THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY ELECTRONIC MAIL
Dean_Burnett@yamaha-motor.com

In the Matter of an
Application for Permit by:

Century Boat Company, Inc.
6725 Bayline Drive
Panama City, Florida 32404
_____/

Permit No.: 0050061-008-AC
Panama City Facility
Bay County

INTENT TO ISSUE PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit (copy of DRAFT Permit enclosed) for the source detailed in the application specified above, for the reasons stated below.

The applicant, Century Boat Company, Inc, applied on October 3, 2008, to the permitting authority for an air construction permit for the Panama City Facility located at 6725 Bayline Drive in Panama City, Bay County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. This source is not exempt from permitting procedures. The permitting authority has determined that an air construction permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT." The notice shall be published one time only within 30 days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the permitting authority's office, Northwest District, 160 Governmental Center, Suite 308, Pensacola, FL 32502-5794 (Telephone: 850/595-8300; Fax: 850/595-8096), within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106, F.A.C.

The permitting authority will issue the permit, in accordance with the conditions of the enclosed DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will issue the permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee FL 32399-3900 (Telephone: 850/245-2242; Fax: 850/245-2303). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

All petitions filed under these rules shall contain:

(a) The name and address of each agency affected and each agency's file or identification number, if, known;

(b) The name, address, and telephone number of each petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when each petitioner received notice of the agency decision;

(d) A statement of disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and,

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner;

(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;

(c) Each rule or portion of a rule from which a variance or waiver is requested;

(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;

(e) The type of action requested;

(f) The specific facts that would justify a variance or waiver for the petitioner;

(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,

(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

/s/

_____

RICK BRADBURN
Air Program Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE PERMIT (including the PUBLIC NOTICE and the DRAFT permit) and all copies were sent by electronic mail before the close of business on _____ to the person(s) listed:

Dean Burnett, Century Boat Company (Dean_Burnett@yamaha-motor.com)
Tom T. John, P.E. (tjengr@msn.com)
DEP Northwest District Branch Office, Panama City

Clerk Stamp
FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

/s/

_____ 12/9/08
(Clerk) (Date)

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
I.D. Number: 0050061-008-AC

The Department of Environmental Protection gives notice of its intent to issue an air construction permit to Century Boat Company, Inc., located at 6725 Bayline Drive in Panama City, Bay County.

This permit removes limitations on materials usage and individual Hazardous Air Pollutant (HAP) species as stated in previous permits. Most of Volatile Organic Chemicals and HAP emitted is Styrene, approximately 175 TPY. The new HAP limit is based on the equation from 40 CFR 63.5698. The limit varies with the mass of resins and gelcoats used.

The permitting authority will issue the FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of 14 days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT." Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 14-day period, by the Permitting Authority at 160 Governmental Center, Suite 308, Pensacola, Florida 32502-5794 or by facsimile at 850/595-8096. For additional information, contact the Permitting Authority at the above address or by phone at 850/595-8300. If written comments result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of publication of this notice. 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 Sections 120.569 and 120.57, Florida Statutes.

All petitions filed under these rules shall contain:

(a) The name and address of each agency affected and each agency's file or identification number, if, known;

(b) The name, address, and telephone number of each petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when each petitioner received notice of the agency decision;

(d) A statement of disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and,

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

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department 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 publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except for legal holidays, at the Northwest District, 160 Governmental Center, Suite 308, Pensacola, Florida.