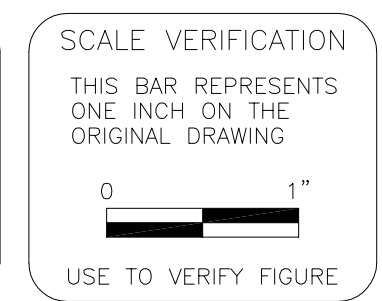


8
38
SIDE DRAIN DETAIL
SCALE: 3/8" = 1'-0"

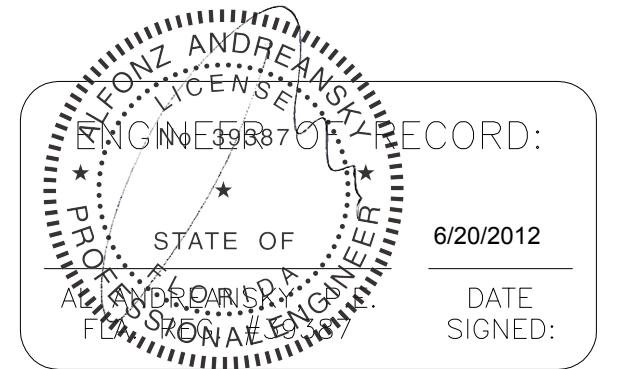
- FILTER MATERIAL SPECIFICATIONS:**
1. WASHED MATERIAL SHALL MEET FDOT ROAD AND BRIDGE SPECIFICATIONS FOR SILICA SAND AND QUARTZ GRAVELS, OR MIXTURES THEREOF (LESS THAN 1 PERCENT SILT, CLAY AND ORGANIC MATTER), UNLESS FILTER CLOTH IS USED WHICH IS SUITABLE TO RETAIN THE SILT, CLAY AND ORGANIC MATTER WITHIN THE FILTER.
 2. CALCIUM CARBONATE AGGREGATE IS NOT AN ACCEPTABLE SUBSTITUTE.
 3. UNIFORMITY COEFFICIENT SHALL BE 1.5 OR GREATER AND EFFECTIVE GRAIN SIZE SHALL BE OF 0.20 TO 0.55 MILLIMETERS IN DIAMETER.

LAST REVISION: 03/21/12
LAST PLOTTED: 03/21/12
DRAWING SCALE: 3/8"=1'
PLOT SCALE: 1=1

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REVISION	DATE	DESCRIPTION	BY	APPROVED



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DRAWN BY: A.A.	DATE: 9-27-11
CHECKED BY:	DATE:
APPROVED BY:	DATE:

AL ANDREANSKY, P.E.
P.O. BOX 456
PALM HARBOR, FLORIDA 34682-0456
PHONE: 17271 460-8612, FAX: 17271 789-9565

PHASE II SYSTEM DETAILS
MARITIME BLVD
TAMPA, FLORIDA

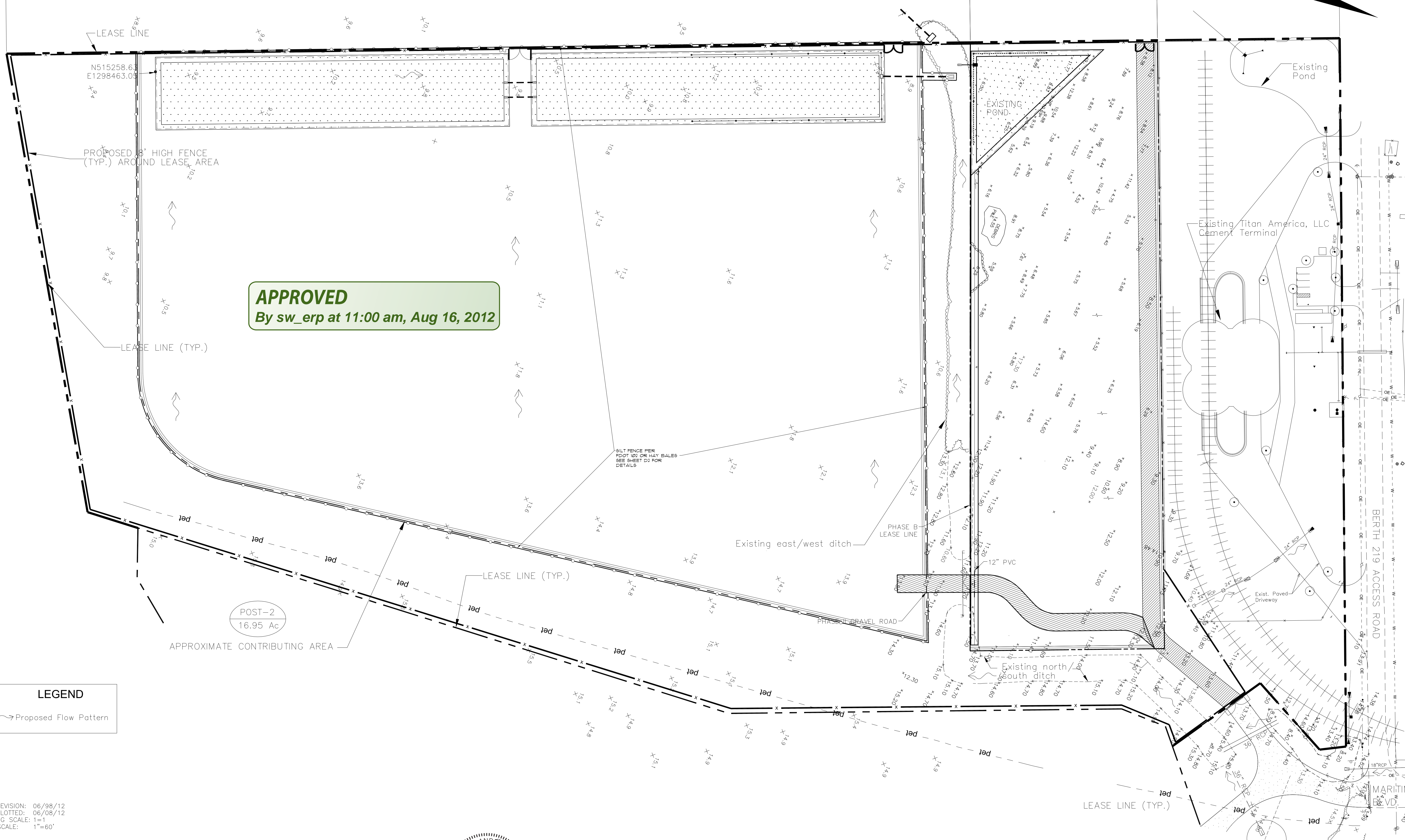
PROJECT No.
11082901.001
SHEET
D3 of 3

TITAN-TPA AGGREGATE UNLOADING FACILITY, TITAN AMERICA, DEERFIELD BEACH, FLORIDA

PHASE II
ERP 29-0266058-001

EXIST. PHASE I
ERP 29-0266058-001

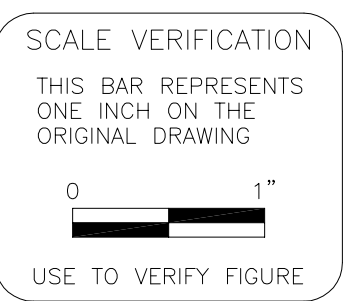
EXISTING
ERP 29-0207113-001
EXISTING CEMENT TERMINAL



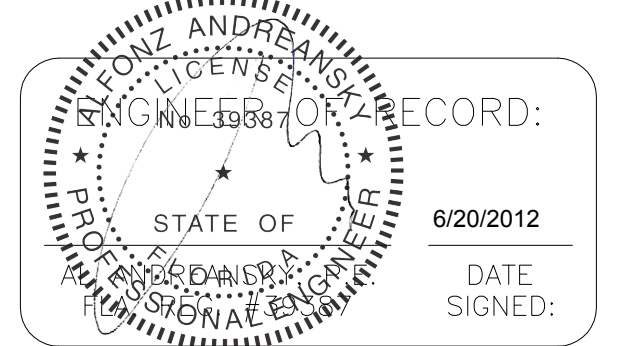
APPROVED
By sw_erp at 11:00 am, Aug 16, 2012

LEGEND
→ Proposed Flow Pattern

LAST REVISION: 06/98/12
LAST PLOTTED: 06/08/12
DRAWING SCALE: 1"=1'
PLOT SCALE: 1"=60'



REVISION	DATE	DESCRIPTION	BY	APPROVED



RECORD:

CAD FILE: 11082901L	SCALE: 1"=60'
DRAWN BY: A.A.	DATE: 10-14-11
CHECKED BY:	DATE:
APPROVED BY:	DATE:

AL ANDREANSKY, P.E.
P.O. BOX 456
PALM HARBOR, FLORIDA 34682-0456
PHONE: (727) 460-8612, FAX: (727) 789-9565

PHASE II EROSION CONTROL LAYOUT
MARITIME BLVD
TAMPA, FLORIDA

PROJECT No.
11082901.001
SHEET
E2 of 2

TITAN-TAMPA AGGREGATE UNLOADING FACILITY, TITAN AMERICA, DEERFIELD BEACH, FLORIDA