

ENVIRONMENTAL PROTECTION COMMISSION OF  
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Mr. Frank Hohenhouse  
Director of Operations  
RiverHawk Marine, LLC  
5251 West Tyson Avenue  
Tampa, FL 33611

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File No.: 0571417-007-AO  
County: Hillsborough

Enclosed is renewal Permit No. 0571417-007-AO to operate a marine vessel repair and manufacturing (surface coating and reinforced fiberglass application) facility located in Tampa of Florida, issued pursuant to Section 403.087, Florida Statutes. Please read this new permit thoroughly as there are changes from the previous permit.

The EPC will issue the final permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Section 120.569 and 120.57 F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr, Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 (fourteen) days of receipt of this permit. Under Section 120.60(3), however, any person who asked the EPC for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication.

A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition 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 28-106.205 of the F.A.C.

A petition that disputes the material facts on which the EPC's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number if known;
- (b) The name, address, and telephone number of the petitioner and the name, address, and telephone number of each petitioner's representative, if any, which shall be the address for service purposes during the course of the proceedings; and an explanation of how the petitioner's substantial interests will be affected by the EPC's determination;
- (c) A statement of how and when the petitioner received notice of the EPC action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the EPC's proposed action;
- (f) A statement of specific rules or statutes the petitioner contends requires reversal or modification of the EPC's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the EPC to take with respect to the EPC's proposed action.

A petition that does not dispute the material facts upon which the EPC's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above as required by Rule 28-106.301.

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

Mediation under section 120.573, F.S. is not available in this proceeding.

This action is final and effective on the date filed with the Clerk of the EPC unless a petition is filed in accordance with above. Upon the timely filing of a petition, this order will not be effective until further order of the EPC.

RiverHawk Marine, LLC  
Tampa, FL 33611

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Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr, Tampa, Florida 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

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Richard D. Garrity, Ph.D.  
Executive Director

RDG/KRZ/krz

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on \_\_\_\_\_ to the listed persons.

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(11), Florida Statutes, with the clerk, receipt of which is hereby acknowledged.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

PERMITTEE:

RiverHawk Marine, LLC  
5251 West Tyson Avenue  
Tampa, Florida 33611

PERMIT/CERTIFICATION

Permit No: 0571417-007-AO  
County: Hillsborough  
Expiration Date: October 10, 2018  
Project: Ship Building & Repair Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 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 hereof and specifically described as follows:

RiverHawk Marine is a ship building and repair facility that builds steel deck structures and interior components for marine vessels, repairs fiberglass marine vessels and manufactures associated reinforced composite plastic parts. The facility also does the electrical work and plumbing, and assembles the marine vessels with a fiberglass hull purchased from an outside vendor. The completed vessel is then spray painted with primer and finish coatings.

This permit authorizes the operations of surface coating and fiberglass reinforced resin/gelcoat application. The application of styrene-containing resin and gelcoats is performed with a non-atomizing chop gun and a non-atomizing gelcoater, respectively. Emissions of styrene and VOCs are monitored with daily recordkeeping and emission calculations based on the Unified Emission Factors for Open Molding of Composites table.

Small metal and plastic component parts are painted in a fully enclosed paint spray booth manufactured by Binks. The paint booth, ventilated by a 10,000 acfm fan, utilizes a bank of synthetic fiber overspray filters with a total surface area of 84 ft<sup>2</sup> and is exhausted through a 24 inch diameter stack through the roof of the building, approximately 70 feet above ground level. Filter performance is monitored by a pressure differential manometer where the operating range is from 0.1 to 1 inch of water. All surface coating is performed by hand-held brushes, rollers or the use of one HVLP, airless spray gun. VOC emissions are controlled by using tarps, as necessary, using coatings with low-VOC content, and closely monitoring the actual VOCs emitted through daily recordkeeping requirements. The surface coating operations for the interior of ships and miscellaneous metal and plastic parts is subject to the VOC RACT limitations, pursuant to Rule 62-296.513, F.A.C.

The facility also has an air construction permit, Permit No. 0571417-003-AC, which expires on December 1, 2014 that authorizes the construction of a blasting operation.

Location: 5251 West Tyson Avenue, Tampa, Hillsborough County

UTM Coordinates: 17 - 348.7 East 3083.9 North

Facility ID No.: 0571417

Emission Unit No: 002 - Surface Coating Operations  
003 – Fiberglass Reinforced Resin/Gelcoat Application

References Permit Nos.: 0571417-001-AC and 0571417-003-AC

PERMITTEE:  
RiverHawk Marine, LLC

PERMIT/CERTIFICATION NO.: 0571417-007-AO  
PROJECT: Ship Repair and Building Operation

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 62-204, 62-210, 62-212, 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. 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.
5. 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.]
6. As requested by the permittee, in order to limit the potential to emit and establish the facility as a Synthetic Non-Title V Source for both Volatile Organic Compound (VOCs) and Hazardous Air Pollutants (HAP), the following emission limitations shall apply:  
[Rules 62-4.070(3), 62-210.200 and 62-296.320 F.A.C. and Permit No. 0571417-001-AC]
  - A) VOC emissions from all the surface coating and fiberglass reinforced resin/gelcoat application shall not exceed 24.0 tons per any 12 consecutive month period.
  - B) HAP, as defined in Rule 62-210.200, F.A.C., emissions shall be less than 9.5 tons in any 12 consecutive month periods for any individual HAP, and less than 24.0 tons in any 12 consecutive month periods for the total of all HAPs combined.
  - C) Operating hours for this facility are not limited. Therefore, this facility is permitted to operate continuously; 8,760 hours per consecutive 12 month period.
7. The volatile organic compounds shall not exceed 3.5 pounds per gallon mixture of coatings, binders, fillers and thinners, excluding water, delivered to a coating applicator that is air dried at temperatures up to 194° F, for all surface coatings applied to the interior surfaces of ships and all miscellaneous metal parts and products. [Rule 62-296.513(2)(a)2., F.A.C. and Permit No. 0571417-001-AC]
8. In order to determine compliance with Specific Condition No. 6, VOC and HAP emissions shall be calculated using a mass-balance approach and the following criteria:  
[Rule 62-4.070(3), F.A.C. and Permit No. 0571417-001-AC]
  - A) The VOC and HAP composition of all coating materials applied shall be determined using EPA

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SPECIFIC CONDITIONS:

Method 24 contained in 40 CFR 60, EPA VOC DATA SHEET or manufacturer's certification consistent with EPA's document number 450/3-84-019 titled, "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink, and Other Coatings", shall be kept on-site for each coating applied and made available upon request to the Environmental Protection Commission of Hillsborough County.

- B) All non-exempt volatile organic compounds contained in the surface coatings, thinners and cleanup solvent materials used are assumed to be released into the atmosphere.
  - C) The VOC emissions from cleanup solvent(s) shall be included in the emission calculations, unless the cleanup solvent is directed into containers that prevent evaporation into the atmosphere.
9. In order to determine compliance with Specific Condition No. 6, styrene and methyl methacrylate (MMA) emissions shall be calculated using the Unified Emission Factors for Open Molding of Composites and the following criteria: [Rule 62-4.070(3), F.A.C. and Permit No. 0571417-001-AC]
- A) All VOC and HAP emissions from resin and gelcoat application shall be included in the facility totals for VOC and HAP.
  - B) The VOC and HAP composition of all resin and gelcoat materials used shall be determined using EPA Method 24 contained in 40 CFR 60, EPA VOC DATA SHEET or manufacturer's certification consistent with EPA's document number 450/3-84-019 titled, "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink, and Other Coatings", shall be kept on-site for each coating applied and made available upon request to the Environmental Protection Commission of Hillsborough County.
10. In order to ensure compliance with Specific Condition No. 6, 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:  
[Rules 62-4.070(3) and 62-212.300(3)(a), F.A.C.]
- A) Use only airless spray applicators, HVLP cup sprayers, rollers, or brushes unless a request for use of another technology is submitted in writing and approved by the EPC.
  - B) Use only hand-held power rollers or non-atomized applicators for resin and gelcoating operations unless a request for use of another technology is submitted in writing and approved by the EPC.
  - C) The use of styrene monomer for surface preparation or cleanup is strictly prohibited.
  - D) All parts to be painted separate from the dry dock and spray coating operations on miscellaneous metal parts and products shall be conducted in the designated paint booth.
  - E) Using tarps or barriers with at least 95% shade factor at all times when painting the exterior of any vessel or part thereof. The tarps or barriers shall enclose the painting area at all times to contain all paint overspray. Only the immediate area around the location of active painting is required to be enclosed, as long as all of the painting is contained.

PERMITTEE:  
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PERMIT/CERTIFICATION NO.: 0571417-007-AO  
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SPECIFIC CONDITIONS:

- F) All storage and mixing of in-use paint coatings shall be within an enclosed paint mix room.
  - G) Maintain tightly fitting cover, lids, etc. on all containers when they are not being handled, tapped, or are otherwise in use.
  - H) Immediately attend to all spills/waste as practical but no later than one hour after the event.
  - I) Collect, in a vapor tight container, the soiled waste rags/papers, waste overspray paint, and soiled paint booth mat filters and dispose or recycle through a licensed hazardous waste agent.
11. Visible emissions from the exhaust stack of the spray painting booth shall not have opacity equal to or greater than 20 percent.  
[Rule 62-296.320(4)(b), F.A.C, and Chapter 1-3.52, Rules of the EPC]
12. The permittee shall not circumvent any air pollution control device, or allow the emissions of air pollutants without the applicable air pollution control device operating properly.  
[Rule 62-210.650, F.A.C.]
13. In order to demonstrate continuous compliance with Specific Condition Nos. 6 and 7, the permittee shall maintain daily records of surface coating operations, resin and gelcoat application, inventory records, and other data necessary to substantiate monthly coating(s) and solvent usage, resin and gelcoat application. These records shall be maintained onsite and made available to the EPC, state or federal air pollution agency upon request and kept on file for at least three years from the date of measurement. The records shall include, but not limited to, the following:  
[Rules 62-4.070(3), and 62-4.160(14)(b), F.A.C.]
- A) Day, Month, and Year of the data recorded.
  - B) For all surface coating materials including clean-up solvents and thinners or reducers added to the coating, identify the surface painted (exterior or interior of ship, or miscellaneous metal parts), the application method (brush, hand-roller, spray gun), the amount of coating in gallons, the VOC content in lb/gal, as applied, and each species of HAP in the percent by weight or weight fraction.
  - C) For all resin and gelcoat applications, identify the application method, the total weight of material used, and the percent of styrene and methyl methacrylate content for each resin and gelcoat.
  - D) Record the amount of surface coatings applied, cleanup solvents used, and resin/gelcoat materials used for the previous month and the rolling total for the preceding consecutive 12 month period.
  - E) Calculate the monthly VOC, individual HAP and Total HAP emissions from all operations for the previous month and the rolling total for the preceding consecutive 12 month period
14. The permittee must submit to the EPC each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(3), F.A.C.]

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SPECIFIC CONDITIONS:

15. 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(187), 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 62-4.070(3) and 62-210.300, F.A.C.]
  - A) Alteration or replacement of any equipment or major component of such equipment.
  - B) Installation or addition of any equipment which is a source of air pollution.

Note: Items A and B are not applicable to routine maintenance, repair, or replacement of component parts of an air emissions unit.

16. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Permit" (DEP Form 62-210.900(7)) 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.]
17. Prior to 60 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 and submit the most recent 3 months of records required by this permit. 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 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. [Rules 62-4.070(3) and 62-210.300(2), F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION  
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Richard D. Garrity, Ph.D.  
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