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Brown Marine Services, Inc.
Shipyard
Facility ID No.: 0330256
Escambia County

Air Construction Permit
Permit No.: 0330256-001-AC

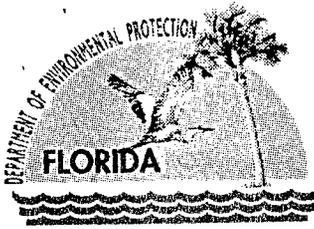
Permitting and Compliance Authority:
Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, FL 32501-5794
Telephone: 850/595-8364
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Air Construction Permit
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Table of Contents

Section	Page Number
Placard Page	1
I. Facility Information	2
A. Facility Description.	
B. Summary of Emissions Unit ID No(s). and Brief Description(s).	
C. Relevant Documents.	
II. Facility-wide Conditions	3
III. Emissions Unit(s) and Conditions	
A. 001 Boatyard Activities	5
Appendices	
Appendix G-1, General Conditions	



Jeb Bush
Governor

Department of Environmental Protection

Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794

David B. Struhs
Secretary

Permittee:
Brown Marine Services, Inc.

Permit No.: 0330256-001-AC
Facility ID No.: 0330256
SIC Nos.: 37, 3732
Project: Shipyard

This after-the-fact construction permit is for the existing Shipyard located at 40 Audusson Ave., Pensacola, South shore of Bayou Chico, West of the new Bayou Chico Bridge, Escambia County; UTM Coordinates: Zone 16, 476.36 km East and 3363.02 km North; Latitude: 30° 24' 02" North and Longitude: 87° 14' 55" West.

STATEMENT OF BASIS: This air construction permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-296. 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 permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:
Appendix G-1, General Conditions

Effective Date: June 22, 1999
Expiration Date: June 22, 2004

**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

Ed K. Middleswart, P.E.
Air Program Administrator

EKM/as

Section I. Facility Information.

Subsection A. Facility Description.

This is an existing shipyard. Areas of the facility are used for sanding and/or sandblasting, painting, and repair operations. The facility rents space to independent contractors to perform boat repairs and painting. One of the contractors builds marine-related articles out of plywood covered with glass-fiber reinforced polystyrene resins. Some of the waterfront is used as a marina where tenants moor their boats. Other yard activities include tugboat operations, salvage barge operations and marine engine repair work.

The associated shipyard activities include onsite fiberglass and gelcoat repairs of vessels, followed by preparing hulls for painting by use of abrasive materials (sanding, sandblasting). Following the prepping of each vessel, the facility utilizes a variety of primers, thinners and paints to complete all painting required, whether decorative or bottom paint.

The facility and contractors store paints, styrene resins, primers and thinners, and their wastes at the site.

Based on the permit application received January 20, 1999, this facility is not a major source of hazardous air pollutants (HAPs). Monitoring of materials usage will verify that emissions remain below major thresholds.

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

<u>ID No.</u>	<u>Brief Description</u>
001	Boatyard Activities, including the following segments: Painting, Sanding and/or Sandblasting, Styrene Resin and Gelcoat, Repairs and Fabrications, and Fugitive Emissions

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are on file with permitting authority:

Permit Application received January 20, 1999

Additional Information Request dated February 24, 1999

Additional Information Response received March 12, 1999

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX G-1, GENERAL CONDITIONS, is a part of this permit.
2. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. 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(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA).
 - a. As required by rule, inspection, or change in process the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.
 - b. The owner or operator shall report to the Department of Community Affairs (DCA) within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the USEPA/Chemical Safety Hazard Investigation Board or the National Response Center under Section 112(r)(6).
 - c. The owner or operator shall submit the required annual registration fee to the DCA on or before June 21, 1999 and on April 1 annually thereafter, in accordance with Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.
5. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
[Rule 62-296.320(1)(a), F.A.C.]
6. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:
 - (a) Management of roads, parking areas, and yards, which shall include one or more of the following:
 1. Paving and maintenance of roads, parking areas, and yards.
 2. Application of water or dust suppressants when necessary to control emissions.

3. Removal of particulate matter from roads and other paved areas under control of the owner or operator to mitigate reentrainment, and from building or work areas to reduce airborne particulate matter.
4. Installation of wind breaks to mitigate wind entrainment or particulate matter.
5. Landscaping or planting of vegetation.

(b) Keeping dust-containing receptacles closed and protected from the action of the wind.

(c) Installing screens or drop cloths to protect used abrasive blasting materials and dust on the ships or on the ground from the action of the wind.

[Rule 62-296.320(4)(c)2., F.A.C.]

7. An annual operating report for air pollutant emitting facility, DEP Form 62-210.990(5), shall be submitted by March 1 of each year. A copy of the form and instructions may be obtained from the Department's Northwest District office.

[Rule 62-210.370, F.A.C.]

8. The permittee shall submit all compliance related notifications and reports required by this permit to the Department's Northwest District office. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 595-8364, extension 1220, day or night, and for emergencies involving a significant threat to human health or the environment is (800) 320-0519. For routine business, telephone (850) 595-8364, then press 7, during normal working hours.

[Rules 62-210.700 and 62-4.130, F.A.C.]

9. The applicant shall retain a Professional Engineer, registered in the State of Florida, for the inspection of this project. The engineer shall inspect for conformity to the permit application and associated documents. An application for an operation permit shall be submitted with appropriate fee (AO-2C \$750) within 60 days of receipt of this permit.

[Rules 62-210.300(2) and 62-4.050(3), F.A.C.]

10. The Department shall be notified upon commencement of any construction. The Department shall be notified and prior approval shall be obtained of any construction and/or changes or revisions made to this permit. Projects beyond one year require annual status reports.

[Rule 62-4.030, F.A.C.]

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions unit(s).

E.U.

ID No. Brief Description

001 Boatyard Activities, specifically following segments:
 Painting, and Styrene Resin and Gelcoat, Repairs and Fabrications

The associated activities include onsite fiberglass and gelcoat repairs of vessels, followed by preparing hulls for painting by use of abrasive materials (sanding, sandblasting). One of the contractors builds marine-related articles out of plywood covered with glass-fiber reinforced polystyrene resins. Following the prepping of each vessel, the facility utilizes a variety of primers, thinners and paints to complete all painting required, whether decorative or bottom paint.

The facility and contractors store paints, styrene resins, primers and thinners, and their wastes at the site.

Permitting note(s): (IMPORTANT REGULATORY CLASSIFICATIONS - 40 CFR 63 Subpart II, NESHAPs for Source Categories, for Shipbuilding and Ship Repair (Surface Coating) does not apply as per 63.781(a) because facility is not a major source. Permittee paid \$250 fee for an AC - 1F, Source less than 5 T/yr.

The following specific conditions apply to the emissions unit(s) listed above:

Recordkeeping and Reporting Requirements

A.1. VOC and HAP emissions from the specific Boatyard Activities; Painting, and Styrene Resin and Gelcoat, Repairs and Fabrications, shall be tracked by use logs and monthly materials usage and emissions calculations based on materials' VOC and HAP content (wt %), gallons of materials used, and pound of material/gallon of material. Monthly summaries of emissions shall be kept and maintained for Department inspection for at least five years from date of usage. Monthly summaries shall be certified by responsible company representative to be accurate and truthful calculated representations of actual emissions. Permittee shall submit draft use logs and monthly emission summary for Department approval with the operating permit application.
[Rules 62-4.160(2), 62-210.200(PTE), and 62-296.320(1), F.A.C.]

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions", and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - a. Having access to and copying any records that must be kept under the conditions of this permit;
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and,
 - c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of noncompliance; and

b. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurement;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.