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Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

August 7, 2014

MRS DENISE ROGERS
ASSET MANAGEMENT REGULATORY COMPLIANCE MANAGER
EF90 LLC
1401 MCKINNEY ST STE 1500
HOUSTON TX 77010-4042

Re: Initial Permit
Permit Number: 109923
Renewal Date: August 7, 2024
EF90 LLC
Corpus Christi Oil Terminal
Corpus Christi, Nueces County
Regulated Entity Number: RN106620438
Customer Reference Number: CN604275107

Dear Mrs. Rogers:

This is in response to your Form PI-1 (General Application for Air Preconstruction Permits and Amendments) concerning the above-referenced project. Also, this will acknowledge that your application for the above-referenced permit is technically complete as of June 20, 2014.

In accordance with Title 30 Texas Administrative Code (TAC) Chapter 116 and based on our review, your permit is hereby issued. This information will be incorporated into the permit files. Enclosed are general conditions (permit face), special conditions, and a maximum allowable emission rates table. We appreciate your careful review of the permit and assuring that all requirements are consistently met. The construction and operation of the facilities must be as represented in the application. In addition, with this permitting action, Permit by Rule Registration Numbers 111269 and 111188; and Standard Permit Number 110279 have been voided.

This permit will be automatically void upon the occurrence of any of the following, as indicated in 30 TAC §116.120(a):

1. Failure to begin construction within 18 months of the date of issuance,
2. Discontinuance of construction for more than 18 months prior to completion, or
3. Failure to complete construction within a reasonable time.

Upon request, the executive director may grant extensions as allowed in 30 TAC §116.120(b).

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This permit is effective as of the date of this letter and will be in effect for ten years from the date of approval.

You may file a **motion to overturn** with the Chief Clerk. A motion to overturn is a request for the commission to review the executive director's decision. Any motion must explain why the commission should review the executive director's decision. According to 30 TAC §50.139, an action by the executive director is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the Chief Clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the Chief Clerk in person, or by mail to the Chief Clerk's address on the attached mailing list. On the same day the motion is transmitted to the Chief Clerk, please provide copies to the applicant, the executive director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the executive director's approval. According to Texas Health and Safety Code §382.032, a person affected by the executive director's approval must file a petition appealing the executive director's approval in Travis County district court within 30 days after the **effective date of the approval**. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

You are reminded that these facilities must be in compliance with all rules and regulations of the Texas Commission on Environmental Quality (TCEQ) and of the U.S. Environmental Protection Agency at all times.

If you need further information or have any questions, please contact Mr. Jesse Lovegren at (512) 239-1284 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

Michael Wilson, P.E., Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

MPW/jl

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Enclosure

cc: Air Section Manager, Region 14 - Corpus Christi

Project Number: 192780