ENVIRONMENTAL PROTECTION COMMISSION OF
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

Mr. John Whalen
Vice President of Tampa Operations
Orion Marine Construction, Inc.
P. O. Box 13427
Tampa, FL 33681
_____/

File No.: 0571328-003-AF
County: Hillsborough

Enclosed is Permit No. 0571328-003-AF for the renewal of the Orion Marine operations, located in Commerce Street, which include the grit blasting and coating of marine vessels, issued pursuant to Section 403.087, Florida Statutes. Please read this new permit thoroughly as there are changes from the previous permit.

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

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

A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the F.A.C.

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

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

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

(c) A statement of how and when the petitioner received notice of the EPC action;

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

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

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

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

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

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

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

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

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

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statues, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr, Tampa, Florida 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth

Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by

the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTALPROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

_____

Richard D. Garrity, Ph.D.
Executive Director

cc: Will Horn - Uniquhorn T&EC, LLC (e-mail)

CERTIFICATE OF SERVICE

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

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the clerk, receipt of which is hereby acknowledged.

_____ _____

Clerk Date

PERMITTEE:
Orion Marine Construction, Inc.
5600 West Commerce Street
Tampa, FL 33616

PERMIT/CERTIFICATION
Permit No.: 0571328-003-AF
County: Hillsborough
Expiration Date: April 30, 2018
Project: Blasting and Coating Operations

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297, and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the EPC and made a part hereof and specifically described as follows:

Orion Marine Construction, Inc. (formally Misener Marine Construction, Inc.) is a heavy civil marine construction company that builds overwater bridges, seawalls, and other marine structures. Secondary operations include the repair and repainting of their own barges, tugs, ships, and dredges.

The operation at the Orion Commerce Street facility involves the grit blasting and coating activities for ship maintenance. Grit blasting activities involve the use of coal slag grit to prepare metal surfaces for painting. A single submergible dry dock, that is totally enclosed using screens/tarps, is used for blasting or coating of ships (barge and tug). Also, a blasting containment area can be used for blasting and coating of miscellaneous metal parts. In addition, a fully enclosed paint booth is used for coating miscellaneous metal parts. The operation at the facility also involves the use of a 20-ton capacity blasting pot and a grit storage silo that is pneumatically loaded and equipped with a fabric sock filter. This permit does not authorize any blasting or coating associated with ship building. Particulate matter (PM) emissions from grit blasting are controlled by application practices and the use of screens/tarps.

Coating activities on marine vessels include the painting of the main deck, the superstructure, and the hull exterior. Volatile organic compound (VOC) emissions from the coatings is controlled through the use of low solvent coatings and application practices (e.g. airless, brush, roller, HVLP), and limitations on the material usage. Paint overspray is controlled by application practices, a fully enclosed paint booth, and portable screens/tarps.

The internal ship blasting activities and the abrasive blasting of miscellaneous metal parts in the blasting containment area are subject to PM RACT, and therefore, subject to the 5% opacity standard of Rule 62-296.712(2), F.A.C. Although the silo loading is exempt from PM RACT pursuant to Rule 62-296.700(2)(c), F.A.C., it is subject to the 5% opacity standard of EPC Chapter 1-3.52, Paragraph 2. The abrasive blasting of ship exteriors is not subject to PM RACT, since it is not reasonable to enclose and vent PM emissions to a control device.

The coating operation is subject to VOC-RACT, Rule 62-296.513, F.A.C, Surface Coating of Miscellaneous Metal Parts, which limits the VOC content of the coatings to 3.5 lb-VOC/gal. The facility is a minor source of HAPs since the single/total HAP emissions are less than 10/25 TPY, and therefore, not subject to 40 CFR 63, Subpart II (Shipbuilding and Repair Facilities).

Location: 5600 West Commerce Street, Tampa, FL 33616

UTM: 17-349.6 E 3082.6 N

Facility ID: 0571328

Emission Unit Nos.: 001 - **Coating Operations**
- Emission Point 1- Internal Metal Coating
- Emission Point 2- Exterior Coating
- Emission Point 3- Miscellaneous Metal Parts Coating

002 – **Marine Vessel Abrasive Blasting**
- Emission Point 1- Exterior Ship Blasting
- Emission Point 2- Internal Ship Blasting

003 - **Abrasive Grit Silo Loading**

005 - **Abrasive Blasting of Miscellaneous Metal Parts/Containment Area**

References Permit Nos.: 0571328-001/002-AC/AF

SPECIFIC CONDITIONS:

1. A part of this permit is the attached General Conditions. [Rule 62-4.160, F.A.C.]

2. All applicable rules of the Environmental Protection Commission of Hillsborough County including design discharge limitations specified in the application shall be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 62-4.070(7), F.A.C.]

3. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C., or any other requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

Coating Operations

4. For any coating applied, the maximum allowable VOC content of the interior surface coatings shall not exceed 3.5 pounds per gallon of coating, excluding water, delivered to the coating applicator. All miscellaneous metal parts to be coated separate from the dry dock shall be contained within the paint spray booth or the grit blasting containment area during the application process.
[Rules 62-4.070(3) and 62-296.513(1)(b)10. and (2)(a)3., F.A.C. and Air Construction (AC) Permit No. 0571328-001-AC]

5. As requested by the permittee, in order to establish the facility as a synthetic minor for both criteria and Hazardous Air Pollutants (HAP), and to exempt the facility from the requirements of 40 CFR 63, Subpart II, the following emission limitations shall apply:
[Rules 62-4.070(3), 62-296.320, 62-212.300, F.A.C., and AC Permit No. 0571328-001-AC]

   A) The maximum VOC emissions from the facility shall not exceed 24.9 tons for any 12 consecutive month period.
   B) The HAP, as defined in Rule 62-210.200, F.A.C., emissions shall be less than 10 tons in any 12 consecutive month period for any individual HAP, and less than 25 tons in any 12 consecutive month period for any combination of HAPs.

6. As requested by the permittee, in order to limit the potential to emit, the following material usages and restrictions shall apply: [Rule 62-4.070(3), F.A.C., and AC Permit No. 0571328-001-AC]

Material	Maximum Gallons in any 12 Consecutive Months	Maximum VOC Content (lb/gal)
Coatings	10,000	3.5
Cleanup Solvents	2,000	7.4

SPECIFIC CONDITIONS:

7. Compliance with the emission limitation of Specific Condition No. 4 shall be determined using EPA Method 24 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. The EPA VOC Data Sheet (Properties of the Coating "As Applied" by the Permittee), designated Appendix A shall be maintained on-site and available for review for each coating. In lieu of the Method 24, a certification by the coating manufacturer of the composition of the coating, if it is supported by actual batch formulation records is acceptable as well. The manufacturer's certification must be consistent with EPA's document number 450/3-84-019, "Procedures for Certifying Quantity of Volatile Organic Compounds Emitted by Paint, Ink, and Other Coatings," as corrected on August 5, 1986. The minimum sampling requirements for stack sampling facilities, source sampling, and reporting shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A.

8. 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.]

9. The permittee shall not store, handle, process, or use in any process of VOC or organic solvents without applying known and existing vapor emission control devices or systems as follows and as deemed necessary and ordered by the EPC:
[Rules 62-4.070(3) and 62-296.320(1), F.A.C., and AC Permit No. 0571328-001-AC]

   A) Maintain covers, lids, etc. on all containers when they are not being handled, tapped, etc.
   B) Where possible and practical, procure/fabricate a tightly fitting cover for any open trough, basin, etc. of VOC so that it can be covered when not in use.
   C) Attend to all spills/waste as soon as practical but no later than one hour after the event.
   D) Using only airless spray applicators, HVLP cup sprayers, rollers, or brushes, unless a request for use of another technology is submitted in writing and approved by the EPC.
   E) Using high solids coatings whenever they are available and whenever they meet customer specifications.
   F) Using tarps or barriers with at least 95% shade factor at all times when painting any ship (barge and tug) or part thereof. The tarps or barriers shall provide total enclosure of the painting area at all times to contain all paint overspray.
   G) Enclosing, covering or filtering drains or openings in the dry dock during painting.
   H) All miscellaneous metal parts to be painted separate from the dry dock shall be placed within the spray paint booth or the grit blasting containment area during the coating process.
   I) Replace the paint booth filters when the pressure differential exceeds 0.50”w.g., as recommended by the filter manufacturer.

Grit Blasting Operations

10. Visible emissions from the exterior ship (barge and tug) blasting shall not be equal to or greater than 20% opacity. [Rule 62-296.320(4)(b)1., F.A.C.]

11. Visible emissions from the abrasive grit silo, the internal ship blasting and abrasive blasting of

SPECIFIC CONDITIONS:

miscellaneous metal parts in the blasting containment area shall not be greater than 5% opacity.
[Rule 62-296.712(2)., F.A.C. and Chapter 1-3.52, Paragraph 2, Rules of the EPC]

12. In order to limit the potential to emit, the maximum PM emissions from the grit blasting operations shall not exceed 12.0 tons for any 12 consecutive month period.
[Rule 62-4.070(3), F.A.C., and AC Permit No. 0571328-001-AC]

13. In order to ensure compliance with the emission limitations in Specific Condition Nos. 10, 11and 12, the following usages and restrictions shall apply:
[Rule 62-4.070(3), F.A.C., and AC Permit No. 0571328-001-AC]

    A) No more than 1,000 tons of abrasive grit shall be used in any 12 month period;
    B) All dust laden air which is displaced in the silo loading process shall be filtered before being discharged to the ambient air;
    C) No more than 3 blasting nozzles shall be in use at any given time;
    D) The maximum loading pressure for the grit blasting storage silo shall not exceed 12 psig;
    E) All miscellaneous parts to be blasted separate from the dry dock shall be placed within the blasting containment area during the blasting process.

14. Test EU 003 and EU 005 for visible emissions (VE) once per federal fiscal year (October 1 – September 30) with a target date of November 30th. The tests shall include testing at the points of highest observed opacity for blasting and silo loading operations. Submit two copies of test data, along with the silo loading pressure and the number of blasting nozzles, to the Air Management Division of the EPC within forty-five days of such testing. Testing procedures shall be consistent with the requirements of Rule 62-297, F.A.C. [Rules 62-4.070(3) and 62-297.310(7)(a)4., F.A.C.]

15. Test EU 002 for VE the first time when the dry dock becomes operational following issuance of this renewal FESOP No. 0571328-003-AF. The initial VE test must be submitted to Air Compliance Section of the EPC within forty five (45) days of testing, and approved by the EPC prior to subsequent blasting of exterior/interior ship, barge, or tug. Test EU 002 annually after the initial compliance test. If testing is unable to be performed due to the lack of ships for processing, testing shall occur at the next available instance when the needed operation is performed. Testing procedures shall be consistent with the requirements of Rule 62-297, F.A.C.
[Rules 62-4.070(3) and 62-297.310(7)(a)4., F.A.C. and Permit Nos. 0571328-001/002-AC/AF]

16. Compliance with the emission limitations of Specific Condition Nos. 10 and 11 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. All EPA Method 9 observation periods shall be at least thirty (30) minutes in duration. The observation point for the blasting operation tests shall be at the point of maximum opacity leaving the dry dock enclosure, tarp enclosure, or wind screens, whichever is applicable. For internal blasting, the observation point for testing shall be the exhaust from any portable control device being used for venting (i.e. baghouse or similar filtering system). The minimum requirements for stack sampling

SPECIFIC CONDITIONS:

facilities, source sampling, and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A. [Rules 62-4.070(3) and 62-296.320(4)(b)4., F.A.C.]

17. The permittee shall notify the Air Compliance Section of the Environmental Protection Commission of Hillsborough County at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the contact person who will be responsible for coordinating and having such test conducted. [Rule 62-297.310(7)(a)9., F.A.C.]

18. Testing of emissions shall be conducted with the sources operating at capacity. Capacity is defined as 90-100% of rated capacity for each portion of the blasting operation as follows:

    A) Containment Area and Dry Dock Ship (barge and tug) Blasting – Capacity is defined as the uninterrupted operation of 3 abrasive blasting nozzles simultaneously at a maximum pressure of 100 psig, if safely attainable (90% rated capacity is represented by 3 nozzles).
    B) Grit Silo Loading - Capacity is defined as 12 psig maximum delivery pressure from the truck.

19. If it is impracticable to test at capacity, then the sources may be tested at less than capacity; in this case subsequent source operation is limited to 110% of the test load until a new test is conducted. Once the source is so limited, then operation at higher capacities is allowed for no more than fifteen days for purposes of additional compliance testing to regain the rated capacity in the permit, with prior notification to the EPC. Failure to submit the input rates, operating pressures and actual operating conditions (including the wind speed and wind direction) may invalidate the test.
    [Rules 62-4.070(3) and 62-297.310(2)(b), F.A.C.]

20. The following reasonable precautions shall be taken to control the emissions of unconfined particulate matter associated with the abrasive blasting operation: [Rules 62-4.070(3) and 62-296.320, F.A.C.]

    A) The permittee shall use only coal slag for abrasive blasting materials unless prior approval is received from the EPC to use another material.
    B) No spent abrasive material shall be reused.
    C) The permittee may use wet grit blasting techniques whenever desirable. In the event that wet blasting is used, the permittee shall be required to obtain the appropriate water pollution permits in accordance with Rule 62-4.240, F.A.C. prior to commencing wet blasting.
    D) Using tarps or barriers with at least 95% shade factor at all times when blasting any ship (barge and tug). The tarps or barriers shall provide total enclosure of the blasting area at all times to contain the dust and to keep the dust from entering the waters of Tampa Bay.
    E) The permittee shall conduct all blasting from the top of the ship (barge and tug) down, and shall blast with the nozzle directed downward in order to control airborne emissions except when blasting beneath the vessel or on a small part which makes it physically impractical.
    F) The permittee shall require all blasting operators to be trained on procedures which minimize airborne emissions of blasting materials. Records of training (when it was offered and who attended) will be maintained and be made available for inspectors of the EPC upon request.

SPECIFIC CONDITIONS:

G) The permittee shall use only manual sweeping and vacuum systems to clean-up spent blasting materials. The permittee shall clean-up spent blasting materials and other waste prior to submerging the dry dock. No blowers are permitted.
H) The permittee shall use and maintain a filtration device on the exhaust of the grit storage silo.
I) All solid waste shall be recycled or disposed of in a permitted Class I or II landfill or other facility approved by the EPC if it is disposed of in Hillsborough County. Receipt of disposal shall be maintained on site for a period of two years and made available to inspectors upon request. [Rule 62-701, F.A.C.]
J) Enclosing, covering or filtering drains or openings in the dry dock during blasting.
K) The blasting containment area shall be covered on all sides, including the top, with tarps or barriers with at least 95% shade factor to totally enclose the blasting of miscellaneous parts separate from the dry dock. To minimize the potential impact of the blasting operations to the soil, the blasting containment area shall operate over an impermeable surface, such as concrete or sealed asphalt, and be surrounded by 2 foot by 2 foot concrete curbing to minimize the effect of water run-off from the area.

21. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provision in Rule 62-296.320(4)(c), F.A.C, which includes storing all spent abrasive blast material in a covered containment area. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling.

Recordkeeping Requirements

22. In order to demonstrate compliance with Specific Condition Nos. 4, 5, 6, 10, 11, 12 and 13, the permittee shall maintain a recordkeeping system for the most recent three-year period. The records shall be made available to the EPC upon request. The records shall include, but not limited to, the following: [Rules 62-4.070(3) and 62-4.160(14), F.A.C.]

Daily

A) The amount and type of coatings (including catalyst and reducer for multi-component coatings) used, in gallons.
B) The VOC/HAP content of the coating as applied.
C) The amount of cleanup solvent used (gallons) and the VOC/HAP content.
D) Loading pressure for the grit storage silo, in psig, during each loading operation.

Monthly/12-Month Rolling Total

E) The amount of coatings and cleanup solvents used each month, including a 12-month rolling total.
F) Total VOC and HAP emissions for each month, including a 12-month rolling total.
G) The type and amount of abrasive blasting material used each month, including a 12-month rolling

SPECIFIC CONDITIONS:

total.

H) Total PM emissions from all grit blasting and silo loading operations for each month, including a 12-month rolling total.

23. The use of property, facilities, equipment, processes, products, or compounds, or the commission of paint overspraying or any other act, that causes or materially contributes to a public nuisance is prohibited, pursuant to the Hillsborough County Environmental Protection Act, Section 16, Chapter 84-446, Laws of Florida, as Amended.

24. When the EPC after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in Rules 62-204, 62-210, 62-212, 62-296, or 62-297, F.A.C., or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the source to conduct compliance tests which identify the nature and quantity of pollutant emissions from the source and to provide a report on the results of said tests to the EPC. [Rule 62-297.310(7)(b), F.A.C.]

25. The permittee must submit to the Environmental Protection Commission of Hillsborough County each calendar year, a completed DEP Form 62-210.900(5), "Annual Operating Report (AOR) for Air Pollutant Emitting Facility", for the preceding calendar year. The AOR shall be submitted by April 1 of the following year. [Rule 62-210.370(3), F.A.C.]

26. The permittee shall provide timely notification to the EPC prior to implementing any changes that may result in a modification to this permit pursuant to Rule 62-210.200(203), F.A.C. The changes do not include normal maintenance, but may include, and are not limited to, the following, and may also require prior authorization before implementation: [Rules 62-4.070(3) and 62-210.300, F.A.C.]

    A) Alteration or replacement of any equipment* or major component of such equipment.
    B) Installation or addition of any equipment* which is a source of air pollution.
    C) Change in the operation to include ship building or fabrication of modules for ship conversion.

*Not applicable to routine maintenance, repair, or replacement of component parts of an air emissions unit.

27. If the permittee wishes to transfer this permit to another owner, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted, in duplicate, to the Environmental Protection Commission of Hillsborough County within 30 days after the sale or legal transfer of the permitted facility. [Rule 62-4.120, F.A.C.]

28. Prior to 60 days before the expiration of this operating permit, the permittee shall apply for a renewal of the permit using the current version of the permit renewal application form and submit the most recent 3 months of records required by this permit. A renewal application shall be timely and sufficient. If the application is submitted prior to sixty days before the expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered

SPECIFIC CONDITIONS:

timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the EPC or, if there is court review of the final agency action, until a later date is required by Section 120.60, Florida Statutes.
[Rules 62-4.070(3) and 62-210.300(2), F.A.C.]

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

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Richard D. Garrity, Ph.D.
Executive Director