FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NORTHEAST DISTRICT
8800 BAYMEADOWS WAY WEST, SUITE 100
JACKSONVILLE, FLORIDA 32256

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

PERMITTEE

Air Permit No. 0310258-013-AC
Permit Expires: xx/xx/xxxx
Minor Air Construction Permit Revision
Jacksonville Southeast Shipyards
EU Nos. 018 and 020, Outdoor and Indoor
Coating Operations respectively

BAE Systems Southeast Shipyards
8500 Heckscher Drive
Jacksonville, Florida 32226

Authorized Representative:
Thomas J. Young, Director and General Manager

PROJECT

This is the final air construction permit, which authorizes the permit for construction of a new Paint Booth (EU No. 020 modification) and a change in the emission caps for EU Nos. 018 and 020. The proposed work will conducted at the existing Jacksonville Southeast Shipyards, which is a ship building and repair facility categorized under Standard Industrial Classification No. 3731. The existing Jacksonville Facility is located in Duval County at 8500 Heckscher Drive, Jacksonville, Duval County, FL 32226. The UTM coordinates of the existing facility are Zone 17, 455.7 km East and 3361.9 km North.

This final permit is organized by the following sections.

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Emissions Unit Specific Conditions

Section 4. Appendices

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution construction permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, 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 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 30 days after this order is filed with the clerk of the Department.

Executed in Jacksonville, Florida

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Richard S. Rachal III, P.G.
Program Administrator
Waste and Air Resource Management Program

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination and Final Permit) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on DRAFT to the persons listed below.

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.

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_____ _____
(Clerk) (Date)

FACILITY DESCRIPTION

The existing facility consists of the following emissions units (EU). The EUs affected by this permitting action are highlighted.

Facility ID No. 0310258

EU ID No.	Emission Unit Description
017	Open Air Grit Blasting
018	Open Air Surface Coating
019	Abrasive Blast Booths
020	Indoor Surface Coating
021	Portable Grit Silos
022	Administrative Building Emergency Diesel Engine
023	Domestic Wastewater Treatment Plant Emergency Diesel Engine

FACILITY REGULATORY CLASSIFICATION

(1) The facility is a major source of hazardous air pollutants (HAP).

(2) The facility does not operate units subject to the acid rain provisions of the Clean Air Act (CAA).

(3) The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

(4) The facility is a major stationary source in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

(5) The proposed project **does not** trigger a PSD review and a requirement to conduct a Best Available Control Technology (BACT) pursuant to Department Rule 62-212.400, F.A.C.

PROPOSED PROJECT

This project involves 1): Adding a new paint booth to the existing Indoor Surface Coating (EU ID No. 20) emissions unit. A portion of the coating operations conducted for marine vessels in the Open Air Surface Coating (EU ID No. 18) will be moved to the new paint booth in the Indoor Surface Coating unit and;

2): Revising the Volatile Organic Compound (VOC) emission caps on EU Nos. 018 and 020 respectively because of a realignment of the use of coatings due to the installation of the new Paint Booth in EU No. 020.

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1. Permitting Authority & Compliance Authority: The permitting authority for this project is the Florida Department of Environmental Protection (Department), Northeast District Office, Waste and Air Resource Management, 8800 Baymeadows Way West, Suite 100, Jacksonville, FL 32256. All documents related to applications for permits to operate an emissions unit shall be submitted to the Northeast District Office, Waste and Air Resource Management Program.

   The compliance authority for this project is the Florida Department of Environmental Protection (Department), Northeast District Office, Compliance Assurance, 8800 Baymeadows Way West, Suite 100, Jacksonville, FL 32256. All documents related to compliance for an emissions unit shall be submitted to the Northeast District Office, Compliance Assurance.

   The Permitting Authority and Compliance Authority phone number is 904-256-1700.

2. Appendices: The following Appendices are attached as part of this permit:

   (a) Appendix A. Citation Formats and Glossary of Common Terms;

   (b) Appendix B. General Conditions;

   (c) Appendix C. Common Conditions; and

   (d) Appendix D. Common Testing Requirements.

3. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.

4. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]

5. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. No new emissions unit shall be constructed and no existing emissions unit shall be modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

6. Source Obligation:

   (a) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.

   (b) At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification. [Rule 62-212.400(12), F.A.C.]

7. Application for Title V Permit: This permit authorizes the construction of the permitted emissions unit(s) and initial operation to determine compliance with Department rules. A Title V air operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V air operation permit at least 90 days prior to expiration of this permit but no later than 180 days after start-up of the newly constructed activity . To apply for a Title V air operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the appropriate Permitting Authority with copies to the Compliance Authority.

   [Rules 62-4.030, 62-4.050, 62-4.220 and Chapter 62-213, F.A.C.]

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EU No. 018

The following permit conditions are revised as indicated. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text. All changes are emphasized with yellow highlight. Format from Title V Air Operation Permit No. 0310258-011-AV.

ID No.	Emission Unit Description
018	Coatings are applied to marine vessels and parts using paints furnished by the vessel owner or prescribed by a standard ship registry. Coatings are applied manually using high velocity, low pressure air guns, airless paint guns and brush or roll depending on solids in the coatings.

ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS

1. This emissions unit is allowed to operate continuously, i.e., 8,760 hrs/yr.
   [Rule 62-210.200(PTE), F.A.C., and Rule 2.301, JEPB]

EMISSION LIMITATIONS AND STANDARDS

2. BAE Systems Southeast Shipyards shall comply with the provisions of 40 CFR 63, Subpart II – National Emission Standards for Shipbuilding and Ship Repair (Surface Coating), and 40 CFR 63, Subpart A – General Provisions (as described in Table 1 to Subpart II of Part 63 – General Provisions of Applicability to Subpart II).

   [40 CFR 63, Subpart II, and 40 CFR 63, Subpart A]

3. The application of any surface coatings at a shipbuilding or repair facility shall not exceed VOHAP contents, as applied, pursuant to Table 2 to Subpart II of Part 63 – Volatile Organic HAP (VOHAP) Limits for Marine Coatings.

   [40 CFR 63.783, Rule 62-204.800, F.A.C., and Rule 2.201, JEPB]

4. Surface coatings applied to miscellaneous metal parts and products other than 1) the exterior of a marine vessel, and 2) metal coating refinishing operations, shall not exceed a maximum VOC content of 3.5 pounds per gallon, excluding water, pursuant to Rule 62-296.513(2)(a)2., F.A.C., and Rule 2.1101, JEPB. Surface coatings applied to the exterior of a marine vessel and in refinishing operations are exempt from any RACT VOC content limitation.

   [Rules 62-296.513(1)(b)10., 62-296.513(2), F.A.C., and Rule 2.1101, JEPB]

5. The maximum allowable VOC emissions from this emissions unit shall not exceed ~~211.06~~ 206.7 tons/yr. (Applicant's request).

   [Permit No. 031258-009-AV, Permit No. 0310258-013-AC, Rule 62-212.400, F.A.C., and Rule 2.401, JEPB]

TEST METHODS AND PROCEDURES

6. For each batch of coating received by the permittee, demonstration of compliance shall be determined by using the procedures in 63.785(a) or (b). The permittee may test each batch of coating, may use a certification supplied by the manufacturer for the batch, or may use any combination of three compliance procedure options described in 63.785(c)(1) through (c)(4). See Appendix CP for a flow diagram of the compliance procedure options.

   [40 CFR 63.785, Rule 62.204.800, F.A.C., and Rule 2.201 JEPB]

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7. Batch formulation data may be used as a test method in lieu of Method 24 of Appendix A to 40 CFR Part 60, to certify the as-supplied VOC content of a coating if the manufacturer or the owner or operator has determined that batch formulation data have a consistent and quantitatively known relationship to Method 24 results. Certification of VOC content for each batch of as-supplied coating shall be documented in accordance with Appendix A to Subpart II of Part 63 – VOC Data Sheet, or alternate format, provided the form includes all required data.

   [40 CFR 63.786(c),40 CFR 63, Subpart II, Appendix A, Rule 62-204.800, F.A.C., and Rule 2.201, JEPB]

MONITORING OF OPERATIONS

8. BAE Systems Southeast Shipyards shall comply with the compliance procedure provisions in accordance with 40 CFR 63.785.
   [40 CFR 63.785, Rule 62-204.800, F.A.C., and Rule 2.201, JEPB]

9. Records shall be compiled on a monthly basis in accordance with 40 CFR 63.788 for all surface coating operations for the following:
   a. Volume of each low-usage exempt coating
   b. Identification of the coatings used, coating category and applicable VOHAP limit
   c. Certification of as-supplied VOC content of each batch of coating or the results of EPA RM 24
   d. Documentation supporting initial notification
   e. Copy of implementation plan
   f. Determination of whether containers meet standards

   Records shall be maintained for a minimum of five (5) years and made available to the Permitting Authority upon request.

   [Rule 62-213.440(1)(b), F.A.C., and Rule 2.501, JEPB]

10. A report in accordance with 40 CFR 63.788(c), shall be submitted to the Permitting Authority before the 60th day following completion of each 6-month period. ~~after the effective date of this permit.~~ The reporting period shall be JAN-JUN and JUL-DEC. For convenience these reports may be submitted with the semi-annual monitoring reports required by the Title V Air Operation permit which are required by Rule 62-213.440(1)(b), F.A.C., and Rule 2.501, JEPB.

    [40 CFR 63.788(c), Rules 62-204.800 and ~~Rule~~ 62-213.440(1)(b), F.A.C., and Rules 2.501 and 2.201, JEPB]

REASONABLE ASSURANCES

11. Best Management Practices (BMP), shall be used to minimize paint over spray and the BMP shall include, but not be limited to the use of high velocity, low pressure air guns, airless paint guns, brush or roll paint application where practicable, and employee awareness training.

    [Rule 62-4.070(3), F.A.C., and Rule 2.1401, JEPB]

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EU No. 020

ID No.	Emission Unit Description
020	Two existing booths and one new booth used for surfaced coating of steel plate and ship parts . Surface coating is conducted manually using airless/high velocity low pressure spray paint application of coatings as needed. Booths are equipped with paint arrestor filters to control PM resulting from paint overspray.

ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS

1. This emissions unit is allowed to operate continuously, i.e., 8,760 hrs/yr.
   [Rule 62-210.200(PTE), F.A.C., and Rule 2.301, JEPB]

EMISSION LIMITATIONS AND STANDARDS

2. The maximum allowable VOC emissions from this EU shall not exceed 180.24 tons/yr. (Applicant's request).

   [Permit No. 031258-009-AV, Rule 62-212.400, F.A.C., and Rule 2.401, JEPB]
3. BAE Systems Southeast Shipyards shall comply with the provisions of 40 CFR 63, Subpart II – National Emission Standards for Shipbuilding and Ship Repair (Surface Coating), and 40 CFR 63, Subpart A – General Provisions (as described in Table 1 to Subpart II of Part 63 – General Provisions of Applicability to Subpart II).

   [40 CFR 63, Subpart II, and 40 CFR 63, Subpart A]
4. The application of any surface coatings at a shipbuilding or repair facility shall not exceed VOHAP contents, as applied, pursuant to Table 2 to Subpart II of Part 63 – Volatile Organic HAP (VOHAP) Limits for Marine Coatings.

   [40 CFR 63.783, Rule 62-204.800, F.A.C., and Rule 2.201, JEPB]
5. Surface coatings applied to miscellaneous metal parts and products other than 1) the exterior of a marine vessel, and 2) metal coating refinishing operations, shall not exceed a maximum VOC content of 3.5 pounds per gallon, excluding water, pursuant to Rule 62-296.513(2)(a)2., F.A.C., and Rule 2.1101, JEPB. Surface coatings applied to the exterior of a marine vessel and in refinishing operations are exempt from any RACT VOC content limitation.

   [Rules 62-296.513(1)(b)10., 62-296.513(2), F.A.C., and Rule 2.1101, JEPB]

COMPLIANCE PROCEDURES

6. (a) For each batch of coating that is received by an affected source, the owner or operator shall (See Appendix CP for a flow diagram of the compliance procedure options.):

   (1) Determine the coating category and the applicable VOHAP limit as specified in 40 CFR 63.783(a).

   (2) Certify the as-supplied VOC content of the batch of coating. The owner or operator may use a certification supplied by the manufacturer for the batch, although the owner or operator retains liability should subsequent testing reveal a violation. If the owner or operator performs the certification testing, only one of the containers in which the batch of coating was received is required to be tested.

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(b) (1) In lieu of testing each batch of coating, as applied, the owner or operator may determine compliance with the VOHAP limits using any combination of the procedures described in paragraphs (c)(1), (c)(2), (c)(3), and (c)(4) of this section. The procedure used for each coating shall be determined and documented prior to application.

(2) The results of any compliance demonstration conducted by the affected source or any regulatory agency using Method 24 shall take precedence over the results using the procedures in paragraphs (c)(1), (c)(2), or (c)(3) of this section.

(3) The results of any compliance demonstration conducted by the affected source or any regulatory agency using an approved test method to determine VOHAP content shall take precedence over the results using the procedures in paragraph (c)(4) of this section.

(c) (1) *Coatings to which thinning solvent will not be added.* For coatings to which thinning solvent (or any other material) will not be added under any circumstance or to which only water is added, the owner or operator of an affected source shall comply as follows:

(i) Certify the as-applied VOC content of each batch of coating.

(ii) Notify the persons responsible for applying the coating that no thinning solvent may be added to the coating by affixing a label to each container of coating in the batch or through another means described in the implementation plan required in 40 CFR 63.787(b).

(iii) If the certified as-applied VOC content of each batch of coating used during a calendar month is less than or equal to the applicable VOHAP limit in §63.783(a) (either in terms of g/L of coating or g/L of solids), then compliance is demonstrated for that calendar month, unless a violation is revealed using Method 24 of appendix A to 40 CFR part 60.

(2) *Coatings to which thinning solvent will be added—coating-by-coating compliance.* For a coating to which thinning solvent is routinely or sometimes added, the owner or operator shall comply as follows:

(i) Prior to the first application of each batch, designate a single thinner for the coating and calculate the maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch as follows:

$$R = \frac{(V_s)(\text{VOHAP limit}) - m_{voc}}{D_{th}} \quad \text{Eqn. 1}$$

where:

R=Maximum allowable thinning ratio for a given batch (L thinner/L coating as supplied);

V_s=Volume fraction of solids in the batch as supplied (L solids/L coating as supplied);

VOHAP limit=Maximum allowable as-applied VOHAP content of the coating (g VOHAP/L solids);

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m_{VOC}=VOC content of the batch as supplied [g VOC (including cure volatiles and exempt compounds on the HAP list)/L coating (including water and exempt compounds) as supplied];

D_{th}=Density of the thinner (g/L).

If V_s is not supplied directly by the coating manufacturer, the owner or operator shall determine V_s as follows:

$$V_s = 1 - \frac{m_{volatiles}}{D_{avg}} \qquad \text{Eqn. 2}$$

where:

$m_{volatiles}$=Total volatiles in the batch, including VOC, water, and exempt compounds (g/L coating); and

D_{avg}=Average density of volatiles in the batch (g/L).

The procedures specified in 40 CFR 63.786(d) may be used to determine the values of variables defined in this paragraph. In addition, the owner or operator may choose to construct nomographs, based on Equation 1 of this subpart, similar or identical to the one provided in appendix B of this subpart as a means of easily estimating the maximum allowable thinning ratio.

(ii) Prior to the first application of each batch, notify painters and other persons, as necessary, of the designated thinner and maximum allowable thinning ratio(s) for each batch of the coating by affixing a label to each container of coating or through another means described in the implementation plan required in 40 CFR 63.787(b).

(iii) By the 15th day of each calendar month, determine the volume of each batch of the coating used, as supplied, during the previous month.

(iv) By the 15th day of each calendar month, determine the total allowable volume of thinner for the coating used during the previous month as follows:

$$V_{th} = \sum_{i=1}^{n} \left(R \times V_b\right)_i + \sum_{i=1}^{n} \left(R_{cold} \times V_{b-cold}\right)_i \qquad \text{Eqn. 3}$$

where:

V_{th}=Total allowable volume of thinner for the previous month (L thinner);

V_b=Volume of each batch, as supplied and before being thinned, used during non-cold-weather days of the previous month (L coating as supplied);

R_{cold}=Maximum allowable thinning ratio for each batch used during cold-weather days (L thinner/L coating as supplied);

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$V_{b\text{-}cold}$=Volume of each batch, as supplied and before being thinned, used during cold-weather days of the previous month (L coating as supplied);

i=Each batch of coating; and

n=Total number of batches of the coating.

(v) By the 15th day of each calendar month, determine the volume of thinner actually used with the coating during the previous month.

(vi) If the volume of thinner actually used with the coating [paragraph (c)(3)(v) of this section] is less than or equal to the total allowable volume of thinner for the coating [paragraph (c)(3)(iv) of this section], then compliance is demonstrated for the coating for the previous month, unless a violation is revealed using Method 24 of appendix A to 40 CFR part 60.

(3) *Coatings to which the same thinning solvent will be added—group compliance.* For coatings to which the same thinning solvent (or other material) is routinely or sometimes added, the owner or operator shall comply as follows:

(i) Designate a single thinner to be added to each coating during the month and "group" coatings according to their designated thinner.

(ii) Prior to the first application of each batch, calculate the maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch of coating in the group using the equations in paragraph (c)(2) of this section.

(iii) Prior to the first application of each "batch," notify painters and other persons, as necessary, of the designated thinner and maximum allowable thinning ratio(s) for each batch in the group by affixing a label to each container of coating or through another means described in the implementation plan required in 40 CFR 63.787(b).

(iv) By the 15th day of each calendar month, determine the volume of each batch of the group used, as supplied, during the previous month.

(v) By the 15th day of each calendar month, determine the total allowable volume of thinner for the group for the previous month using Equation 3 of this subpart.

(vi) By the 15th day of each calendar month, determine the volume of thinner actually used with the group during the previous month.

(vii) If the volume of thinner actually used with the group [paragraph (c)(3)(vi) of this section] is less than or equal to the total allowable volume of thinner for the group [paragraph (c)(3)(v) of this section], then compliance is demonstrated for the group for the previous month, unless a violation is revealed using Method 24 of appendix A to 40 CFR Part 60.

(4) *Demonstration of compliance through an alternative (i.e., other than Method 24 of appendix A to 40 CFR part 60) test method.* The owner or operator shall comply as follows:

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(i) Certify the as-supplied VOHAP content (g VOHAP/L solids) of each batch of coating.

(ii) If no thinning solvent will be added to the coating, the owner or operator of an affected source shall follow the procedure described in 40 CFR 63.785(c)(1), except that VOHAP content shall be used in lieu of VOC content.

(iii) If thinning solvent will be added to the coating, the owner or operator of an affected source shall follow the procedure described in 40 CFR 63.785(c)(2) or (3), except that in Equation 1 of this subpart: the term "m_{VOC}" shall be replaced by the term "m_{VOHAP}," defined as the VOHAP content of the coating as supplied (g VOHAP/L coating) and the term "D_{th}" shall be replaced by the term "$D_{th(VOHAP)}$" defined as the average density of the VOHAP thinner(s) (g/L).

(d) A violation revealed through any approved test method shall result in a 1-day violation for enforcement purposes. A violation revealed through the recordkeeping procedures described in paragraphs (c)(1) through (c)(4) of this section shall result in a 30-day violation for enforcement purposes, unless the owner or operator provides sufficient data to demonstrate the specific days during which noncompliant coatings were applied.

(e) Continuous compliance requirements. You must demonstrate continuous compliance with the emissions standards and operating limits by using the performance test methods and procedures in §63.786 for each affected source.

(1) *General requirements.*

(i) You must monitor and collect data, and provide a site specific monitoring plan, as required by 40 CFR 63.783, 63.785, 63.786 and 63.787.

(ii) Except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments), you must operate the monitoring system and collect data at all required intervals at all times the affected source is operating, and periods of malfunction. Any period for which data collection is required and the operation of the Continuous Emissions Monitoring System (CEMS) is not otherwise exempt and for which the monitoring system is out-of-control and data are not available for required calculations constitutes a deviation from the monitoring requirements.

(iii) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. The owner or operator must use all the data collected during all other periods in assessing the operation of the control device and associated control system.

[40 CFR 63.785, Rule 62.204.800, F.A.C., and Rule 2.201 JEPB]

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TEST METHODS AND PROCEDURES

7. (a) For the compliance procedures described in 40 CFR 63.785(c) (1) through (c)(3), Method 24 of 40 CFR Part 60, Appendix A, is the definitive method for determining the VOC content of coatings, as supplied or as applied. When a coating or thinner contains exempt compounds that are volatile HAP or VOHAP, the owner or operator shall ensure, when determining the VOC content of a coating, that the mass of these exempt compounds is included.

   (b) For the compliance procedure described in 40 CFR 63.785(c)(4) [referenced above in condition 6.(c)(4)] please see 40 CFR 63.786(b).

   (c) A coating manufacturer or the owner or operator of an affected source may use batch formulation data as a test method in lieu of Method 24 of appendix A to 40 CFR part 60 to certify the as-supplied VOC content of a coating if the manufacturer or the owner or operator has determined that batch formulation data have a consistent and quantitatively known relationship to Method 24 results. This determination shall consider the role of cure volatiles, which may cause emissions to exceed an amount based solely upon coating formulation data. Notwithstanding such determination, in the event of conflicting results, Method 24 of appendix A of 40 CFR part 60 shall take precedence. Certification of VOC content for each batch of as-supplied coating shall be documented in accordance with Appendix A to Subpart II of Part 63 – VOC Data Sheet, or alternate format, provided the form includes all required data.

   (d) Each owner or operator of an affected source shall use or ensure that the manufacturer uses the form and procedures mentioned in appendix A of this subpart to determine values for the thinner and coating parameters used in Equations 1 and 2 of this subpart. The owner or operator shall ensure that the coating/thinner manufacturer (or supplier) provides information on the VOC and VOHAP contents of the coatings/thinners and the procedure(s) used to determine these values.

   [40 CFR 63.786, 40 CFR 63, Appendix A, Rule 62-204.800, F.A.C., and Rule 2.201, JEPB]

   (e) Low Solvent Technology. The test method for volatile organic compounds for determining compliance with Rule 62-296.513, F.A.C. and Rule 2.1101, JEPB (VOC RACT) shall be EPA Reference Method (RM) Method 24 or EPA 450/3-84-019, incorporated and adopted by reference in Chapter 62-297, F.A.C. Manufacturer data sheets with VOC content listed (certifications) may be used in lieu of the listed compliance methods provided calculations are compatible with the listed methods. Documents shall be provided upon request to the Compliance Authority.

   [Rules 62-4.070(3) and 62-296.513(4)(a), F.A.C. and Rules 2.1401 and 2.1101, JEPB]

NOTIFICATION REQUIREMENTS

8. (a) *Implementation plan.* The provisions of 40 CFR 63.9(a) apply to the requirements of this paragraph.

   (1) Each owner or operator of an affected source shall:

   (i) Prepare a written implementation plan that addresses each of the subject areas specified in paragraph (b)(3) of this section; and

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(ii) Not later than one year after the effective date of this subpart, submit the implementation plan to the Administrator along with the notification required by 40 CFR 63.9(b)(2) or (b)(5) of subpart A, as applicable. Please update the *Implementation Plan* (if necessary) and forward the updated *Plan* or the current *Plan* (as applicable) to the Permitting Authority within 120 days of issuance of this permit.

(2) *Implementation plan contents.* Each implementation plan shall address the following subject areas:

(i) *Coating compliance procedures.* The implementation plan shall include the compliance procedure(s) under 40 CFR 63.785(c) that the source intends to use.

(ii) *Recordkeeping procedures.* The implementation plan shall include the procedures for maintaining the records required under 40 CFR 63.788, including the procedures for gathering the necessary data and making the necessary calculations.

(iii) *Transfer, handling, and storage procedures.* The implementation plan shall include the procedures for ensuring compliance with 40 CFR 63.783(b).

[40 CFR 63.787, Rule 62-204.800, F.A.C., and Rule 2.201, JEPB]

RECORDKEEPING AND REPORTING REQUIREMENTS

9. (a) Each owner or operator of an affected source shall comply with the applicable recordkeeping and reporting requirements in 40 CFR 63.10 (a), (b), (d), and (f). A summary of recordkeeping and reporting requirements is provided in Table 3 of this subpart.

(b) *Recordkeeping requirements.*

(1) Each owner or operator of a major source shipbuilding or ship repair facility having surface coating operations with less than 1000 liters (L) (264 gallons (gal)) annual marine coating usage shall record the total volume of coating applied at the source to ships. Such records shall be compiled monthly and maintained for a minimum of 5 years.

(2) Each owner or operator of an affected source shall compile records on a monthly basis and maintain those records for a minimum of 5 years. At a minimum, these records shall include:

(i) All documentation supporting initial notification;

(ii) A copy of the affected source's approved implementation plan;

(iii) The volume of each low-usage-exempt coating applied;

(iv) Identification of the coatings used, their appropriate coating categories, and the applicable VOHAP limit;

(v) Certification of the as-supplied VOC content of each batch of coating;

(vi) A determination of whether containers meet the standards as described in §63.783(b)(2); and

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(vii) The results of any Method 24 of appendix A to 40 CFR part 60 or approved VOHAP measurement test conducted on individual containers of coating, as applied.

(3) The records required by paragraph (b)(2) of this section shall include additional information, as determined by the compliance procedure(s) described in 40 CFR 63.785(c) that each affected source followed:

(i) *Coatings to which thinning solvent will not be added.* The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(1) shall contain the following information:

(A) Certification of the as-applied VOC content of each batch of coating; and

(B) The volume of each coating applied.

(ii) *Coatings to which thinning solvent will be added—coating-by-coating compliance.* The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(2) shall contain the following information:

(A) The density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids (nonvolatiles) in each batch, including any calculations;

(B) The maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch of coating, including calculations;

(C) If an affected source chooses to comply with the cold-weather limits, the dates and times during which the ambient temperature at the affected source was below 4.5 °C (40 °F) at the time the coating was applied and the volume used of each batch of the coating, as supplied, during these dates;

(D) The volume used of each batch of the coating, as supplied;

(E) The total allowable volume of thinner for each coating, including calculations; and

(F) The actual volume of thinner used for each coating.

(iii) *Coatings to which the same thinning solvent will be added—group compliance.* The records maintained by facilities demonstrating compliance using the procedure described in 40 CFR 63.785(c)(3) shall contain the following information:

(A) The density and mass fraction of water and exempt compounds of each thinner and the volume fraction of solids in each batch, including any calculations;

(B) The maximum allowable thinning ratio (or ratios, if the affected source complies with the cold-weather limits in addition to the other limits specified in Table 2 of this subpart) for each batch of coating, including calculations;

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(C) If an affected source chooses to comply with the cold-weather limits, the dates and times during which the ambient temperature at the affected source was below 4.5 °C (40 °F) at the time the coating was applied and the volume used of each batch in the group, as supplied, during these dates;

(D) Identification of each group of coatings and their designated thinners;

(E) The volume used of each batch of coating in the group, as supplied;

(F) The total allowable volume of thinner for the group, including calculations; and

(G) The actual volume of thinner used for the group.

(4) If the owner or operator of an affected source detects a violation of the standards specified in 40 CFR 63.783, the owner or operator shall, for the remainder of the reporting period during which the violation(s) occurred, include the following information in his or her records:

(i) A summary of the number and duration of deviations during the reporting period, classified by reason, including known causes for which a Federally-approved or promulgated exemption from an emission limitation or standard may apply.

(ii) Identification of the data availability achieved during the reporting period, including a summary of the number and total duration of incidents that the monitoring protocol failed to perform in accordance with the design of the protocol or produced data that did not meet minimum data accuracy and precision requirements, classified by reason.

(iii) Identification of the compliance status as of the last day of the reporting period and whether compliance was continuous or intermittent during the reporting period.

(iv) If, pursuant to paragraph (b)(4)(iii) of this section, the owner or operator identifies any deviation as resulting from a known cause for which no Federally-approved or promulgated exemption from an emission limitation or standard applies, the monitoring report shall also include all records that the source is required to maintain that pertain to the periods during which such deviation occurred and:

(A) The magnitude of each deviation;

(B) The reason for each deviation;

(C) A description of the corrective action taken for each deviation, including action taken to minimize each deviation and action taken to prevent recurrence; and

(D) All quality assurance activities performed on any element of the monitoring protocol.

(5) Each owner or operator that receives approval pursuant to 40 CFR 63.783(c) to use an add-on control system to control coating emissions shall maintain records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the required air pollution control and monitoring equipment. Each owner or operator shall maintain records of actions taken during periods of

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malfunction to minimize emissions in accordance with 40 CFR 63.783(b)(1), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(c) *Reporting requirements.* Before the 60th day following completion of each 6 month period after the compliance date specified in 40 CFR 63.784, each owner or operator of an affected source shall submit a report to the Administrator for each of the previous 6 months[1]. The report shall include all of the information that must be retained pursuant to paragraphs (b)(2) through (3) of this section, except for that information specified in paragraphs (b)(2)(i) through (ii), (b)(2)(v), (b)(3)(i)(A), (b)(3)(ii)(A), and (b)(3)(iii)(A). If a violation at an affected source is detected, the owner or operator of the affected source shall also report the information specified in paragraph (b)(4) of this section for the reporting period during which the violation(s) occurred. To the extent possible, the report shall be organized according to the compliance procedure(s) followed each month by the affected source. If there was a malfunction during the reporting period, the report must also include the number, duration and a brief description of each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.783(b)(1), including actions taken to correct a malfunction.

[1]The reporting period shall be JAN-JUN and JUL-DEC. For convenience these reports may be submitted with the semi-annual monitoring reports required by the Title V Air Operation permit which are required by Rule 62-213.440(1)(b), F.A.C., and Rule 2.501, JEPB.

[40 CFR 63.788(c), Rules 62-204.800 and 62-213.440(1)(b), F.A.C., and Rules 2.501 and 2.201, JEPB]

REASONABLE ASSURANCES

10. Best Management Practices (BMP), shall be used to minimize paint over spray. The BMP shall include the use of high efficiency paint arrestor filters and, where practicable and feasible, the use of high velocity, low pressure air guns, airless paint guns, brush or roll paint application, and employee awareness training.

    [Rule 62-4.070(3), F.A.C., and Rule 2.1401, JEPB]

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