

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott

Governor

John H. Armstrong, MD, FACS

State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

February 19, 2013

ELECTRONIC CORRESPONDENCE

Tsargent@rybovich.com

Timothy Sargent, Chief Financial Officer
Rybovich Boat Company LLC
4200 North Flagler Drive
West Palm Beach, FL 33407

Re: Notice of Intent to Issue

Draft Federally Enforceable State Operation Permit [FESOP] No. 0990355-005-AF
Initial FESEOP for a Boat Repairing Facility

Dear Mr. Sargent:

One copy of the Federally Enforceable State Operation Permit (DRAFT PERMIT) for the Rybovich Boat Company LLC located at 4200 North Flagler Drive, West Palm Beach, Palm Beach County, Florida is enclosed. Also enclosed are the Health Department's Notice of Intent to Issue Permit (NOTICE OF INTENT), the Public Notice of Intent to Issue Permit (PUBLIC NOTICE), and the Technical Evaluation and Preliminary Determination.

The PUBLIC NOTICE must be published in the legal ad section of a local newspaper as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Laxmana Tallam, P.E., at the below letterhead address. If you have any other questions, please contact Mr. Tallam at 561-837-5978.

Sincerely,

For the Division Director
Environmental Public Health

James E. Stormer, Q.E.P., Environmental Administrator
Air & Waste Section

Enclosures:

Florida Department of Health

Palm Beach County, Division of Environmental Public Health
P.O. Box 29, 800 Clematis Street, West Palm Beach, FL 33402
PHONE: 561-837-5900 • FAX: 561-837-5294

www.FloridasHealth.com

TWITTER: HealthyFLA

FACEBOOK: FLDepartmentofHealth

YOUTUBE: fldoh

In the Matter of an
Application for Air Permit by:

Rybovich Boat Company, LLC
4200 North Flagler Drive
West Palm Beach, FL 33407

DRAFT PERMIT File No.: 0990355-005-AF
Palm Beach County, Florida

Authorized Representative:
Timothy Sargent, CFO

**NOTICE OF INTENT TO ISSUE A FEDERALLY ENFORCEABLE STATE OPERATION PERMIT
(FESOP)**

On January 24, 2013, Rybovich Boat Company, LLC applied to the Palm Beach County Health Department for a Federally Enforceable State Operation Permit (FESOP) in accordance with Rule 62-210.300(2)(b) of the Florida Administrative Code (F.A.C.). The applicant's authorized representative and mailing address are: Timothy Sargent, CFO, Rybovich Boat Company, LLC, 4200 North Flagler Drive, West Palm Beach, FL 33407.

Facility Location: This facility is located at 4200 North Flagler Drive, West Palm Beach, Palm Beach County, Florida. .

Facility/ Project Description: The application requested a federally enforceable, facility-wide operation permit which would limit potential emissions of regulated pollutants below Title V applicability thresholds. This facility is engaged in boat repairing activities. These activities include surface coating of the boats up to 300 feet in length, in enclosed manner. A temporary plastic cover is set up around the boat prior to surface coating of the boat. Incidental activities at this facility include, minor fiberglass work and surface coating of the boat parts in an enclosed paint booth. The facility operates a woodworking shop, where the particulate emissions are controlled by an inherent dust collection system.

The applicant requested the emissions of Volatile Organic Compounds (VOCs), total Hazardous Air Pollutants (HAPs), Individual HAP be limited to 80 tons per year (tpy), 20 tpy, and 8 tpy, respectively. Based on these emissions limitations, this facility is classified as a Synthetic Non-Title V source.

The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). However, in accordance with Section 403.182, F.S., DEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, FDEP and the Palm Beach County Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County.

Permitting Authority: Applications for federally enforceable state operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Palm Beach County Health Department is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 800 Clematis Street, West Palm Beach, Florida. The Permitting Authority's mailing address is: Air & Waste Section (4th Floor), 800 Clematis Street, West Palm Beach, Florida 33401. The Permitting Authority's telephone number is 850-837-5900.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address

indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a federally enforceable state operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, 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" The notice shall be published one time only as soon as possible 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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the permitting authority's office at Air & Waste Section, Palm Beach County Health Department, 800 Clematis Street, Post Office Box 29, West Palm Beach, Florida 33402-0029 (Telephone: (561) 837-5900; Fax: (561) 837-5295), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. 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(11), F.A.C.

The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

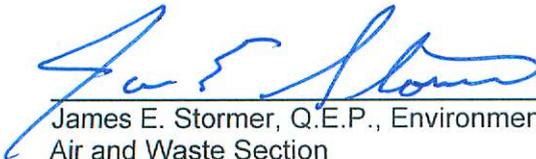
Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the permitting authority's Legal Office, Attention: Chief Legal Officer, located at 800 Clematis Street in West Palm Beach, Florida, 33402 (Telephone: (561) 837-5900, Fax (561) 837-5295). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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; 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority'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, F.A.C.

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 Public Notice of Intent to Issue Air Permit. 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.

Mediation: Mediation is not available for this proceeding.

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT
For the Director of
Division of Environmental Public Health



James E. Stormer, Q.E.P., Environmental Administrator
Air and Waste Section

PUBLIC NOTICE OF INTENT TO ISSUE
A FEDERALLY ENFORCEABLE STATE OPERATION PERMIT (FESOP)

PALM BEACH COUNTY HEALTH DEPARTMENT

DRAFT PERMIT NO. 0990355-005-AF
Rybovich Boat Company, LLC
Palm Beach County, Florida

The Palm Beach County Health Department (Permitting Authority) gives notice of its intent to issue a Federally Enforceable State Operation Permit (FESOP) to Rybovich Boat Company, LLC. The applicant's authorized representative and mailing address are: Timothy Sargent, CFO, Rybovich Boat Company, LLC, 4200 North Flagler Drive, West Palm Beach, FL 33407.

Facility Location: This facility is located at 4200 North Flagler Drive, West Palm Beach, Palm Beach County, Florida. .

Facility/ Project Description: The application requested a federally enforceable, facility-wide operation permit which would limit potential emissions of regulated pollutants below Title V applicability thresholds. This facility is engaged in boat repairing activities. These activities include surface coating, of the boats up to 300 feet in length, in enclosed manner. A temporary plastic cover is set up around the boat prior to surface coating of the boat. Incidental activities at this facility include, minor fiberglass work and surface coating of the boat parts in an enclosed paint booth. The facility operates a woodworking shop, where the particulate emissions are controlled by an inherent dust collection system.

The applicant requested the emissions of Volatile Organic Compounds (VOCs), total Hazardous Air Pollutants (HAPs), Individual HAP be limited to 80 tons per year (tpy), 20 tpy, and 8 tpy, respectively. Based on these emissions limitations, this facility is classified as a Synthetic Non-Title V source.

Permitting Authority: Applications for federally enforceable state operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Palm Beach County Health Department is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 800 Clematis Street, West Palm Beach, Florida. The Permitting Authority's mailing address is: Air & Waste Section (4th Floor), 800 Clematis Street, West Palm Beach, Florida 33401. The Permitting Authority's telephone number is 850-837-5900.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a federally enforceable state operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment

received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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 permitting authority's Legal Office, Attention: Chief Legal Officer, located at 800 Clematis Street in West Palm Beach, Florida, 33402 (Telephone: (561) 837-5900, Fax (561) 837-5295). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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; 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority'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, F.A.C.

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 Public Notice of Intent to Issue Air Permit. 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.

Mediation: Mediation is not available for this proceeding.

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Vision: To be the Healthiest State in the Nation

FEBRUARY 19, 2013
ELECTRONIC CORRESPONDENCE
Tsargent@rybovich.com

***** DRAFT *****

FEDERALLY ENFORCEABLE STATE OPERATION PERMIT

ISSUED TO:

Permittee:

Rybovich Boat Company LLC
4200 North Flagler Drive
West Palm Beach, FL 33407

Authorized Representative:

Timothy Sargent,
Chief Financial Officer

ARMS No.:	0990355
Permit No:	0990355-005-AF
Issued:	DRAFT
Expires:	DRAFT

LOCATED AT:

UTM: *Zone 17; 593.36 km E; 2958.76 km N;*
Latitude: 26°/44'/54.67" N Longitude: 80°/03'/8.08" W
Description: Boat Repairing Facility
[SIC: 3732]

STATEMENT OF BASIS:

The Palm Beach County Health Department (Health Department) issues this permit under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4 through 62-297 the Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the DEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The above named permittee is authorized to operate the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT

DRAFT

James E. Stormer, Q.E.P., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

SECTION I. SUMMARY INFORMATION**PERMIT HISTORY**

January 24, 2013 Health Department Received permit application

PERMIT CONTENT

- Section I: Summary Information
- Section II: Facility-Wide Specific Conditions
- Section III: Emissions Unit Specific Conditions
- Section IV: Appendices
 - Appendix A:* General Permit Conditions
 - Appendix B:* Citation Format

REGULATORY CLASSIFICATION

On January 24, 2013, Rybovich Boat Company, LLC applied to the Palm Beach County Health Department for a Federally Enforceable State Operation Permit (FESOP) in accordance with Rule 62-210.300(2)(b) of the Florida Administrative Code (F.A.C.).

Facility description: This facility is engaged in boat repairing activities. These activities include surface coating, of the boats up to 300 feet in length, in enclosed manner. A temporary plastic cover is set up around the boat prior to surface coating of the boat. Incidental activities at this facility include, minor fiberglass work and surface coating of the boat parts in an enclosed paint booth. The facility operates a woodworking shop, where the particulate emissions are controlled by an inherent dust collection system.

The facility recycles the used solvents at the facility. The Minimizer III Recycling System removes paint waste, pigments, solids and other impurities for used lacquer thinner, as well as other approved waste streams. The Minimizer III is the next level of solvent recycling with a unique water-cooled condenser that controls ambient temperatures, providing unequalled recover rates.

This facility is currently permitted under a general permit (0990355-004-AG), and the applicant is applying for a FESOP since the usage limits of the general permit are very restrictive for facility's operations. The applicant requested the emissions of Volatile Organic Compounds (VOCs), total Hazardous Air Pollutants (HAPs), Individual HAP be limited to 80 tons per year (tpy), 20 tpy, and 8 tpy, respectively. Based on these emissions limitations, this facility is classified as a Synthetic Non-Title V source.

The source is classified as a synthetic minor (for HAPs) source of air pollution. This permit is a Federally Enforceable State Operation Permit (FESOP) issued in accordance with the requirements of Rule 62-210.300(2)(b), F.A.C.

Emissions Units Summary

This permit addresses the following emissions units/activities:

EMISSIONS UNIT No.	EMISSIONS UNIT DESCRIPTION
001	Surface Coating Operations

EXEMPT Emission Units /Activities

Status	Description
EXEMPT	Wood Working Operations
	Incidental fiber glass operations

SECTION II. . FACILITY-WIDE CONDITIONS**1.0 ADMINISTRATIVE REQUIREMENTS**

- 1.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air & Waste Section (4th floor) of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (800 Clematis Street), West Palm Beach, Florida, 33402-0029, and phone number (561) 837-5900. **[Specific Operating Agreement (SOA)]**
- 1.2 General Permit Conditions: The permittee shall be aware of, and operate under, the attached General Permit Conditions listed in *Appendix A* of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- 1.3 Citation Format: The format for citing applicable regulations is provided in *Appendix B* of this permit.
- 1.4 Application for Operation Permit: The permittee shall apply for a renewal of permit at least sixty (60) days **prior** to the expiration of this operation permit. The application shall include: the appropriate DEP form; the correct fee; all test reports required by this permit; and a summary of any changes or substitutions to equipment, processes, fuels, controls, etc., that vary from the original application.
In accordance with the provisions of F.A.C. 62-210.350(1) and (4), an applicant shall publish a public notice of proposed agency action for any renewal application involving material changes from the existing permit and any application for permit revision. **[Rules 62-4.090 and 62-210.900, F.A.C.]**
- 1.5 Applicable Regulations: This facility is subject to the following regulations: Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. Specifically, Rule 62-296.513, F.A.C. – ‘Reasonably Available Control Technology for Surface Coating Miscellaneous Metal Parts and Products.’ Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. **[Rule 62-210.300(1), F.A.C. and the SOA]**

2.0 EMISSION LIMITING AND PERFORMANCE STANDARDS

- 2.1 General VOC Standards: The permittee shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents without applying known and existing vapor emission control devices or systems. This includes: **[Rule 62-296.320(1), F.A.C.]**
- (a) Regular inspection and maintenance of piping, valves, flanges, tanks, and containers used for storage and transfer of organic liquids in order to minimize fugitive VOC emissions.
 - (b) When not in use, directing solvent-containing materials to containers that prevent evaporation.
- 2.2 Objectionable Odors: 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.]**
Note: An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-210.200, F.A.C.]
- 2.3 Facility-Wide Emission Cap:
Volatile Organic Compounds (VOCs) Emissions Limit: Emissions of VOCs from the facility shall not exceed 80.00 tons in any consecutive 12 months, rolling total. **[PTE Rule 62-210.200 F.A.C.]**

SECTION II. . FACILITY-WIDE CONDITIONS

Single HAP Limit: Emissions of any single hazardous air pollutant (HAP) from the facility shall not exceed 8.00 tons in any consecutive 12 months, rolling total. **[PTE Rule 62-210.200 F.A.C.]**

Total HAP Limit: Emissions of all combined hazardous air pollutants (HAPs) from the facility shall not exceed 24.00 tons in any consecutive 12 months, rolling total. **[PTE Rule 62-210.200, F.A.C.]**

[Facility's request to escape Title III and Title V of Clean Air Act Amendments]

{Permitting Note: Compliance with the above emission limiting shall establish this facility as a synthetic non-Title V source of air pollution.}

- 2.4 **General Visible Emissions Standard:** Unless otherwise specified by permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent. **[Rule 62-296.320(4)(b), F.A.C.]**
- 2.5 **Unconfined Emissions of Particulate Matter:** The owner or operators shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any source whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission. Reasonable precautions shall include the following: **[Rule 62-296.320(4)(c), F.A.C.]**
- (a) Paving and maintenance of roads, parking areas and yards.
 - (b) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - (c) Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - (d) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - (e) Landscaping or planting of vegetation.
 - (f) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - (g) Confining abrasive blasting where possible.
 - (h) Enclosure or covering of conveyor systems.
 - (i) Particulate emissions from each grit-blasting room shall be controlled by a dust collector.
 - (j) Particulate matter over-spray shall be controlled by the filter pads of the spray booths.

Permitting Note: Facilities that cause frequent, valid complaints will be required by the Health department to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular source, the Health department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

3.0 OPERATION AND MAINTENANCE REQUIREMENTS

- 3.1 **Circumvention:** The permittee shall not circumvent air pollution control equipment/methods or allow the emission of air pollutants without the equipment/methods operating properly. **[Rule 62-210.650, F.A.C.]**

SECTION II. . FACILITY-WIDE CONDITIONS**4.0 COMPLIANCE MONITORING REQUIREMENTS**

4.1 Duration: All records and reports required by this permit shall be kept for at least 3 years from the date the information is recorded. **[Rule 62-4.070(3), F.A.C.]**

5.0 REPORTS AND RECORDKEEPING REQUIRED

5.1 Annual Operating Report: The annual operating report shall be submitted to the Health Department by April 1 of the following year. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a hard copy to the Health Department. **[Rule 62-210.370(3), F.A.C.]**

6.0 WASTE REQUIREMENTS

6.1 Waste Disposal: The owner or operator shall treat, store, and dispose of all liquid, solid, and hazardous wastes in accordance with all applicable Federal, State, and Local regulations. This air pollution permit does not preclude the permittee from securing any other types of required permits, licenses, or certifications. **[Rule 62-4.070(3), F.A.C.]**

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

GROUP A. This portion of the permit addresses the following group of emissions units:

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	Surface Coating Operations

1.0 Air Pollution Control Equipment and Methods

1.1 Air Filters: The permit shall maintain the in-line filters of the spray booths and the filters of the enclosed membranes according to the manufacturer’s specifications. **[Rule 62-4.070(3), F.A.C.]**

2.0. EMISSION LIMITING STANDARDS

2.1 Volatile Organic Compounds (VOCs) Limit: The permittee shall operate the facility so that the facility-wide emissions limit of VOCs, as specified in Section II, specific condition 2.3, shall not be exceeded. **[Permittee’s request to escape Title III and Title V of Clean Air Act Amendments]**

2.2 Individual Hazardous Air Pollutant (HAP) Emissions Limit: The permittee shall operate the facility so that the facility-wide emissions limit of individual HAP, as specified in Section II, specific condition 2.3, shall not be exceeded. **[Permittee’s request to escape Title III and Title V of Clean Air Act Amendments]**

2.3 Total HAPS Emissions Limit: The permittee shall operate the facility so that the facility-wide emissions limit of total HAPs, as specified in Section II, specific condition 2.3, shall not be exceeded. **[Permittee’s request to escape Title III and Title V of Clean Air Act Amendments]**

3.0 COMPLIANCE MONITORING

3.1 Emissions Inventory: **[Rule 62-4.070(3), F.A.C.]**

The permittee shall maintain a current emissions inventory for the source in order to ensure compliance with the emission cap specified in condition 2.0. As a minimum, the emissions inventory shall be reviewed and updated monthly, as needed. The emissions inventory shall include the following:

(a) Materials Inventory: The permittee shall develop and maintain an inventory of the materials (i.e., paints, solvents, thinners, and cleaners, etc.) used at the facility. The inventory shall contain, as a minimum, the raw material name, the density (lb/gal), the VOC content (lb/gal), the individual and total HAP contents (lb/gal), and the identified HAPs. The inventory shall be supported by Material Safety Data Sheets supplied by the manufacturer.

{Permitting Note: The permittee can use average content of the HAP for a product, if the content of the HAP is expressed in a wide range.}

(b) Emission Factor Inventory: The permittee shall maintain a current emission factor inventory for determining monthly emissions of VOC, HAP, and total HAPs.

3.2 Compliance Monitoring System: **[Rule 62-297.310(7)(b), F.A.C.]**

The permittee shall develop and implement a daily and monthly compliance monitoring system in conjunction with the Emissions Inventory (Specific Condition 3.1 of this Section). As a minimum, the Compliance Monitoring System shall include calculations of 12-month rolling total emissions of VOC, individual HAP, and total HAP emissions. The system shall be updated on or before the 15th of each month by compiling the daily records into the system.

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

3.3 Daily Log: For all coating operations at the facility, the permittee shall maintain daily records of coating operations. The records shall include, but not be limited to, the following: **[Rule 62-4.070(3), F.A.C.]**

- The date of operation.
- The amount, type, and VOC/HAP/total HAPs content of paints, solvents, thinners, and cleaners.
- As an alternative to the applied coatings usage, the permittee can track the usage of the coatings based on purchases. If so, the emissions calculations shall be performed based on the purchases.

3.2 Monthly Log: By the 15th day of each month, the operator shall calculate and record the following information regarding the previous month of operation in a log: **[Rule 62-4.070(3), F.A.C.]**

- Month of operation.
- Amount of coatings used/purchased during the month.
- VOC, HAP, total HAPs emissions shall be determined from the monthly usage of each VOC/HAP-containing material.
- Amount of VOC, HAP and total HAPs (including total HAPs) emissions for previous month of operation (in tons to the nearest hundredth of a ton).
- Amount of VOC, HAP, and total HAPs (including total HAPs) emissions for previous consecutive (12) months of operation (in tons to the nearest hundredth of a ton).
- The status of the in-filters and details of any maintenance performed as required by the manufacturer's specifications.

{Permitting Note: The permittee can use average content of the HAP for a product, if the content of the HAP is expressed in a wide range.}

4.0 RECORD KEEPING AND REPORTING REQUIREMENTS:

4.1 Record Keeping: Facility records must be readily available and in a form so they can be easily inspected and reviewed.

The permittee shall keep each record for 5 years following the date that each record is generated.

The permittee shall keep each record on site for at least 2 years after the date that each record is generated. The permittee can keep the records offsite for the remaining 3 years.

The permittee may keep the records on paper or an alternative media, such as microfilm, computer, computer disks, magnetic tapes, or on microfiche.

[Rule 62-4.070(3), F.A.C.]

4.2 Annual Operating Report (AOR): As specified in Section II, Specific condition 5.1, the permittee shall submit an annual operating report.

[Rule 62-4.070(3), F.A.C.]

LIST OF APPENDICES

APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

APPENDIX A

GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither 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 is not a waiver 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.
- G.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.
- G.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.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as 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.
- G.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 and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the 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 rules.

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

- G.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 non-compliance; and

APPENDIX A

GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- (b) The period of noncompliance, 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 for penalties or for revocation of this permit.

- G.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 prescribed by Sections 403.73 and 403.111, 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.
- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology, (BACT does not apply)
 - (b) Determination of Prevention of Significant Deterioration; (PSD does not apply) and
 - (c) Compliance with New Source Performance Standards (NSPS does not apply).
- G.14 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 or 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:
 - 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; and
 - 6. The results of such analyses.

APPENDIX A

GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

G.15 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 that 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.

APPENDIX B.
Abbreviations, Acronyms, Citations, and Identification Numbers
 (Version dated 02/05/97)

Abbreviations and Acronyms:

°F: Degrees Fahrenheit

BACT: Best Available Control Technology

CFR: Code of Federal Regulations

DEP: State of Florida, Department of Environmental Protection

DARM: Division of Air Resource Management

EPA: United States Environmental Protection Agency

F.A.C.: Florida Administrative Code

F.S.: Florida Statute

ISO: International Standards Organization

LAT: Latitude

LONG: Longitude

MMBtu: million British thermal units

MW: Megawatt

ORIS: Office of Regulatory Information Systems

SOA: Specific Operating Agreement

UTM: Universal Transverse Mercator

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

Example: **[Rule 62-213, F.A.C.]**

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

APPENDIX B.
Abbreviations, Acronyms, Citations, and Identification Numbers
(Version dated 02/05/97)

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:

PSD = Prevention of Significant Deterioration Permit
PA = Power Plant Siting Act Permit
AC = Old Air Construction Permit numbering

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

Draft Construction Air Permit No. 0990355-005-AF

Rybovich Boat Company, LLC
4200 North Flagler Drive
West Palm Beach, FL 33407

Palm Beach County, Florida

Permitting & Compliance Authority:

Palm Beach County Health Department
Division of Environmental Public Health
Air & Waste Section
800 Clematis Street (P.O. Box 29)
West Palm Beach, FL 33402-0029

February 2013

1.0 APPLICATION INFORMATION

1.1 Applicant Name and Address

Rybovich Boat Company, LLC
4200 North Flagler Drive
West Palm Beach, FL 33407

Authorized Representative
Timothy Sargent, CFO

1.2 Application Review

01/24/2013: Health Department received air permit application.

2.0 FACILITY INFORMATION

2.1 Facility Location

Boat Repairing Facility

UTM: Zone 17; 593.36 km E; 2958.76 km N

Latitude: 26°/44'/54.67" N *Longitude:* 80°/03'/8.08" W

2.2 Standard Industrial Classification Code (SIC # 3732)

Major Group Number	37	Boat Building and Repairing
Group Number	373	Ship And Boat Building And Repairing
Industry Number	3732	Boat Building and Repairing

2.3 Facility Category

Based on the specific conditions in the draft permit and the physical restrictions of the equipment, this facility is classified as a Synthetic Non- Title V source of air pollution. The applicant requested for the emissions limits that keep the facility out of Title V regulations.

3.0 PROJECT DESCRIPTION

This facility consists of the following emissions units:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	Surface Coating Operations

On January 24, 2013, Rybovich Boat Company, LLC applied to the Palm Beach County Health Department for a Federally Enforceable State Operation Permit (FESOP) in accordance with Rule 62-210.300(2)(b) of the Florida Administrative Code (F.A.C.).

This facility is engaged in boat repairing activities. These activities include surface coating, of the boats upto 300 feet in length, in enclosed manner. A temporary plastic cover is set up around the boat prior to surface coating of the boat (see the pictures below). Incidental activities at this facility include, minor

fiberglass work and surface coating of the boat parts in an enclosed paint booth. The facility operates a woodworking shop, where the particulate emissions are controlled by an inherent dust collection system.

The facility recycles the used solvents at the facility. The Minimizer III Recycling System removes paint waste, pigments, solids and other impurities for used lacquer thinner, as well as other approved waste streams. The Minimizer III is the next level of solvent recycling with a unique water-cooled condenser that controls ambient temperatures, providing unequalled recover rates.

The applicant requested the emissions of Volatile Organic Compounds (VOCs), total Hazardous Air Pollutants (HAPs), Individual HAP be limited to 80 tons per year (tpy), 20 tpy, and 8 tpy, respectively. Based on these emissions limitations, this facility is classified as a Synthetic Non-Title V source.





4.0 RULE APPLICABILITY

The proposed project is subject to preconstruction review under the applicable provisions of Chapter 403, Florida Statutes, and Chapters 62-209 through 62-297 of the Florida Administrative Code (F.A.C.). This facility is located in Palm Beach County; an area designated as "maintenance" for the pollutant ozone and attainment for all other criteria pollutants in accordance with the chapter 62-204 F.A.C.

The proposed project is exempt from review under Rule 62-212.400 F.A.C., Prevention of Significant Deterioration (PSD), because this source is considered a minor facility for the purpose of PSD regulations (potential to emit less than 250 tons per year of pollutant).

The proposed facility shall comply with all applicable provisions of the Florida Administrative Code and, specifically, the following chapters and rules:

- | | | |
|-------------------------------|---|--|
| Chapter 62-4, F.A.C. | - | Permits. |
| Rule 62-4.160, F.A.C. | - | General Permit Conditions |
| Chapter 62-204, F.A.C. | - | Air Pollution Control - General Provisions |
| Chapter 62-210, F.A.C. | - | Stationary Sources – General Requirements |
| Rule 62-210.300, F.A.C. | - | Permits Required. |
| Rule 62-210.350, F.A.C. | - | Public Notice and Comment. |
| Rule 62-210.370, F.A.C. | - | Reports. |
| Rule 62-210.650, F.A.C. | - | Circumvention. |
| Rule 62-210.700, F.A.C. | - | Excess Emissions. |
| Rule 62-210.900, F.A.C. | - | Forms and Instructions. |
| Chapter 62-212, F.A.C. | - | Stationary Sources – Preconstruction Review |
| Rule 62-212.300, F.A.C. | - | General Preconstruction |
| Chapter 62-296, F.A.C. | - | Stationary Sources – Emission Standards |
| Rule 62-296.320, F.A.C. | - | General Pollutant Emission Limiting Standards. |
| Chapter 62-297, F.A.C. | - | Stationary Sources - Emissions Monitoring |
| Rule 62-297.310, F.A.C. | - | General Test Requirements. |

4.1 Regulatory Classification

- Title III: The facility is not subject to the requirements the Title III of the Clean Air Act.
- Title IV: The facility will not operate any units subject to the acid rain provisions of the Clean Air Act.
- Title V: The facility is not subject to the requirements of the Title V of the Clean Air Act.
- PSD: The facility is classified as a PSD minor source of air pollution in accordance with Rule 62-212.400 F.A.C.
- RACT: The facility will not operate any units subject to the RACT.
- NSPS: The facility is not subject to the requirements of 40 CFR 60.
- NESHAP: The facility is not subject to the requirements of 40 CFR 63

4.2 Permit History:

4.3

This facility was originally permitted in 1996 under general permit category. Following is the permit history for this facility. Recently, the facility decided to apply for a FESOP, since the facility can no longer meet the usage limits imposed by the general permit.

Permit Number	App. Receive Date	Issued Date	Expiration Date	Agency Action	Permit Office
0990355004AG	12/22/08	01/22/09	01/22/14	Effective	TAL
0990355003AG	02/26/04	03/28/04	03/28/09	Effective	SEPB
0990355002AG	05/11/01	06/11/01	06/11/06	Effective	SEPB
0990355001AG	06/03/96	07/03/96	07/03/01	Effective	SEPB

5.0 Title V Applicability Determination

Criteria Pollutants

The permit restricts the emissions of VOCs to be less than or equal to 80 tons per hour – less than the Title V permit threshold.

Individual Hazardous Air Pollutant (HAP)

The permit restricts the emissions of individual HAP to be less than or equal to 8 tons per year – less than the Title V permit threshold.

Total Combined Hazardous Air Pollutants (HAPs)

The permit restricts the emissions of total HAPs to be less than or equal to 20 tons per year – less than the Title V permit threshold.

The facility is required keep track of the content of VOC and HAPs in every product that contain VOCs or HAPs.

Purchase of every product is tracked in the facility’s database. Based on the purchased amount, and the content of VOC and HAPs, the emissions of VOCs and HAPs are calculated. Facility maintains the records of the monthly consumption, monthly emissions of VOCs and HAPs.

6.0 **CONCLUSION**

Based on the information provided by the applicant, the PBCHD has a reasonable assurance that the proposed project, as described in this evaluation, and subject to the conditions in the proposed draft permit, will not cause or contribute to a violation of any air quality standard or any other technical provision of Chapter 62-4 through 62-297 of the Florida Administrative Code.