



CITY OF TAMPA

Janett S. Martin, City Clerk

Office of City Clerk

June 18, 1996

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg FL 33702

RE: Petition No. DZ92-31
Ordinance No. 96-128

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process. If further information is needed, please contact the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Janett S. Martin
City Clerk

JM/gg

Enclosure: Certified Copy of Ordinance No. 96-128

cc: Land Development Coordination

ORDINANCE NO. 96 - 128

TBRPC
CC
2nd letter

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE FIRST AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FILED BY CITGO PETROLEUM CORPORATION FOR THE EXPANSION OF AN EXISTING PETROLEUM STORAGE TANK TERMINAL, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Ordinance No. 92-149, passed and ordained by the City Council of the City of Tampa, Florida (the "City Council"), on September 17, 1992, approved a development order for the expansion of the existing petroleum storage tank terminal for Citgo Petroleum Corporation (the "Development"), a Development of Regional Impact ("DRI") (hereinafter said Ordinance shall be referred to as the "Development Order"); and

WHEREAS, on about October 26, 1995, Citgo Petroleum Corporation (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Citgo Petroleum Corporation DRI (the "Notice of Change"); and

WHEREAS, the Notice of Change proposed to amend Subsection 3Q of the Development Order to increase authorized annual throughput amounts for the existing tank and truck loading rack, as more particularly set forth in the Notice of Change (hereinafter said changes shall collectively be referred to as the "Proposed Changes"); and

WHEREAS, the Proposed Changes to the Development Order shall constitute the First Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the Notice of Change, as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the City Council as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order; and

WHEREAS, the public notice requirements have been fulfilled; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the Proposed Changes before the City Council; and

WHEREAS, the City Council has reviewed and considered the above-referenced documents, as well as all testimony and evi-

Certified as true
and correct copy.

I. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor do they meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes.

Section 2. Conclusions of Law. That the City Council, having made the above findings of fact, renders the following conclusions of law:

A. That these proceedings have been duly conducted pursuant to applicable law and regulations and based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject only to the amendments, conditions, restrictions and limitations set forth herein.

B. That the review by the City, the Tampa Bay Regional Planning Council and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

C. That based upon the analyses which are part of Composite Exhibit "A" and the record of the proceedings, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.

D. That based on the foregoing and pursuant to Subsection 380.06(19), Florida Statutes, the Proposed Changes are found not to be a substantial deviation to the previously approved Development Order.

Section 3. Order. That having made the above findings of fact, and conclusions of law, it is ordered:

A. That the Proposed Changes set forth on Composite Exhibit "A" are hereby approved and the Development Order is hereby amended to incorporate the Notice of Change.

B. That Subsection 3Q of the Development Order is hereby amended to read entirely as follows:

Q. Air Quality.

1. The total CITGO/Fina VOC emissions shall not exceed the TPY of VOC emissions permitted by FDER (currently 96.2 TPY) and shall comply with the pertinent requirements of EPA (40 CFR 60) and FDER (Chapter 17-2, FAC, Air Pollution). Therefore, the yearly throughput of product for each tank shall not exceed the following schedule:

Certified as true
and correct copy.

TANK #	# OF GALLONS PER YEAR (GPY)
1	66,478,300
5	132,956,600
11	19,152,800
12	19,152,800
14	200,844,800
15	38,305,600
16	87,795,200
17	115,521,600
18	115,521,600
19	114,254,400
Z1	90,000
Z2	60,000
Z3	50,000
Z4	50,000

For any proposed or actual increase in VOC emissions beyond those permitted by FDER, or throughput greater than the above figures, the developer shall submit an NOPC and, if approved, amend the Order to include the appropriate conditions.

C. The findings of fact and conclusion of law made in the Development Order are hereby reaffirmed and are incorporated herein by reference, provided, however, that to the extent that a finding of fact or conclusion of law in the original Development Order, or any amendment thereto, conflicts with another finding or conclusion in a different amendment, the more recent in time shall control.

Section 4. Development Order, as Amended. This Ordinance shall constitute the First Amendment to Ordinance No. 92-149, which shall constitute, collectively, the Development Order for the Development as passed and ordained by the City Council. All provisions of the Development Order, except those provisions specifically modified herein, shall remain in full

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and correct copy.

force and effect and shall be considered conditions of the Development unless inconsistent with terms and conditions of this Ordinance, in which case the terms and conditions of this ordinance shall govern.

Section 5. Definitions. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, its assigns, and its successors in interest.

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its being passed and ordained by the City Council, to the Developer, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 11. Recording. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 9 hereof.

PASSED AND ORDAINED BY "THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUN 13 1996 .

Ronnie Mason

CHAIRMAN, CITY COUNCIL JUN 14 1996
Approved by me

Richard A. Russo

MAYOR

ATTEST

Janett S. Martini

CITY CLERK

APPROVED as to form by:

Lisa K. Guinness

ASSISTANT CITY ATTORNEY

996-002
rwb:149
ksb:290

State of Florida
County of ~~Hillborough~~

This is to certify that the foregoing is a
true and correct copy of *Ordinance 96-128*
on file in my office
Witness my hand and official seal this *14th* day
of *June* 19 *96*

Gail A. Anderson
CITY CLERK

EFFECTIVE DATE
11/20/90

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive
Tallahassee, Florida 32399
904/488-4925

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes, requires that
submittal of a proposed change to a previously approved DRI be
made to the local government, the regional planning agency, and
the state land planning agency according to this form.

1. I, Larry H. Brittain, Jr., the undersigned
owner/authorized representative of CITGO Petroleum Corporation (CITGO)
(developer)

hereby give notice of a proposed change to a previously approved
Development of Regional Impact in accordance with Subsection
380.06(19), Florida Statutes. In support thereof, I submit the
following information concerning the
CITGO Tampa Terminal Expansion Project
(original & current project names)

development, which information is true and correct to the best of
my knowledge. I have submitted today, under separate cover,
copies of this completed notification to Hillsborough County Environmental
Protection Commission, Florida Department of Environmental Protection and the
City of Tampa (local government)

to the Tampa Bay Regional Planning Council, and
to the Bureau of State Planning, Department of Community Affairs.

OCT. 26, 1995
(Date)

[Signature]
(Signature)

Certified as true
and correct copy.

EXHIBIT "A"

2. *Applicant (name, address, and phone).*

CITGO Petroleum Corporation
801 McCloskey Boulevard
Tampa, Florida 33605
(813) 247-3429

3. *Authorized Agent (name, address, phone).*

Mr. Larry H. Brittain, Jr.
CITGO Petroleum Corporation
One Warren Place
P. O. Box 3758
6100 South Yale
Tulsa, Oklahoma 74102
(918) 495-5106

4. *Location (City, County, Township/Range/Section) of approved DRI and proposed change.*

Tampa, Hillsborough, Township 29 South / Range 19 East / Section 30

5. *Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.*

The proposed changes are to change the annual throughput amounts for the existing tanks and the truck loading rack. There will be no changes made to the plan of development, phasing, additional lands, commencement date, or build-out date.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

No site changes will occur.

Checked for title
and correct copy.

6. *Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.*

See attached Substantial Deviation Determination chart.

7. List all of the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

PERMITTING AGENCY	PERMIT AND NUMBER	ACTIVITY/ CHANGE	DATE
Florida Department of Environmental Protection (FDEP)/Hillsborough County Environmental Protection Commission (HCEPC)	AO29-247483 Air Emissions Operating Permit (Existing Tanks)	Change of Throughput and Product (Gasoline to Diesel) in Tanks 11 and 12 *	09/13/94
FDEP/HCEPC	AO29-220497 Air Emissions Operating Permit (Truck Loading Rack)	Increase Diesel Throughput	Permit pending
FDEP/HCEPC	AO29-191511 Air Emissions Operating Permit (Existing Additive Tanks)	Add Two (2) Existing Additive Tanks to the Permit and Increase the Additive Throughputs *	03/08/95

*SEE ATTACHED

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

No lands were purchased or optioned.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

The proposed change is less than 40% of the criteria listed in Paragraph 380.06(19)b, Florida Statutes. This is the first change to be requested.

Certified to be true
and correct copy.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

YES _____

NO X

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

The change does not effect the build-out date and there is no phasing associated with this project.

11. Will the proposed change require an amendment to the local government comprehensive plan?

No.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06 (15), F.S., and 9J-2.025, Florida Administrative Code:

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

The master site plan will not be changed.

13. Pursuant to Subsection 380.06 (19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

The proposed specific changes would be to the development order and would read as follows:

Q. Air Quality.

Certified as true
and correct copy.

1. The total CITGO/Fina VOC emissions shall not exceed the TPY of VOC emissions permitted by FDER (currently 96.2 TPY) and shall comply with the pertinent requirements of EPA (40 CFR 60) and FDER (Chapter 17-2, FAC,

Air Pollution). Therefore, the yearly throughput of product for each tank shall not exceed the following schedule:

TANK #	# OF GALLONS PER YEAR (GPY)
1	66,478,300
5	132,956,600
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14	200,844,800
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17	115,521,600
18	115,521,600
19	114,254,400
Z1	90,000
Z2	60,000
Z3	50,000
Z4	50,000

b. *An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;*

The property legal description will not change.

c. *A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;*

Not applicable.

Confidential
and proprietary

d. *A proposed amended development order termination date that reasonably reflects the time required to complete the development;*

Not applicable.

- e. *A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and*

Not applicable.

- f. *Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025(7), F.A.C.*

The annual reporting will not change.

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and correct copy.

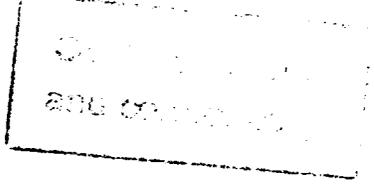
SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Attraction/ Recreation	# Parking Spaces # Spectators # Seats Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Not applicable		
Airports	Runway (length) Runway (strength) Terminal (gross square feet) # Parking Spaces # Gates Apron Area (gross square feet) Site locational changes Airport Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Not applicable		
Hospitals	# Beds # Parking Spaces Building (gross square feet) Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Not applicable		

APPROVED
DATE: 11/11/83

1 SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE	
Industrial	Acreage, including drainage, ROW, easements, etc.	No change			
	# Parking Spaces				
	Building (gross square feet)				
	# Employees				
	Chemical storage (barrels and lbs.)				
	Site locational changes				
	# External Vehicle Trips				
	D.O. conditions				
	ADA representations				
				Not applicable	
Mining Operations	Acreage mined (year)				
	Water Withdrawal (Gal/day)				
	Size of Mine (acres), including drainage, ROW, easements, etc.				
	Site locational changes				
	# External Vehicle Trips				
	D.O. conditions				
	ADA representations				
Office	Acreage, including drainage, ROW, easements, etc.	No change			
	Building (gross square feet)				
	# Parking Spaces				
	# Employees				
	Site locational changes				
	# External Vehicle Trips				
	D.O. conditions				
	ADA representations				



SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Petroleum/Chem. Storage	Storage Capacity (barrels and/or lbs.)	See Attached Table		None
	Distance to Navigable Waters (feet)	100	100	None
	Site locational changes	None	None	None
	Facility Acreage, including drainage, ROW, easements, etc.	24	24	None
	# External Vehicle Trips - Per year	61,880	61,880	None
	D.O. conditions - VOC Emissions	96.2 TPY	88.59 TPY	None
	ADA representations			
	# boats, wet storage			
	# boats, dry storage			
	Dredge and fill (cu.yds.)			
Ports (Marinas)	Petroleum storage (gals.)			
	Site locational changes			
	Port Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
	# dwelling units			
	Type of dwelling units			
	# lots			
	Acreage, including drainage, ROW, easements, etc.			
Residential	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			
	# dwelling units			
	Type of dwelling units			
	# lots			
	Acreage, including drainage, ROW, easements, etc.			
	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			

ENCLOSURE

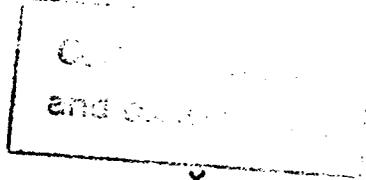
TABLE I
 CITGO TAMPA TERMINAL
 DO #223
 SUBSTANTIAL DEVIATION DETERMINATION CHART
 STORAGE CAPACITY CHANGES

PROPOSED PLAN (Gallons per year - GPY)		ORIGINAL PLAN (Gallons per year - GPY)	
TANK #1	66,478,300 GPY	TANK #1	66,478,300 GPY
TANK #5	132,956,600 GPY	TANK #5	132,956,600 GPY
TANK #11	19,152,800 GPY	TANK #11	41,733,800 GPY
TANK #12	19,152,800 GPY	TANK #12	31,870,400 GPY
TANK #14	200,844,800 GPY	TANK #14	200,844,800 GPY
TANK #15	38,305,600 GPY	TANK #15	38,305,600 GPY
TANK #16	87,795,200 GPY	TANK #16	87,795,200 GPY
TANK #17	115,521,600 GPY	TANK #17	115,521,600 GPY
TANK #18	115,521,600 GPY	TANK #18	115,521,600 GPY
TANK #19	114,254,400 GPY	TANK #19	114,254,400 GPY
TANK #Z1	90,000 GPY	TANK #Z1	30,000 GPY
TANK #Z2	60,000 GPY	TANK #Z2	10,000 GPY
TANK #Z3	50,000 GPY		
TANK #Z4	50,000 GPY		

CITGO TAMPA
 and COMPANY

SUBSTANTIAL DEVIATION DETERMINATION CHART

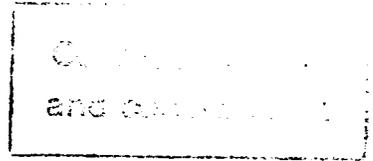
TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc. Floor Space (gross square feet) # Parking Spaces # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	Not applicable		
Hotel/Motel	# Rental Units Floor Space (gross square feet) # Parking Places - # Employees Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Not applicable		
R.V. Park	Acreage, including drainage, ROW, easements, etc. # Parking Spaces Buildings (gross square feet) # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	Not applicable		



SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Open Space (All natural and vegetated non-impervious surfaces)	Acreage Site locational changes Type of open space D.O. conditions ADA representations	No change	No change	
Preservation, Buffer or Special Protection Areas	Acreage Site locational changes Development of site proposed D.O. conditions ADA representations	No change	No change	

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.



HCEPC / FDEP
PERMITS

COMMISSION
PHYLLIS BUSANSKY
JOE CHILLURA
LYDIA MILLER
JIM NORMAN
JAN KAMINSKI PLATT
ED TURANCHIK
SANDRA WILSON

FAX (813) 272-5157



Terminal Operations

OCT 4 1994

RECEIVED

ROGER P. STEWART
EXECUTIVE DIRECTOR
ADMINISTRATIVE OFFICES
AND
WATER MANAGEMENT DIVISION
1900 - 9TH AVENUE
TAMPA, FLORIDA 33608
TELEPHONE (813) 272-5960
AIR MANAGEMENT DIVISION
TELEPHONE (813) 272-5530
WASTE MANAGEMENT DIVISION
TELEPHONE (813) 272-5788
ECOSYSTEMS MANAGEMENT DIVISION
TELEPHONE (813) 272-7104

ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Mr. Albert L. Gallegos
Manager, Environmental/Safety
Terminal Facilities & Operations
Citgo Petroleum Corporation
P.O. Box 3758
Tulsa, OK 74102

File No.: A029-247483
County: Hillsborough

Enclosed is Permit Number A029-247483 to operate six petroleum storage tanks in a bulk petroleum terminal tank farm, issued pursuant to Section 403.087, Florida Statutes.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the Environmental Protection Commission of Hillsborough County (EPC) at 1900 9th Avenue, Tampa, FL 33605, within fourteen (14) days of receipt of this permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the EPC's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the EPC's action or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the EPC's action or proposed action;

(e) A statement of facts which petitioner contends warrant reversal or modification of the EPC's action or proposed action;

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

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

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the EPC's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the EPC with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice, in the EPC Legal Department at the above address. Failure to petition within the allotted time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

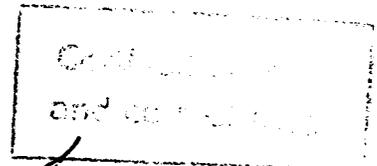
This permit is a final and effective Order on the date it is filed with the clerk, unless a petition is filed in accordance with the above paragraphs, or unless a request for extension of time in which to file a petition is filed within 14 days and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the EPC.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order 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 EPC Legal Department at the above address; 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 the Order becomes final.

Executed in Tampa, Florida

Sincerely,


Roger P. Stewart
Executive Director



RPS/WES/bm
Attachment:

cc: Florida Department of Environmental Protection

COMMISSION
 PHYLLIS BUSANSKY
 JOE CHILLURA
 LYDIA MILLER
 JIM MORLAN
 JAN KAMINSKI PLATT
 ED TURANCHIK
 SANDRA WILSON



ROGER P. STEWART
 EXECUTIVE DIRECTOR
 ADMINISTRATIVE OFFICES
 AND
 WATER MANAGEMENT DIVISION
 1900 - 9TH AVENUE
 TAMPA, FLORIDA 33608
 TELEPHONE (813) 272-5988
 AIR MANAGEMENT DIVISION
 TELEPHONE (813) 272-5538
 WASTE MANAGEMENT DIVISION
 TELEPHONE (813) 272-5788
 ECOSYSTEMS MANAGEMENT DIVISION
 TELEPHONE (813) 272-7104

FAX (813) 272-5157

PERMITTEE:
 Citgo Petroleum Corporation
 P.O. Box 3758
 Tulsa, OK 74102

PERMIT/CERTIFICATION
 Permit No: AO29-247483
 County: Hillsborough
 Expiration Date: 05/15/99
 Project: Six Petroleum Storage
 Tanks

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-209, 62-210, 62-212, 62-272, 62-275, 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 of hereof and specifically described as follows:

For the operation of the following petroleum storage tanks:

<u>Tank No.</u>	<u>Gallons Capacity</u>	<u>Contents</u>	<u>Emission Control Equipment</u>	<u>Roof Design</u>
1*	4,032,000	Gasoline	Floating Roof/Metallic Shoe Primary Seal	External Floating
5*	3,360,000	Gasoline	Floating Roof/Metallic Shoe Primary Seal	External Floating
11	1,260,000	Diesel	Floating Roof/Metallic Shoe Primary Seal	External Floating
12	1,260,000	Diesel	Floating Roof/Metallic Shoe Primary Seal	External Floating
14	4,032,000	Gasoline	Floating Roof/Metallic Shoe Primary Seal	External Floating
16	2,352,000	Diesel	Vertical Fixed-Roof	Fixed

* Regulated Under 40 CFR 60, Subpart K₂

Location: 801 McCloskey Boulevard, Tampa, 33605

UTM: 62-367.4 E 3090.1 N NEDS NO: 0016 Point ID: 03-Tank 5
 04-Tank 1
 05-Tanks 11,
 12, 14, 16

Replaces Permit No.: AO29-141765

Page 1 of 6

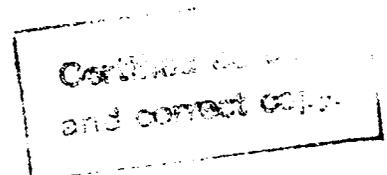
PERMITTEE:
Citgo Petroleum Corp.

PERMIT/CERTIFICATION NO.: A029-247483
PROJECT: Six Petroleum Storage Tanks

SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]
2. 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.]
3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-209, 62-210, 62-212, 62-272, 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.]
4. Emissions of Volatile Organic Compounds from the storage of petroleum distillates in Tanks Nos. 1, 5, 11, 12, 14, and 16, shall not exceed 18.58 tons per any twelve consecutive month period. [Permit Renewal Application of March 11, 1994, and Submittal of August 22, 1994]
5. Tanks No. 1 and No. 5 are subject to the requirements of 40 CFR 60, Subpart Kb, and the RACT Rule 62-296.516, F.A.C. Tank No. 14 is also subject to the RACT Rule 62-296.516, F.A.C. Tanks No. 11, 12, and 16 are subject to the requirements of Rule 62-296.320, F.A.C.
6. The permittee shall ensure that Tanks No. 1 and No. 5 comply with the following:
 - A) The storage tank shall comply with all the applicable requirements of 40 CFR 60, Subpart Kb-Standards of Performance for Volatile Organic Liquid Storage Vessels (July 1, 1988). Applicable sections are 40 CFR 60.112b, 60.113b, 60.115b, and 60.116b.
 - B) The external floating roof, seals, gaskets, vents, and other emission control devices shall be maintained according to the specifications provided in 40 CFR 60.112b(a)(2).
 - C) Measure the gap between the tank wall and the external floating roof perimeter seals on the schedule below [40 CFR 60.113b(b)(1)]:

Primary Seal: Within 60 days of initial fill with a volatile organic liquid and at least once every 5 years thereafter. The Environmental Protection Commission of Hillsborough County shall be provided a minimum of 15 days advance written notice prior to testing. Test procedures shall be consistent with the requirements of 40 CFR 60.113b.



PERMITTEE:
Citgo Petroleum Corp.

PERMIT/CERTIFICATION NO.: AO29-247483
PROJECT: Six Petroleum Storage Tanks

SPECIFIC CONDITIONS: (continued)

Secondary Seal: Within 60 days of initial fill* with a volatile organic liquid and at least once every 12 months thereafter on or within 60 days of November 30th. The Environmental Protection Commission of Hillsborough County shall be provided a minimum of 15 days advance written notice prior to testing. Test procedures shall be consistent with the requirements of 40 CFR 60.113b.

Gap measurement procedures and calculation of allowable gap measurements shall be as described in 40 CFR 60.113b(b)(2) through (5).

* Should a tank cease to store a volatile organic compound for a period of twelve consecutive months or more, subsequent introduction of such a compound shall be considered an initial fill. [40 CFR 60.113b(a)(1) and 40 CFR 60.113(b)(1)(iii)]

D) When the internal floating roof of the tank is resting on the leg supports, the permittee shall fill or empty the tank in a continuous manner as rapidly as possible if a volatile organic compound is stored in the tank. [40 CFR 60.112b(a)(1)(i)]

E) The permittee shall visually inspect roof perimeter seals and fittings each time the tank is emptied and degassed. Maintain records on each inspection performed. As a minimum, the records shall include the date of inspection, the tank inspected and the observed condition of each component of the control equipment (seals, internal floating roof and fittings). [40 CFR 60.113b(b)(6) and 40 CFR 60.115b(a)(2)]

7. The following limitations and restrictions shall apply for any consecutive twelve (12) month period in order to insure compliance with Specific Condition No. 4: [Rule 62-4.070(3), F.A.C.]

<u>Source</u>	<u>Throughput (gallons)</u>	<u>Average True Vapor Pressure</u>	<u>Emissions (tons)</u>
Tank No. 1	66,478,300	7.4 @ 72° F.	4.96
Tank No. 5	132,956,600	7.4 @ 72° F.	5.01
Tank No. 11	19,152,800	0.01 @ 72° F.	0.08
Tank No. 12	19,152,800	0.01 @ 72° F.	0.08
Tank No. 14	200,844,800	7.4 @ 72° F.	6.61
Tank No. 16	87,795,200	0.01 @ 72° F.	1.85

TOTAL: 18.58

Continued on
and covered copy.

PERMITTEE:
Citgo Petroleum Corp.

PERMIT/CERTIFICATION NO.: AO29-247483
PROJECT: Six Petroleum Storage Tanks

SPECIFIC CONDITIONS: (continued)

8. The permittee shall develop and maintain monthly records for each tank in accordance with 40 CFR 60.116b and Chapter 1-1.04.1, Rules of the Environmental Protection Commission of Hillsborough County. The records shall include as a minimum:

- A) Month:
- B) Tank No.:
- C) Volatile Organic Liquid(s) (VOL's) Stored:
- D) Storage Period(s) for Each VOL:
- E) Maximum True Vapor Pressure for Each VOL:
- F) Average Monthly VOL Temperature (°F):
- G) VOL's Throughput (gallons):

9. External floating roof Tanks Nos. 1, 5, and 14, shall be operated and equipped with the following: [Rule 62-296.516(2), F.A.C.]

- A) A continuous secondary seal (rim mounted) extending from the floating roof to the tank wall.
- B) Each seal is intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall and there are no visible holes, tears or other openings in the seal or seal fabric.
- C) Each opening in the external floating roof, except for automatic bleeder vents, rim space vents and leg sleeves are equipped with covers, seals or lids in the closed position except when the openings are in actual use and equipped with projections in the tank which remain below the surface at all times.
- D) Each automatic bleeder vent shall be closed at all times except when the roof is floated off or landed on the roof leg supports.
- E) Each rim vent shall be set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting.
- F) Each emergency roof drain shall have a slit fabric cover that covers at least 90 percent of the opening.

10. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 62-296.320, F.A.C.]

11. 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.

Certified true and correct copy

PERMITTEE:
Citgo Petroleum Corp.

PERMIT/CERTIFICATION NO.: AO29-247483
PROJECT: Six Petroleum Storage Tanks

SPECIFIC CONDITIONS: (continued)

12. The permittee shall not store, handle, process, or use in any process the volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems as follows and as deemed necessary and ordered by the Environmental Protection Commission of Hillsborough County: [Rule 62-296.320, F.A.C.]

- A) Maintain tightly fitting cover, lids, etc. on all containers when they are not being handled, tapped, etc.
- B) Where possible and practical, procure/fabricate a tightly fitting cover for any open trough, basin, etc. of VOC so that it can be covered when not in use.
- C) Immediately attend to all spills/waste as appropriate.

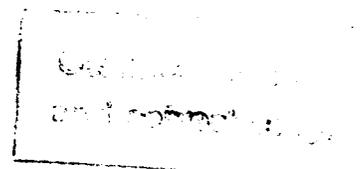
13. Submit to the Environmental Protection Commission of Hillsborough County each calendar year on or before March 1, completed DEP Form 62-210.900(4), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year. [Rule 62-210.370(2), F.A.C.]

14. 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(39), 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 listed on page 1 of this permit.
- B) Installation or addition of any equipment which is a source of air pollution.

15. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

16. Prior to sixty days before the expiration of this operating permit, the permittee shall apply for a renewal of the permit using the current version of the permit renewal application form. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty days before the expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the



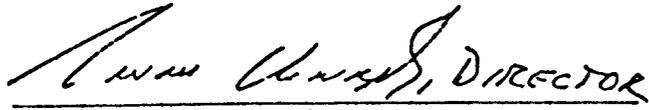
PERMITTEE:
Citgo Petroleum Corp.

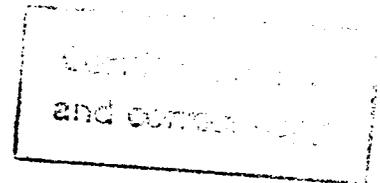
PERMIT/CERTIFICATION NO.: AO29-247483
PROJECT: Six Petroleum Storage Tanks

SPECIFIC CONDITIONS: (continued)

existing permit shall remain in effect until the renewal application has been finally acted upon by the EPC or, if there is court review of the final agency action, until a later date is required by Section 120.60, Florida Statutes. [Rule 62-4.090, F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

for  DIRECTOR
Roger P. Stewart
Executive Director



- 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 reasonably necessary to assure compliance with this permit or Department or EPC 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 EPC with the following information:

- a) A description of and cause of non-compliance; and
- b) The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department or EPC for penalties or for revocation of this permit.

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 or EPC may be used by the Department or EPC as evidence in any enforcement case involving the permitted source arising under the Florida Statutes, Department or EPC rules, except where such use is prescribed by Sections 403.111 and 403.73, Florida Statutes. 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 or EPC 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 or EPC rules.

11. This permit is transferable only upon Department or EPC approval in accordance with Rule 17-4.120 and 17-730.300, Florida Administrative Code, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the EPC.

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

and correct copy.

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 Standard

14. The permittee shall comply with the following:

- a) Upon request, the permittee shall furnish all records and plans required under Department or EPC rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department or EPC.
- 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 the 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 or EPC 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 or EPC, 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 or EPC, such facts or information shall be corrected promptly.



OCT 09 1985 10:11AM CITGO - TAMPA



P.O. Box 47427
Doraville, GA 30362

January 17, 1995

Richard Kirby
Hillsborough County Environmental Protection Commission
1410 North 21st Street
Tampa, FL 33605

Dear Mr. Kirby:

As of January 1, 1995, all gasoline sold for motor vehicle use is regulatorily required to contain additives. Prior to this time, a significant portion of the gasoline sold from CITGO's Bulk Petroleum Products Terminal located in Tampa, FL did not contain additive. Due to the new requirements, CITGO must request an increase in its allowable throughput of additives.

Currently the Tampa terminal is permitted to throughput 150,000 gallons of additive through storage tanks designated Z1 and Z2. CITGO is hereby requesting permission to use the storage tanks designated as Z3 and Z4, in addition to tanks Z1 and Z2, to store gasoline additive. CITGO is further requesting permission to throughput an additional 100,000 gallons of gasoline additive (250,000 gallons total) to meet the regulatory requirements. These changes would result in an additional 23.17 lbs of VOC emissions per year. Documentation supporting this is attached.

I am requesting that this modification be made as soon as possible so that CITGO will not violate its existing permit by throughputting the additional additive which is required by regulation. I understand from our conversation of 1/17/95 that you will try to simply grant an exemption for this minor increase in emissions. CITGO would then be able to address these changes as part of its Title V permitting responsibilities.

I can be contacted at (404) 455-8984 if you have any questions or comments. Thank you for your help in this matter.

Sincerely,

CITGO Petroleum Corporation

William B. Lee III
Environmental and Safety Specialist

Copy to
and cc

COMMISSION

DOTTIE BERGER
PHYLLIS BUSANSKY
JOE CHILLURA
CHRIS HART
JIM NORMAN
ED TURANCHIK
SANDRA WILSON

EXECUTIVE DIRECTOR

ROGER P. STEWART



ADMINISTRATIVE OFFICES, LEGAL &
WATER MANAGEMENT DIVISION
1900 - 9TH AVENUE
TAMPA, FLORIDA 33608
TELEPHONE (813)272-5960
FAX (813)272-5157

AIR MANAGEMENT DIVISION
TELEPHONE (813)272-5530

WASTE MANAGEMENT DIVISION
TELEPHONE (813)272-5788

ECOSYSTEMS MANAGEMENT DIVISION
TELEPHONE (813)272-7104

March 8, 1995

Larry H. Brittain, Jr.
Vice President
Citgo Petroleum Corporation
Post Office Box 3758
Tulsa, OK 74102

Re: Petroleum Additives Tanks Z1, Z2, Z3, and Z4

Dear Mr. Brittain:

The Environmental Protection Commission (EPC) of Hillsborough County, as delegated by the Florida Department of Environmental Protection, has reviewed your application received December 29, 1994 and subsequent request received January 20, 1995. The calculations provided by Mr. William B. Lee, III of Citgo in the January 20, 1995 submittal demonstrate that total VOC emissions will increase by 23.17 pounds per year.

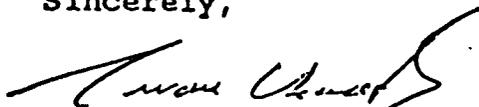
It has been determined that the use of previously unpermitted tanks Z3 and Z4 (application received December 29, 1994) for use as petroleum additives tanks is temporarily exempt from air construction permit requirements. [Rule 62-210.300(4), F.A.C.]

It has been determined by the EPC engineering staff that the increased throughput requested for gasoline additive tanks Z1 and Z2 is not of sufficient quantity as to contribute significantly to the pollution problems within the state, so that the regulation thereof, (construction permit), is not reasonably justified. [Rule 62-4.040(1)(b), F.A.C.]

Larry H. Brittain, Jr.
March 8, 1995
Page 2

Your current operating permit will be amended accordingly to reflect the usage of these tanks authorized by this letter. Please be advised that these sources should be included in your Title V application and they will be re-evaluated at that time. Should you have any questions regarding this authorization please contact Richard C. Kirby, IV, P.E. of my staff at (813) 272-5530.

Sincerely,



Iwan Choronenko, QEP
Director
Air Management Division

bm

cc: Bob Baker, P.E., Baker Environmental Engineering
Jerry Kissel, P.E., FDEP SW-District
William B. Lee, III, Citgo Petroleum Corporation
Terry W. Fluke, Citgo, Tampa Terminal





CITY OF TAMPA

Frances Henriquez, City Clerk

Office of City Clerk

September 21, 1992

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg, Florida 33702

Re: File No. DZ92-31
Ordinance No. 92-149

Dear Sirs:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager/Land Development Coordination, 223-8405.

Sincerely,

Frances Henriquez psm

(Mrs.) Frances Henriquez
City Clerk

FH/ssm

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

*Received 10/2/92
From Citgo Petroleum,
Tulsa OK*

*"ADA and Supporting
Documents" referenced
in D.O. are
stored with project file.*



315 E. Kennedy Blvd., City Hall • Tampa, Florida 33602 • 813/223-8396

Printed on Recycled Paper

ORDINANCE NO. 92-149

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, ISSUING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY CITGO PETROLEUM CORPORATION FOR THE EXPANSION OF AN EXISTING PETROLEUM STORAGE TANK TERMINAL, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, on January 10, 1992, CITGO Petroleum Corporation ("CITGO") filed an Application for Development Approval (which together with a sufficiency response filed on March 20, 1992, is hereafter referred to as the "ADA") of a Development of Regional Impact ("DRI"), with the City of Tampa, City of Tampa Department of Housing and Development Coordination ("HDC"), Department of Community Affairs ("DCA"), Department of Environmental Regulation ("FDER"), Department of Natural Resources ("FDNR"), Florida Department of Transportation, Department of Wildlife & Range Sciences, Bureau of Historic Preservation, Florida Department of Commerce, Florida Game and Fresh Water Fish Commission, Florida Natural Area Inventory, Hillsborough County Environmental Protection Commission ("HCEPC"), Marine Fisheries Commission, Southwest Florida Water Management District, Tampa Bay Regional Planning Council ("TBRPC"), Tampa Port Authority, United States Army Corps of Engineers, United States Department of Agriculture, United States Fish & Wildlife Service, United States Coast Guard, Department of Environmental Research, United States Environmental Protection Agency ("EPA"), and the West Coast Regional Water Supply pursuant to the provisions of Chapter 380, Florida Statutes (191), as amended ("Chapter 380"), and the City of Tampa Code; and

WHEREAS, the ADA proposes the expansion of the petroleum storage facility jointly owned by CITGO and Fina Oil & Chemical Co. ("FINA"), which will consist of three new 120,000-barrel gasoline storage tanks, one 80,000-barrel diesel storage tank, and two 238-barrel gasoline additive tanks; the total additional petroleum storage capacity proposed by this expansion is 440,476 barrels; the expansion will be situated within the existing 24-acre terminal site; and

WHEREAS, the City Council is the governing body of the local government having jurisdiction pursuant to Chapter 380 and is authorized and empowered to consider ADAs for DRI; and

WHEREAS, the public notice requirements of Chapter 380, and Section 27-418, City of Tampa Code, have been satisfied; and

WHEREAS, on September 3, 1992, the City Council held a duly noticed public hearing on the ADA and heard and considered testimony and documents received thereon; and

WHEREAS, all interested parties and members of the public were afforded an opportunity to participate in the City Council application hearing on the subject DRI; and

WHEREAS, the City Council has reviewed the above-referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Certified as true
and correct copy.

Section 1. That this Ordinance shall constitute the Development Order (this "Order") of the City Council issued in response to the ADA filed by CITGO for the expansion of its terminal facility located on Hookers Point in the City of Tampa. The scope of development to be permitted pursuant to this Order includes the land use, operations, and activities described in the ADA and the supporting documents, which are attached to this Order as Exhibit "A."

Section 2. That the City Council, having received the documents referenced above, and having received all related comments, testimony, and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The real property, which is the subject of the ADA, is legally described as set forth in attached Exhibit B, which is incorporated by reference in this Order.
- B. CITGO submitted to the City of Tampa an ADA, which is attached to this Order as Exhibit "A," and which is incorporated by reference in this Order to the extent that it is not inconsistent with the terms and conditions of this Order (including, but not limited to, commitments made by CITGO as summarized in attached Exhibit A-1, which is incorporated by reference in this Order).
- C. CITGO proposes to expand the existing capacity of the CITGO/FINA terminal's petroleum storage capacity to approximately 837,786 barrels from its present capacity of approximately 397,310 barrels.
- D. The proposed DRI will be located at Hookers Point in the City of Tampa.
- E. The proposed DRI is consistent with the adopted local comprehensive plan and land development regulations.
- F. The proposed DRI is in accordance with the applicable zoning district regulations.
- G. The proposed DRI will not interfere with the achievement or the objectives of the adopted state land development plan applicable to the area.
- H. The proposed DRI will not create a material adverse impact on soils, groundwater, vegetation, air quality, animal life, wastewater management, solid or hazardous waste management, or waste disposal.
- I. TBRPC and the applicable City of Tampa departments have conducted a comprehensive review of the impact that the proposed DRI will generate.
- J. This Order is consistent with the report and recommendations of TBRPC and satisfies the provisions of Section 380.06(15).

Section 3. That the City Council, having made the above findings of fact, reaches the following conclusions of law:

- A. These proceedings have been duly conducted in accordance with applicable law and regulations and, based upon the record in these proceedings, CITGO is authorized to conduct its development as described in this

Certified as true
and correct copy.

Order, subject to the conditions, restrictions, and limitations set forth below.

- B. The review by TBRPC, the City of Tampa, and other participating agencies and interested citizens reveals that the terms and conditions of this Order and the ADA adequately address the impacts of the subject DRI in accordance with the requirements of Chapter 380. To the extent that the ADA is inconsistent with the terms and conditions of this Order, the terms and conditions of this Order shall prevail.

Section 4. That, having made the above findings of fact and drawn the above conclusions of law, it is ordered that the ADA is hereby approved, subject to the following conditions, restrictions, and limitations:

- A. Substantial Deviations. Further review pursuant to Chapter 380 shall be required if a substantial deviation, as defined in Section 380.06(19), occurs. A substantial deviation may occur by a material failure to comply with the commitments contained in Exhibit "A-1" (to the extent that such commitments are consistent with this Order), or by activities which are not commenced until after the expiration of the period of effectiveness of this Order. All changes in this Order and substantial deviation determinations shall be consistent with Section 380.06(19). CITGO shall be given due notice of, and an opportunity to be heard at, any hearing to determine whether or not a proposed change to the subject DRI is a substantial deviation.

- B. Annual Reports. CITGO shall submit an annual report on the progress of the subject DRI to DCA, TBRPC, the City of Tampa, and other agencies as may be appropriate on November 1, 1993, and on November 1 of each subsequent year until all terms and conditions of this Order are satisfied. The City shall review the report for compliance with the terms and conditions of this Order and may issue further orders to ensure compliance with the terms and conditions of this Order. The annual report shall contain the following information:

1. Changes in the plan of development or representations contained in the ADA.
2. A list of significant local, state, and federal permits, which have been obtained, or which are pending, for the reporting year, specifying the agency, purpose, permit number, and type of permit as required by Section 308.06(18), as well as a copy of each permit (including the conditions of the permit).
3. A written certification by CITGO that each new foundation constructed during the reporting year was designed and constructed in accordance with American Petroleum Institute Standard ("API") 650 and Appendix B of API-650, together with copies of guarantees issued by the installer or manufacturer that the requirements for welding procedures and welder qualifications contained in Section IX of the American Society of Mechanical Engineers Code have been adhered to for each tank constructed during the reporting year, until such time that construction of the new tank is completed and approved. This certification shall be provided until such time as the

Certified as true
and correct copy.

construction of the new tank foundation is completed and approved.

4. A statement certifying the specific tons per year ("TPY") of Volatile Organic Compound ("VOC") emissions actually emitted from the terminal facility generated during the previous year (including gasoline and diesel storage tanks, additive tanks, and all new tanks in operation during the year) and specifying the permitted TPY of VOC emissions for the facility for that year.
 5. A statement certifying the product throughput per tank per year for each new tank.
 6. A statement certifying the testing of the central ditch for contaminants for the year the testing is done.
 7. The first annual report shall include a statement indicating the manner by which CITGO/FINA is handling industrial wastewater at the terminal facility.
 8. A statement that all persons have been sent copies of the annual report in compliance with Subsections 380.06(15) and (18).
 9. A copy of any notice of the adoption of this Order or the subsequent modification of this Order that was recorded by CITGO pursuant to Section 380.06(15)(f)(1).
 10. A summary comparison of development activity proposed and actually conducted for the reporting year.
 11. Identification of any undeveloped tracts of land that have been sold to a separate entity or CITGO/FINA during the reporting year.
 12. Identification of, and intended use of, land adjacent to the original DRI site that CITGO/FINA has leased, purchased, or optioned during the reporting year.
 13. An assessment of compliance by CITGO/FINA and local governments with conditions of approval contained in this Order and the developer's commitment contained in Exhibit A-1.
 14. Any known incremental DRI application for development approval or request for a substantial deviation determination that CITGO filed in the reporting year or will file during the next year.
 15. An indication of any change in local government jurisdiction for any portion of the terminal facility during the reporting year.
- C. Tank Construction/Conversion. All CITGO Tampa terminal expansion facilities (tanks, piping, containment areas, and berms) shall be designed, constructed, tested and certified in accordance with the following standards:
1. API-650, Construction Standards for Welded Steel Tanks for Oil (including Appendix B - foundation

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construction), which describes recommended practices for foundation construction as committed to by the developer in the ADA.

2. Chapter 17-762, FAC, Above-Ground Storage Tank Systems.
3. API-2000, Venting Atmospheric and Low Pressure Storage Tanks.
4. National Fire Protection Association ("NFPA") Standard No. 30, Flammable and Combustible Liquids Codes, as committed to by the developer in the ADA.
5. Chapter 1-12, Rules of the HCEPC.
6. All construction designs/plans shall be signed by a Registered Professional Engineer.
7. Before utilizing any pipeline (other than the Central Florida Pipeline), CITGO/FINA shall request a substantial deviation determination, unless the impacts of the pipeline already have been addressed through DRI review.
8. During construction of the CITGO Tampa terminal expansion and testing of tanks, a qualified CITGO/FINA representative with the authority and responsibility to inspect the quality of work shall oversee the project on a regular basis. The construction site shall be open to the City of Tampa, upon request. Additionally, any written inspection reports prepared or obtained by CITGO/FINA in connection with the construction of the CITGO/FINA Tampa terminal expansion shall be maintained by CITGO/FINA and made available for inspection by the City of Tampa, upon request.
9. An impervious clay or synthetic liner shall be tied into each new tank foundation to minimize the impacts of leakage. The applicant shall provide written certification that the tank foundations have been constructed in accordance with API-650 and Appendix B of API-650.
10. The manufacturer/installer shall guarantee to the developer that the requirements for welding procedures and welder qualifications contained in Section IX of the American Society of Mechanical Engineers Code have been adhered to for each new tank.
11. The design of all new containment berms shall be signed and sealed by a Registered Professional Engineer and the installer shall certify to the City of Tampa that the berms have been constructed in accordance with the certified plans before operation of any of the new storage tanks.
12. All tanks shall be fitted, at a minimum, with high-level alarms, as committed by the developer in the ADA. A qualified CITGO/FINA employee shall oversee all transloading operations, and visual inspection of the tank shall be required for all topping off operations.

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13. All new tanks (other than additive tanks) for the CITGO Tampa terminal expansion shall be newly constructed, not relocated tanks. Before rebuilding/replacing any petroleum storage tank, developer shall submit "a Notice of Proposed Change to a Previously Approved DRI" ("NOPC") and currently if approved, amend this Order to include the appropriate conditions.
14. Conversion of DRI tanks to store product (other than a change from one grade of gasoline to another) other than that reviewed for the CITGO Tampa terminal expansion DRI shall require a substantial deviation determination. Approval for tanks to be converted to storage of other than petroleum products shall be accorded upon a determination that the conversion is allowed by an FDER permit to Operate/Construct Air Pollution Sources, the API-650 standards are satisfied, that the construction and nature of the tank is appropriate for the products to be stored, and that incompatible materials are not stored within a particular containment area.

D. Maintenance of New and Existing Storage Tanks. All inspections, cleanings, modifications, maintenance, repairs, and record keeping for existing and new storage tank systems shall be implemented in conformance with the following:

1. API-653, Tank Inspection, Repair, Alteration, and Reconstruction, as committed to by the developer in the ADA.
2. API-2015, Cleaning Storage Tanks.
3. Chapter 17-762, FAC, Above Ground Storage Tank Systems, as committed to by the developer in the ADA.
4. As committed in the ADA, the existing terminal facilities (including the underground piping) shall be upgraded to satisfy the requirements of Chapter 17-762, FAC, by December 31, 1999.

E. Testing Procedures.

1. Before utilizing any new tank, CITGO shall provide to the City of Tampa, FDER, and the TBRPC written certification from the manufacturer and/or installer that these tanks were designed, constructed, and tested in accordance with API-650 and Chapter 17-762, FAC. This certification shall be provided following completion and testing of each new tank.
2. CITGO shall provide a letter to the City of Tampa and the FDER before operation of the terminal expansion area, confirming that, in accordance with API standards, all repairs, painting, and cleanings/inspections necessary for safe operation of the existing tanks and pipes have been completed.
3. Each newly completed tank bottom shall be tested for leaks by the application of a vacuum to all welds, as detailed in API-650.
4. Each new tank shall receive radiographic (x-ray) testing during construction of the tank in

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accordance with specifications of the addition of API-650 which is in effect at the time of the testing. The x-ray film can be submitted to a radiographic technician who is certified at a highest level for evaluation of the welds and shall be accomplished to a roll-out sheet showing the locations of the x-rays. All defective welds shall be removed, rewelded, and reinspected before the weld is accepted.

5. Before being placed in service, all new tanks shall receive hydrostatic testing (filling the tank with water to the fullest level it could be filled with product) in accordance with API-650. Before the hydrotest, foundation elevation readings shall be taken at every ten feet of circumference around a tank. Elevation readings shall be taken initially, periodically during the loading, and again at full loading of the hydrostatic test to determine potential settlement problems.
 6. CITGO/FINA shall require that all storage tanks (new and existing) be given a formal visual external inspection by an inspector qualified in accordance with Section 4.10 of API-653, at least every five years, or at the quarter corrosion-rate life of the shell, whichever is less. External, ultrasonic thickness measurements of the shell shall be made at 5-year intervals for all new tanks. Tanks may be in operation during these inspections. Internal inspection of the tank shell, when a tank is out of service, may be substituted for the program of external ultrasonic thickness measurements in accordance with Sections 4.4.2.1 and 4.4.2.2 of API-653.
 7. Recommendations arising from testing and inspections shall be implemented in a timely manner as appropriate, and if a storage tank system is leaking or requires repair, the leaking or defective component of the system shall immediately be deactivated and CITGO/FINA shall comply with all pertinent inspections of the industry standards set forth in subsection 4.D. above and FDER requirements.
- F. Transmission Systems. All new pipes carrying petroleum products shall be cathodically protected and wrapped if underground, and painted if above ground. The piping system shall be hydrostatically tested before operation in accordance with Chapter 17-762, FAC, and ANSI B31.3, "Latest Addition." Thereafter, the system shall be inspected for leaks on an annual basis and repaired in accordance with API standards if necessary.
- G. Plans. The following plans shall be completed and submitted to the City of Tampa, FDER, the EPA, and the FDNR, as appropriate, and shall be approved before the issuance of the FDER operating permit for new tanks. The document also shall be submitted to the U.S. Coast Guard and the TBRPC for review and comment:
1. CITGO shall make the terminal's Spill Prevention Control and Countermeasures ("SPCC") Plan (provided in Appendix F of the ADA) available for inspection at the terminal by the City of Tampa, FDER, FDNR, EPA, and TBRPC. The SPCC Plan shall

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comply with Chapter I, Title 40, Part 112 - Oil Prevention, Code of Federal Regulations ("CFR"), and Chapter 17-770, FAC, Petroleum Contamination Site Cleanup Criteria. The SPCC Plan shall be exercised as frequently as required by FDNR, in coordination with the Hillsborough County Management Agency. The SPCC Plan should include basic information on the facility, a schematic of the facility showing tanks, buildings, other structures, roads, ditches, direction of flow, and distance to the nearest water body; certification by a professional engineer; evaluation of any past spills, their causes, and potential causes of future spills; a listing of actual measures to prevent oil from being spilled in reaching waters of the United States; and a contingency plan, including actions to be taken to control and clean up any spills.

2. As required by their National Pollutant Discharge Elimination System ("NPDES") permit, CITGO/FINA shall develop and implement a Best Management Practices ("BMP") Plan which prevents, or minimizes the potential for, the release of pollutants from ancillary activities (including material storage areas; plant site runoff; in-plant transfer, process, and material handling areas; loading and unloading operations; and sludge and waste disposal areas) to the waters of the United States through plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The BMP Plan shall be consistent with the recommendations of the EPA's NPDES Best Management Practices Guidance Documents, available from the EPA upon request. The BMP plan shall include risk identification and assessment (including toxic and hazardous materials inventory); written reporting of incidents (spills, leaks, run-offs, and other improper discharges); assessment of materials' compatibility (including compatibility of the products stored with the construction material of the tank and compatibility of the tank to the environment); a preventative maintenance program; and inspections, records, and tracking systems; an employee training program, and a program for monitoring water quality from the existing and proposed NPDES outfall point.
3. The evacuation plan for the terminal shall be consistent with the Port of Tampa Evacuation Plan and shall include provisions for securing the terminal and all tanks on the CITGO/FINA terminal site, providing emergency medical care, delineating what route is to be followed in case evacuation is necessary, and ensuring coordination with disaster preparedness officials.

H. Vegetation, Wildlife, and Environment.

1. As requested by the Florida Game and Fresh Water Fish Commission ("FGFWFC"), the portion of the on-site central ditch extending from the ditch's point of origin to the truck and loading rack access road shall be preserved. (The ditch is utilized by three species of special concern: Little Blue Heron, Snowy Egret, and Tri-Colored Heron.) Notwithstanding the foregoing sentence, this condition shall not be interpreted to pro-

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hibit the installation, modification, or removal of gates or other flood control devices regulating water flow into the ditch.

2. In the event that any additional species listed in Sections 39-27.003-.005, FAC, are observed utilizing the site for nesting, proper mitigation measures shall be employed in cooperation with FGFWFC.
3. CITGO shall cooperate with the FDNR to increase manatee awareness in the Sparkman Channel area.
4. No access or maintenance dredging shall be allowed as part of this Order.
5. Any modification of the central ditch shall comply with applicable provisions of section 13-163 of the Tampa City Code pertaining to development within a 30-foot wetlands setback.
6. CITGO shall provide building plans and notifications relative to the expansion to the FDER and the HCEPC in accordance with FDER and HCEPC rules.
7. All proposed development shall comply with Chapter 13 of the City of Tampa Code concerning trees and landscaping.

I. Clean-up of Spills.

1. In the event of a spill of bulk product, CITGO/FINA shall cooperate fully in clean-up efforts and, proportionate to their responsibility, shall reimburse spill clean-up costs, costs associated with administration of the clean-up, and associated investigation costs. The HDC (orally within 24 hours, followed promptly by certified letter sent to the Director of Land Development Coordination) the HCEPC, the FDER, the Coast Guard, and the TBRPC will be promptly notified of any spill.
2. CITGO shall have on-site, or otherwise available for its use, the equipment necessary and standard within the industry for handling first-response spills of oil and other environmentally hazardous materials, along with the capacity to employ that equipment. CITGO's participation in a spill-prevention cooperative, which operates within the vicinity of the terminal and which provides equipment and manpower sufficient to satisfy the requirements of this paragraph, will satisfy its obligations under this paragraph.

J. Water Quality/Stormwater Management. The terminal drainage system shall be designed, constructed, operated, and maintained by CITGO/FINA to satisfy the following standards:

1. The existing NPDES permits shall be maintained and the discharges shall be monitored as required by FDER pursuant to Chapter 17-30, FAC, Hazardous Waste, and EPA Quality Control Standards. Water quality of the discharge shall be consistent with Class III water quality standards.

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soils, which may have a high corrosion potential. The site preparation recommendations provided in the Geotechnical Study made for the proposed construction of the new fuel storage tanks and containment wall at the CITGO/FINA Terminal - Project No. 91-688 (Appendix G in the ADA) shall be implemented to the extent that they are deemed appropriate by CITGO/FINA, the City of Tampa, and FDER.

L. Floodplains. All elevations for dikes (top of containment berm) and electrical equipment (outside of the diked areas) shall be at or above the 100-year base flood elevation as required by the Federal Flood Insurance Program.

M. Water Supply.

1. The City of Tampa Water Department shall be responsible for assuring an adequate nonemergency water supply capacity for the terminal, as well as adequate fire flows (water supply at sufficient pressure and quantity for emergency purposes) for the terminal. The developer shall be responsible for the costs of any water distribution system within the terminal facility necessary to ensure adequate fire protection to the project.
2. CITGO/FINA is responsible for the maintenance of all on-site water systems and for the operation and maintenance of any on-site wells.
3. Where applicable, water-saving devices shall be required as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).
4. The metered water main shall serve as the source of water supply for the hydrostatic testing of the new storage tanks. To conserve water, one of the new storage tanks within the new containment area shall be filled directly from the water main. After that tank is tested, the water shall sequentially be transferred to the other new tanks within the same containment area for use in testing of those tanks. Tank #15, which will be located within an existing containment area, will be filled separately for testing. All water discharged as a result of the hydrostatic testing shall meet Class III water quality standards. The wastewater management conditions below shall apply if the hydrostatic testing water does not meet Class III water quality standards.
5. Connection fees, installation charges, and, if applicable, grants-in-aid of construction necessitated by this development will be assumed by the developer, its successors and assigns, when assessed by the City of Tampa as project plans near completion, all in accordance with established City policies and regulations.

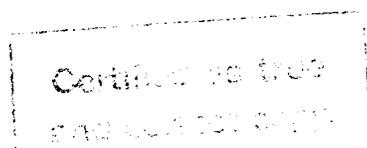
N. Wastewater Management.

1. CITGO/FINA shall provide assurance that the oil/water separator and the wastewater storage tank are of adequate capacity for the expanded terminal facility and that CITGO/FINA shall continue to operate and maintain its internal industrial wastewater collection system (for the

2. The drainage of stormwater from within the diked areas shall be controlled in a manner that will prevent pollutants from entering groundwater or surface waters. If this stormwater is in excess of surface water quality standards, the contaminated stormwater shall be routed into the terminal's industrial wastewater collection system, transported off-site as necessary, and treated in approved treatment facilities.
3. CITGO/FINA will maintain and manage stormwater in compliance with all applicable sections and criteria of 40 CFR 122, EPA Administered Permit Programs: The National Pollutant Discharge Elimination System, and Chapter 17-302, FAC, Surface Water Quality Standards.
4. Groundwater shall be maintained in compliance with Chapters 17-762 and 17-30, FAC.
5. To protect Sparkman Channel, which is part of the Tampa Bay Estuary (a Surface Water Improvement Management Program priority water body), the developer shall comply with the following conditions when utilizing the central ditch as an NPDES discharge point, and these conditions shall be included in any application for an NPDES permit for this discharge point.
 - a. During the first NPDES discharge into the central ditch, CITGO shall, in addition to the required NPDES monitoring, test the waters at a point in the ditch no more than ten feet from Sparkman Channel to verify that the water entering Sparkman Channel from the ditch as a result of the NPDES discharge does not contain petroleum contaminants in excess of surface water quality standards. If the water contains petroleum contaminants in excess of surface water quality standards, the NPDES discharge point shall not be used until the contamination and its source have been corrected and the correction has been verified via sufficient monitoring.
 - b. The developer shall utilize a water control gate to close off the portion of the central ditch landward of the access road at the time of each NPDES discharge and shall not open the gate until all standing water resulting from the discharge has been either released into the channel or absorbed into the ground.
6. Stormwater shall be maintained in compliance with applicable rules of the City of Tampa Stormwater Division.

K. Soils.

1. CITGO shall implement the fugitive dust and erosion control methods and the methods to overcome soil limitations identified on pages III-9 and IV-11 of the ADA.
2. Design, construction, and testing of the new tanks shall take into account the soil limitations related to loose soils, high water table conditions, and the presence of gypsum fill.



purposes of this order, industrial wastewater is defined as a liquid waste product which may contain visibly oily wastewater or contaminated wastewater).

2. All industrial wastewater and contaminated stormwater generated from the terminal shall be pumped, or drained, to the wastewater collection system and shall be handled properly by permitted companies and permitted means, as committed to by the developer in the ADA.
3. If on-site treatment of industrial wastewater (classified as a hazardous waste due to its benzene content) or contaminated stormwater becomes feasible for CITGO/FINA, the developer shall submit an NOPC, and, if approved, amend this Order to include the appropriate conditions.
4. Industrial wastewater or contaminated stormwater shall not be discharged to the City of Tampa sewer system without the specific, written approval of the City of Tampa.
5. Connection fees, installation charges, and, if applicable, grants-in-aid of construction necessitated by this development will be assumed by the developer, its successors and assigns, when assessed by the City of Tampa as project plans near completion, all in accordance with established City policies and regulations.

O. Solid Waste/Hazardous Materials.

1. CITGO shall maintain the Early Detection Incentive site and the area which contained drums in compliance with any assessment or remediation requirements contained in Chapter 17-770, FAC, Petroleum Contamination Site Cleanup Criteria.
2. CITGO/FINA shall dispose nonhazardous solid wastes in accordance with HCEPC Rule 1-7 and all applicable state solid waste codes. Solid waste shall not be permanently stored or disposed on-site.
3. CITGO/FINA shall comply with all state and federal regulations relating to the storage, treatment, transportation, and disposal of hazardous/toxic materials generated or stored on-site, including the submittal of reports which are required by these regulations. All sludge removed from the tanks shall be disposed at an authorized facility permitted to accept hazardous waste.
4. CITGO/FINA shall comply with all applicable sections of Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act.
5. CITGO/FINA shall maintain documentation of appropriate disposal of all hazardous waste (including sludge and tank cleaning) and shall provide access to copies of such documentation within 48 hours of request as required by the Resource Conservation and Recovery Act and Chapter 17-30, FAC, Hazardous Waste. Documentation may be in the form of: a hazardous waste manifest; a bill of lading from a bonded hazardous

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waste transporter indicating shipment to a licensed hazardous waste facility; or a confirmation of receipt of material from a recycler, a waste exchange operation, or other permitted hazardous waste management facility.

6. Universal Waste and Transit, Inc. shall be the entity initially responsible for handling solid waste and/or hazardous waste. Any change in the responsible entity shall require that the new responsible entity be qualified, licensed, and acceptable to the City of Tampa.

P. Transportation.

1. CITGO shall pay the transportation impact fees as specified in the City of Tampa Transportation Impact Fee Ordinance.
2. Where construction impacts cause pavement deterioration in excess of the normal rate, CITGO shall assume a fair portion of the rehabilitation costs.

Q. Air Quality.

1. The total CITGO/FINA VOC emissions shall not exceed the TPY of VOC emissions permitted by FDER (currently 88.59 TPY) and shall comply with the pertinent requirements of EPA (40 CFR 60) and FDER (Chapter 17-2, FAC, Air Pollution). Therefore, the yearly throughput of product for each tank shall not exceed the following schedule:

Tank #1: 66,478,300 gallons per year ("GPY");
Tank #5: 132,956,600 GPY;
Tank #11: 41,733,800 GPY;
Tank #12: 31,870,400 GPY;
Tank #14: 200,844,800 GPY;
Tank #15: 38,305,600 GPY;
Tank #16: 87,795,200 GPY;
Tank #17: 115,521,600 GPY;
Tank #18: 115,521,600 GPY;
Tank #19: 114,254,400 GPY;
Tank #Z1: 30,000 GPY; and
Tank #Z2: 10,000 GPY.

For any proposed or actual increase in VOC emissions beyond those permitted by FDER, or throughput greater than the above figures, the developer shall submit an NOPC and, if approved, amend the Order to include the appropriate conditions.

2. Any change which would result in the facility becoming a "major source" as defined in 40 CFR, Subpart 51.165, shall constitute a substantial deviation requiring further Chapter 380, F.S., review.
3. CITGO/FINA shall be responsible for complying with all applicable sections of Chapter 17-2, FAC, Air Pollution.
4. The City of Tampa and the HCEPC shall reserve the right to require mitigation measures or a

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revision of the master plan to alleviate any additional impacts on ambient air quality beyond the current scope of the project.

R. Hurricane Preparedness.

1. Upon issuance of any hurricane evacuation order, CITGO/FINA shall coordinate the appropriate securing of loading docks and tank farm areas and the closings of all buildings on the site, and shall take all necessary measures to ensure the safe evacuation of employees.
2. CITGO/FINA shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue a hurricane evacuation order.
3. Any deed for sale of CITGO/FINA Tampa terminal property or structures shall contain a hazard disclosure statement generally describing the property's relative probability of damage from hurricane surge.

S. Fire.

1. Prior to operation of the terminal expansion, CITGO shall provide written verification to the City of Tampa Fire Department and City of Tampa HDC (by certified mail to the Director of Land Development Coordination) that all foam delivery systems are functional and will be regularly inspected and maintained.
2. The CITGO/FINA Tampa terminal shall comply with the following fire protection standards and codes:
 - a. NFPA Standard Numbers 11, 16, and 30, which establish standards for fire protection, tank placement, and diking;
 - b. Appropriate recommendations of API Standards 2001, 2003, and 2021; and
 - c. State and City of Tampa fire codes.

Fire protection shall be provided in accordance with the NFPA code best suited for each tank design pursuant to the 1985 Standard Fire Prevention Code.

3. To the extent stated in the commitment letter dated June 8, 1992, the City of Tampa Fire Department shall be responsible for providing fire protection equipment and manpower to serve the expanded terminal facility.
4. Before operation of the terminal expansion, the Fire Department shall verify via site inspection the availability of an adequate on-site supply of fire fighting apparatus and foam, and water supplies appropriate for the magnitude and nature of the development; and shall submit confirmation to the City of Tampa, the Florida Department of Community Affairs, and TBRPC that the terminal facility is in compliance with the above-referenced NFPA and API standards.

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5. Every six months, CITGO shall conduct fire drills consistent with any Port of Tampa Emergency Preparedness Plan. Dates of the fire drills should be identified in the annual report.
6. CITGO/FINA shall restore the automatic fire protection features by adding ultra-violet/infrared detectors on all tanks.

T. Health Care. The City of Tampa Fire Department, which also provides Emergency Medical Service ("EMS"), shall be responsible for assuring that adequate EMS is available for the expanded terminal facility.

U. Employment Practices. CITGO shall observe nondiscriminatory employment practices in connection with the construction and operation of the expanded terminal facility.

V. Financial Responsibility. The owner or operator of the terminal facility shall demonstrate financial responsibility in accordance with Section 17-762.480, FAC, and shall be responsible for complying with all applicable Occupational Safety and Health Administration regulations.

W. Capital Expenditures. The DRI expansion shall not require any capital costs to be borne by the City of Tampa for installation of off-site public facilities, utilities, or transportation improvements.

Section 5. Definitions. That, unless the context indicates otherwise, the definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Order. All section references contained in this Order shall refer to Florida Statutes (1991), as amended, unless otherwise indicated.

Section 6. Commencement of Development. That development of the subject DRI shall commence by February 1, 1993, unless the City of Tampa, TBRPC, and DCA agree to extend the time period for commencement.

Section 7. Expiration of Order. That this Order shall remain in effect for a period of five years from the date it becomes final and the appeal period has ended. If approved, any development activity for which plans have been submitted to the City of Tampa for its review and approval before the expiration date of this Order may be completed. The City Council may extend this Order on the finding of excusable delay.

Section 8. Down-zoning/Intensity Reduction. That the City of Tampa may not down-zone or reduce the intensity or unit density permitted by this Order for ten years from the date upon which this Order becomes final and the appeal period has ended, unless the City of Tampa can demonstrate that:

- A. Substantial changes in the conditions underlying the approval of this Order have occurred; or
- B. This Order was based upon substantially inaccurate information provided by CITGO; or
- C. The changes clearly established by the City of Tampa to be essential to the public health, safety, or welfare.

Any down-zoning or reduction of intensity shall be effected only through the usual and customary procedures required by

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statute and/or ordinance for changes in local land development regulations.

For purposes of this Order, the term "down-zone" shall refer only to changes in zoning or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to CITGO pursuant to this Order. The inclusion of this Section 8 is not to be construed as evidencing any present foreseeable intent on the part of the City of Tampa to down-zone or alter density or intensity of the subject DRI, but is included in this Order to comply with Section 380.06(15)(c)(3).

Section 9. Effect of Order on Successors and Assigns. That this Order shall be binding upon CITGO/FINA, and their respective assigns and successors-in-interest.

Section 10. Compliance with Law. That except to the extent that the requirements set forth in this Order that are more stringent than the requirements otherwise provided by applicable law, all development undertaken pursuant to this Order shall be in accordance with applicable state laws, local codes, and ordinances in effect at the time of permitting.

Section 11. Responsibility for Monitoring. That the Director of HDC will be responsible for ensuring compliance with this Order. Monitoring shall be accomplished by review of the Annual Report, Building Permits, Certificates of Occupancy, Plats, if applicable, and by on-site observations. For any condition which cannot be reasonably monitored as part of the City of Tampa's permitting and inspection process, CITGO shall submit a notarized affidavit regarding compliance with Order conditions and that affidavit shall be included as part of the annual report required by Section 380.06(18).

Section 12. Reference to Governmental Agencies. That any reference in this Order to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor-in-interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental agency in existence on the effective date of this Order.

Section 13. Directions to Clerk. That the City Clerk shall forward certified copies of this Order to CITGO Petroleum Corporation, Post Office Box 3758, Tulsa, Oklahoma 74102, DCA, and TBRPC within five (5) days of the effective date of this Order.

Section 14. Future Development Fees. That CITGO shall pay TBRPC in accordance with the DRI fee schedule within 15 days of billing for any future activities of TBRPC with regard to the subject DRI, including but not limited to monitoring or enforcement actions.

Section 15. Compliance with Development Order. That in the event CITGO violates any of the conditions of this Order or otherwise fails to act in compliance with this Order, the effectiveness of this Order shall be stayed as to all of the DRI property and all further development permits, approvals, and services for the development shall be withheld.

Section 16. Rendering of Development Order. That this Order shall be deemed rendered upon transmittal of copies of this Order to the recipients specified in Chapter 380.

Section 17. Recordation of Notice of Adoption. That CITGO shall record a notice of adoption of this Order as

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required pursuant to Chapter 380 and shall furnish the City Clerk a copy of the recorded notice.

Section 18. Effective Date. That this Order shall become law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in section 13 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON SEP 17 1992.

ATTEST:

[Signature]
CITY CLERK

[Signature: Joe Green]
CHAIRMAN, CITY COUNCIL

APPROVED by me on SEP 17 1992

[Signature]
MAYOR

Approved By:

[Signature: Frank J. Turner]
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ord. # 92-149 on file in my office.

Witness my hand and official seal this 21st day

of Sept 19 1992
[Signature: Francisco Henriquez] CITY CLERK
By: [Signature] Deputy City Clerk
CITY CLERK

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and correct copy.

DRI #223

CITGO TAMPA TERMINAL EXPANSION

DEVELOPER COMMITMENTS

The following are developer commitments set forth in the Application for Development Approval (ADA) and the Sufficiency Response (SR) which shall be honored by the developer, except as they may be superceded by specific terms of the Development Order.

GENERAL SECTION

Project Description

The site will be operated and maintained by terminal personnel after completion of the project. (III-13, ADA)

The existing tank farm has a holding capacity of 110 percent of the largest tank in the area (4,435,200 gallons). The new tank farm containment area will also meet the 110 percent requirements set forth in Chapter 17-762, Florida Administrative Code (FAC). (III-15, ADA)

SPECIFIC DRI INFORMATION

Petroleum Storage Facilities

No processing or refining of petroleum products takes place at the terminal, nor are such activities contemplated for the future. (VI-4, ADA)

The products stored at the terminal and the current distribution practices will not change as a result of this project. (VI-5, ADA)

In 1993, when CITGO's contract with GATX expires, CITGO will move the unloading and storage portion of this operation to its jointly-owned CITGO/Fina facility.... The project will not affect the total volume of petroleum products distributed by CITGO in the Port of Tampa or sent through the Central Florida pipeline. (VI-7, ADA)

The terminal's current Spill Prevention Control and Countermeasures Plan is reviewed on an annual basis and will be amended to include the new tanks as soon as they have been completed. (VI-7, ADA)

The volume of product loaded from the expanded terminal will be equal to the sum of that loaded by CITGO through the GATX Terminal and the volume currently loaded through the CITGO/Fina Terminal. (VI-15, ADA)

This project will not require any dredging or filling as part of the construction, maintenance or operations of the site. (VI-16, ADA)

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In the event of a power outage occurring which disables the spill alarm system, unloading operations will cease and vessels will not be allowed to unload product due to inadequate lighting of the dock area, which will also occur during a power outage. (A-29, SR)

The amount of product offloaded per vessel and the number of vessels unloading at the site will increase. However, the size of the vessels will not change due to the increase of offloaded product. The size of the vessels will not exceed the depth of the channel or the terminal docking facility and no dredging will be required. (A-30, SR. Developer Clarification - replace the word "size" with the word "draft")

All transfer operations are and will be continually manned at the dock, the tank farm and on the vessel during the entire unloading operation per FDNR and Coast Guard requirements. (A-30, SR)

No commercial or retail fueling occurs or will occur at the project site. (B-2, SR)

All new tanks and piping will meet Chapter 1-12, Rules of the Hillsborough County Environmental Protection Commission. (B-14, SR)

NATURAL RESOURCES

Vegetation and Wildlife

The proposed terminal expansion does not involve any shoreline modification or encroachment into environmentally sensitive areas. (III-2, ADA)

Water Quality

Companies contracted to perform the construction work will be responsible for the removal and disposal of all construction debris. (III-17, ADA)

The on-site ditches will not be altered or affected by the proposed expansion project. (B-13, SR)

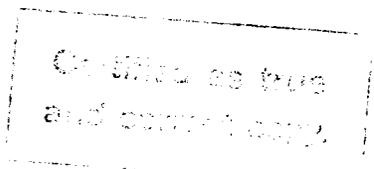
Floodplains

This project will not cause off-site flooding. (III-11, ADA)

Water Supply

There are not now, nor will there be, any on-site water wells. (III-13, ADA)

The internal water supply is existing and will not change or be altered due to this project. (III-13, ADA)



Solid Waste/Hazardous Waste

The area of buried chemical/petroleum drums on-site, referenced in the SR, shall be maintained in compliance with assessment and remediation requirements contained in Chapter 17-770, FAC. (B-13, SR and Developer Clarification)

All hazardous wastes generated at the terminal will continue to be managed and disposed in accordance with Chapter 17-730, FAC. (B-13, SR)

Stormwater Management

All contaminated stormwater collected at the new tank farm will flow through the oil/water separator and then into the wastewater storage tank. (A-13, SR)

TRANSPORTATION RESOURCES

Transportation

No new truck loading racks, bays or arms will be added due to this expansion project. (IV-1, ADA)

Air

During construction, standard fugitive dust and erosion control measures will be utilized, as necessary. These measures may include placement of hay bales, mulching, wetting and sodding of graded areas. (IV-11, ADA)

The existing truck loading racks/control equipment (VRU and Flare) are permitted at an emission rate of 35 mg/l and a throughput of 407,000,000 gallons per year of gasoline. These permit limits are set forth in 40 CFR 60 Subpart XX and will not change or be exceeded by this expansion. (IV-11, ADA)

Disaster Preparedness

When prior warning of possible flooding is available, storage tank product levels will be kept at a minimum of 25 percent above probable flood high waters. (A-28, SR)

HUMAN RESOURCES

Energy

The project designs will consider various energy conserving materials and equipment. All new construction will meet City of Tampa codes pertaining to energy efficient design methods and equipment. (V-4, ADA)

EQUIPMENT DESIGN COMMITMENTS

(New Tank Construction Applications, Attachment 3, pages 2-4, Appendix C, ADA and Developer Clarification)

TANKS

Tanks #17, #18 and #19 will be internal floating roof tanks equipped with mechanical shoe seals and secondaries. Tank #15 will be a cone roof tank. All tanks will be designed per the latest revision of API 650. All tanks will be built on standard concrete ringwall foundations. Anchors will be installed in the foundations for the attachment of HDPE liners. With respect to Tanks #17, #18 and #19, liners will be installed both under the tanks and from the tank to the dike wall. With respect to Tank #15, a liner will not be installed from Tank #15 to the dike wall because the tank is being built within an existing common diked area. All tanks will be equipped with cathodic protection, high level alarms, automatic tank gauges, tank safety valves and water draw off valves. Additionally, all internal floating roof tanks will be equipped with foam nozzles and fire sensors.

HIGH LEVEL ALARMS/TANK GAUGING

All tanks will be equipped with Omnitrol level switches which will be set to activate on high tank levels. This will be an independent system from the tank gauging system and will give an independent hardware alarm, both at the terminal office and at the ship dock. The alarm system will be capable of doing an emergency shutdown of offloading operations. All new tanks will be equipped with level transmitters compatible with the existing terminal system and the new tanks will be incorporated into that existing system. This will create a dual redundant high level alarm system, one side being software driven (tank gauging) the other being hardware driven (high level switches).

FIRE SYSTEM

The existing fire system will be extended to cover the new tankage. This will result in piping and control system changes only as the existing fire system is adequate to cover the new tank additions.

The existing fire system is capable of extinguishing fires on at least two tanks simultaneously. No modifications will be needed in power service or water service for the expansion of the fire system.

TANKS DIKES/SECONDARY CONTAINMENT

Tank #15 will be built inside an existing tank dike. Secondary containment for Tank #15 will consist of a HDPE liner system under the tank itself. Tank #15 will be connected by PVC pipe to the existing tank farm wastewater collection system.

Tanks #17, #18, and #19 will have an HDPE liner under the tanks and extending to the dikes surrounding the tanks. The liner will be bonded to the ringwall, and to the dike wall surrounding the tanks. The dike wall completely surrounding Tanks #17, #18, and #19 will be poured in place with concrete and will be designed to contain 110 percent of the capacity of the largest tank. The top of the dike wall will be above the Federal floodplain level (11 feet above MSL), thus protecting the tanks from saltwater flooding.

There will be no pipe penetrations of the HDPE liners inside the dike walls.

PIPING

All product piping installed with the new tankage will be installed above ground. There will be no penetrations of the dike wall or of the secondary containment liners with product piping. All wastewater collection piping will be installed above the secondary containment liners.

PUMPS

Tanks #17, #18, and #19 will require product pumps (50 hp) to deliver product back into the receiving manifold of the tank farm. These pumps will be located inside the diked area and will be approved for this classified area.

WASTEWATER COLLECTION

A FVC gathering system will be installed beside tanks #17, #18 and #19 to gather wastewater from these tanks. This will consist of a gravity drain system which will drain to a sump and then be pumped over to the existing oil/water separator system. All FVC piping will be below-grade, but will be above the secondary containment liner. Discharge piping from the sump will be above-ground.

PARCEL A:

The following mentioned tract or parcel of land on Hookers Point in the City of Tampa in Hillsborough County, Florida, the said land being more particularly described as follows: Beginning at a point distant 50 feet (ft.) measured at right angles to and Northwesterly from the center line of the main track of the Tampa Northern Railroad Company which serves the Hookers Point area, said point being 1262.54 ft. South of a point 1881.17 ft. west of the Northeast corner of Section 30, in Township 29 South of Range 19 East, run S.50°50'30"W. 1111.05 ft. to a point distant 15 ft. measured at right angles in a Northwesterly direction from the center line of industrial spur track SV #4, thence in a Southwesterly direction along a line 15 ft. Northwesterly measured at right angles or radially from the center of the most Northerly industrial spur track as constructed to serve the Mexican Petroleum Corporation, along the arc of a curve to the right, (having a radius of 1432.40 ft., a chord of 16.70 ft. and a chord bearing of S.51°40'03"W.) 16.70 ft.; thence N.00°00'30"E., 164.51 ft.; thence N.89°35'48"W. 265.54 ft., thence S.00°00'30"W. 330.48 ft.; thence S.87°31'W. 695.2 ft. to a point on the harbor line on the East side of Sparkman Channel; thence N.05°56' E. along said harbor line 628.97 ft. to a break (or elbow) in said harbor line; thence N.20°28'E. along said harbor line 306.8 ft. to a point in the Southern boundary of the property of Florida Portland Cement Company, thence S.89°46'30"E. 1662.55 ft. along said Southern boundary of property of Florida Portland Cement Company to the Point-of-Beginning; the above described property comprising a part of Government Lots 1 & 2 of Section 30 in Township 29 South of Range 19 east, Hillsborough County, Florida; LESS the following described parcel of land: for a point of reference, commence at a point distant 50 ft. measured at right angles to and Northwesterly from the center line of the main track of the Tampa Northern Railroad Company which serves the Hookers Point area, said point being 1262.54 ft. South of a point 1881.17 ft. West of the Northeast corner of Section 30, Township 29 South of Range 19 East, run S.50°50'30"W. 1111.05 ft. to a point distant 15 ft. measured at right angles in a North-westerly direction from the center line of industrial spur track SV #4, thence in a Southwesterly direction along the arc of a curve to the right, (having a radius of 1432.40 ft., a chord of 328.86 ft. and a chord bearing of S.57°55'30"W.) 329.59 ft.; thence S. 87°31'00"W. 361.58 ft.; thence N.00°44'48"E. 361.23 ft. to the Point-of-Beginning; thence N.89°30'31"W. 253.08 ft.; thence N.00°29'29"E. 62.13 ft.; thence S.89°43'54"E. 21.04 ft.; thence N.00°31'18"E. 61.72 ft.; thence S.89°28'42"E. 233.68 ft.; thence S.00°44'48"W. 123.80 ft. to the Point-of-Beginning. (Containing 23.0 Acres).

Subject to an Easement for ingress and egress over Parcel A from McCloskey Boulevard to Parcels B and C as follows:

For a point of reference, commence at a point distant 50 ft. Northwesterly from the center line of the main track of the Seaboard Coastline Railroad, measured at right angles, which serves the Hookers Point area, said point being 1262.54 ft South and 1881.17 ft West of the Northeast corner of Section 30, Township 29 South, Range 19 East, Hillsborough County, Florida; thence S.50°50'30"W. for 755.17 ft to the centerline of

the existing driveway extending Northwesterly from McCloskey Boulevard; thence S.50°50'30"W., for 10.00 ft to the outer most edge of asphalt pavement of access road and being the Point-of-Beginning; thence S.75°37'34"W., for 34.82 ft; thence S.50°53'28"W., for 68.25 ft; thence S.55°36'55"W., for 23.76 ft; thence N.89°35'48"W., for 249.21 ft; thence S.85°26'04"W., for 191.65 ft; thence S.89°09'01"W., for 54.04 ft; thence S.89°59'35"W., for 58.25 ft; thence N.89°33'46"W., for 62.63 ft; thence S.89°22'37"W., for 61.23 ft; thence N.77°58'25"W., for 59.42 ft; thence N.44°05'23"W., for 56.19 ft; thence N. 39°42'52"W., for 35.22 ft; thence N.00°39'30"E., for 76.84 ft; thence N.01°16'36"E., for 24.51 ft; thence N.57°50'18"E., for 104.53 ft; thence S.89°11'15"E., for 289.30 ft to the Westerly face of existing one-story frame building; thence S.00°48'45"W., along the Westerly face of said building, for 24.00 ft; thence S.89°48'45"W., along the Westerly face of said building, for 24.00 ft; thence S.89°11'15"E., along the Southerly face of existing building for 360.10 ft; thence S.24°31'24"E., for 22.52 ft; thence S.60°34'05"E., for 22.18 ft; thence S.89°00'32"E., for 59.86 ft; thence S.73°50'24"E., for 53.91 ft; thence S.44°51'04"E., for 55.65 ft; thence S.50°50'30"W., for 20.00 ft to the Point-of-Beginning; LESS the following described parcel of land:

For a point-of-reference commence at a point 50 ft North-westerly from the centerline of the main track of Seaboard Coastline Railroad, measured at right angles, which serves the Hookers Point area, said point being 1262.54 ft South and 1881.17 ft West of the Northeast corner of Section 30, Township 29 South, Range 19 East, Hillsborough County, Florida; thence S.50°50'30"W., for 755.17 ft to the centerline of the existing driveway extending Northwesterly from McCloskey Boulevard; thence S.50°50'30"W., to the Southerly most edge of pavement of said driveway for 10.00 ft; thence N.87°38'52"W., for 75.78 ft to the inner most edge of asphalt of access road being the Point-of-Beginning; thence S.42°44'20"W., for 36.34 ft; thence S.59°40'35"W., for 31.27 ft; thence N.89°45'57"W., for 236.19 ft; thence S.83°44'19"W., for 88.96 ft; thence 84°37'33"W., for 121.29 ft; thence N.89°44'53"W., for 78.72 ft; thence N.89°45'30"W., for 61.89 ft; thence N.89°36'30"W., for 63.14 ft; thence N.74°32'49"W., for 55.41 ft; thence N.21°56'51"W., for 44.25 ft; thence N.27°19'26"E., for 35.57 ft; thence N.49°01'21"E., for 20.95 ft; thence S.89°11'15"E., for 159.30 ft; thence N.80°58'50"E., for 36.88 ft; thence S.89°11'15"E., for 489.93 ft; thence S.20°03'05"E., for 37.92 ft to the Point-of-Beginning. (Containing 0.69 Acres), PROVIDED HOWEVER, said easement shall be subordinate to the use of said right-of-way for terminal operations.

SAVE AND EXCEPT Parcels B and C described for clarification purposes as follows:

PARCEL B:

The following mentioned tract of parcel of land on Hookers Point in the City of Tampa in Hillsborough County, Florida, the said land being more particularly described as follows: For a point of reference, commence at a point distant 50 ft. measured at right angles to and Northwesterly from the center line of the main track of the Tampa Northern Railroad Company which serves the Hookers Point area, said point being 1262.54 ft. South.

of a point 1881.17 ft. West of the Northeast corner of Section 30, in Township 29 South of Range 19 East, run S.50°50'30"W. 1111.05 ft. to a point distant 15 ft. measured at right angles in a Northwesterly direction from the center line of industrial spur track SV #4, thence in a Southwesterly direction along the arc of a curve to the right (having a radius of 1432.40 ft., a chord of 16.70 ft., and a chord bearing of S.51°40'03"W.) 16.70 ft. to the Point-of-Beginning; thence continue along the arc of a curve to the right (having a radius of 1432.40 ft., a chord of 312.26 ft., and a chord bearing of S.58°15'33"W.) 312.88 ft; thence N.00°00'30"E. 330.48 ft.; thence S.89°35'48"E., 265.54 ft; thence S.00°00'30"W. 164.51 ft. to the Point-of Beginning. (Containing 1.55 Acres).

PARCEL C:

The following mentioned tract or parcel of land on Hookers Point in the City of Tampa in Hillsborough County, Florida, the said land being more particularly described as follows: For a point of reference, commence at a point distant 50 ft measured at right angles to and Northwesterly from the center line of the main track of the Tampa Northern Railroad Company which serves the Hookers Point area, said point being 1262.54 ft South of a point 1881.17 ft West of the Northeast corner of Section 30, in Township 29 South of Range 19, East, run S.50°50;30"W. 1111.05 ft to a point distant 15 ft measured at right angles in a Northwesterly direction from the center line of industrial spur track SV #4, thence in a Southwesterly direction along the arc of a curve to the right (having a radius of 1432.40 ft., a chord of 328.86 ft., and a chord bearing of S.57°55'30"W.) 329.59 ft; thence S.87°31'00"W. 361.58 ft; thence N.00°44'48"E. 361.23 ft to the Point-of-Beginning; thence N.89°30'31"W. 253.08 ft; thence N.00°29'29"E. 62.13 ft; thence S.89°28'42"E. 233.69 ft; thence S.00°44'48"W., 123.80 ft to the Point-of-Beginning. (Containing 0.69 Acres).

ALSO SUBJECT TO an Easement for ingress and egress, including, but not limited to, the right to use the dock facilities for on-loading and off-loading and temporary storage of all types of materials, equipment, machinery, goods, merchandise, petroleum products, and any other materials that may be shipped or transported by water, between Sparkman Channel and Parcel C over and across the existing or any future dock facilities constructed and located on Parcel A. Provided however, said easement shall be subordinate to the use of said dock facilities for the on-loading and off-loading of petroleum products which are being moved into or out of the terminal facility.

PARCEL I:

LEGAL DESCRIPTION:

For a point-of-reference commence at a point 50 ft Northwesterly from the centerline of the main track of CSX Transportation, Inc., measured at right angles, which serves the Hookers Point area, said point being 1262.54 ft South and 1881.17 ft West of the Northeast corner of Section 30, Township 29 South, Range 19 East, Hillsborough County, Florida; thence S.50°50'30"W., for 747.50 ft to a corner; thence South

41°05'34"E., for 115.75 ft; thence South 46°53'29"E., for 79.10 ft to the centerline of 20.00 ft pavement McCloskey Boulevard and the Point-of-Beginning; said Point-of-Beginning being the centerline of a 20-ft easement further being 10.00 ft on either side of the following described centerline; thence North 51°59'10" and a tangent of 95.81 ft; thence along the arc of said curve for 178.29 ft, said curve being subtended by a chord of 172.24 ft bearing North 77°26'30"E.; thence South 76°33'54"E. to the Westerly right-of-way line of Maritime Boulevard. (65.22 ft to the edge of pavement Maritime Boulevard).

PARCEL II:

LEGAL DESCRIPTION:

For a point-of-reference commence at a point 50 ft Northwesterly from the centerline of the main track of CSX Transportation, Inc., measured at right angles, which serves the Hookers Point area, said point being 1262.54 ft South and 1881.17 ft West of the Northeast corner of Section 30, Township 29 South, Range 19 East, Hillsborough County, Florida; thence S.50°50'30"W., for 747.50 ft to the Point-of-Beginning, said Point-of-Beginning being at the centerline of a 20.00 ft easement, further being 10.00 ft either side of the following described centerline; thence South 41°05'34"E., for 115.75 ft; thence South 46°53'29"E., for 79.10 ft to the centerline of 20.00 ft pavement McCloskey Boulevard.

Corrected as shown
and correct copy.