STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

ELECTRONIC MAIL
jerry.young@newpiper.com

The New Piper Aircraft, Inc.
2926 Piper Drive
Vero Beach, Florida 32960-1954

Indian River County - AP
Aircraft Manufacturing Facility
DEP File Number 0610023-004-AF

Attention: Jerry Young, Manager, Environmental Services

INTENT TO ISSUE

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit (copy enclosed) for the proposed project as detailed in the application specified above. The Central District is issuing this Intent to Issue for the reasons stated below.

The applicant, The New Piper Aircraft, Inc., applied on October 2, 2006, to the Department for a FESOP permit to operate an Aircraft Manufacturing facility in Vero Beach, Indian River County, Florida. The facility consists of hot water heaters, boilers, paint booths and numerous aircraft assembly steps. This facility, The New Piper Aircraft, Inc., is a source of air emissions and is located at 2926 Piper Drive, Vero Beach, Indian River County, Florida. The Department has assigned File Number 0610023-004-AF to the project.

The Department has permitting jurisdiction under Section 403 Florida Statutes (F.S.) and Chapter 62-4.210 and Chapter 62-210.300 Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

Pursuant to Section 403.815, F.S. and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The Notice shall be published one time only within 30 days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "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 Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department, at 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803-3767 within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a response is received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE FEDERALLY ENFORCEABLE STATE OPERATING PERMIT." Written comments should be provided to the Central District office at 3319 Maguire Boulevard, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel to the Department at 3900 Commonwealth Boulevard, Mail Stop 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department 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 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 Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination;
(c) A statement of how and when petitioner received notice of the agency action or proposed 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, as well as the rules and statutes which entitle the petitioner to relief; and
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 upon which the Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 of the Florida Statutes is not available in this proceeding.

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

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

(a) The name, address, and telephone number of the petitioner;
(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
(c) Each rule or portion of a rule from which a variance or waiver is requested;
(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
(e) The type of action requested;
(f) The specific facts that would justify a variance or waiver for the petitioner;
(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

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

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

L.T. Kozlov, P.E.
Program Administrator
Air Resources Management
3319 Maguire Boulevard
Suite 232
Orlando, Florida 32803-3767
(407) 894-7555

DATE: 12-15-06

Filed, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk 12/18/06 Date

CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were mailed before the close of business on 12/19/06 to the listed persons by _____.

ADZ/ca

Enclosures: Draft Permit
Notice of Intent

Cc: Katy Forney, EPA, Region 4, (forney.kathleen@epa.gov)
Barry Westmark, P. E., (bwestmark@ectinc.com)

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PUBLIC NOTICE OF INTENT TO ISSUE FEDERALLY ENFORCEABLE STATE OPERATING PERMIT

The Department of Environmental Protection gives notice of its intent to issue a FESOP permit to The New Piper Aircraft, Inc., to operate an Aircraft Manufacturing facility in Vero Beach, Indian River County, Florida. The facility consists of hot water heaters, boilers, paint booths and numerous aircraft assembly steps. This facility, The New Piper Aircraft, Inc., is a source of emissions and is located at 2926 Piper Drive, Vero Beach, Florida. The Department has assigned File Number 0610023-004-AF to the project.

The Department will issue the permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE FEDERALLY ENFORCEABLE STATE OPERATING PERMIT." Written comments should be provided to the District office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 Florida Statutes (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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department 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 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 Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination;
(c) A statement of how and when petitioner received notice of the agency action or proposed 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, as well as the rules and statutes which entitle the petitioner to relief; and
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 of the Florida Statutes is not available in this proceeding.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: the Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, Florida.

Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Colleen M. Castille
Secretary

NOTICE OF PERMIT

ELECTRONIC MAIL
jerry.young@newpiper.com

The New Piper Aircraft, Inc.
2926 Piper Drive
Vero Beach, Florida 32960-1954

Attention: Jerry Young, Manager, Environmental Services

Dear Mr. Young:

Enclosed is Permit Number 0610023-004-AF to operate the above referenced source issued pursuant to Section(s) 403.087, Florida Statutes.

Any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____
L.T. Kozlov, P.E.
Program Administrator
Air Resources Management

Date: _____

Filed on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

_____

Clerk Date

CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were mailed before the close of business on _____ _____ to the listed persons by _____.

LTK/ta

Enclosures: Draft Permit
Notice of Intent

Cc: Katy Forney, EPA, Region 4, (forney.kathleen@epa.gov)
Barry Westmark, P. E., (bwestmark@ectinc.com)

Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Colleen M. Castille
Secretary

Permittee:
The New Piper Aircraft, Inc.
2926 Piper Drive
Vero Beach, Florida 32960-1954

Facility Number: 0610023
Permit No.: 0610023-004-AV
Expiration Date: January 30, 2012
County: Indian River
Latitude/Longitude:
27°39'14"N/80°24'59"W
Project: Aircraft Manufacturing

Attention: Jerry Young, Manager, Environmental Services

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-210. 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 department and made a part hereof and specifically described as follows:

This is the initial FESOP (Federally Enforceable State Operating Permit) for this facility. The removal from Title V status is attributed to lower aircraft production, less than 450 planes per year.

The facility includes three (3) steam boilers, two (2) hot water heaters, eight (8) paint booths, two (2) trim booths, a plastics booth, an aluminum cleaning and etch line and an acid etch tank #5. Particulate emissions from the paint, trim and plastics booths are controlled by dry filters. Sulfuric acid emissions from the etch line are controlled by an acid vapor scrubber.

This facility is located at 2926 Piper Drive, Vero Beach, Florida 32960-1954, Indian River County, Florida.

"More Protection, Less Process"

Printed on recycled paper.

OPERATING CONDITIONS

1. These sources are permitted to operate 2080 hours per consecutive 12 months, per the application.

2. The maximum annual heat input rates are as follows:
   a) Two Steam Boilers (Bldg. 3A) - each limited to 73,409 MMBTU per consecutive twelve months
   b) Steam Boiler No. 1 (Bldg. 9) - 32,141 MMBTU per consecutive twelve months
   c) Two Hot Water Heaters (Bldg. 9) - each limited to 80,640 MMBTU per consecutive twelve months

3. The Two Steam Boilers (Bldg. 3A) are allowed to fire natural gas, propane, or new no. 2 fuel oil only. The Steam Boiler No. 1 (Bldg. 9) and the Two Hot Water Heaters (Bldg. 9) are allowed to fire new no. 5 fuel oil only.

4. All reasonable precautions shall be taken to prevent emissions of unconfined particulate matter. Reasonable precautions shall include, but not to be limited to, the following [Rule 62-296.320(4)(c), F.A.C.]:

   a) Application of water when necessary to control emissions.
   b) Removal of particulate matter from roads and other paved areas under control of the owner or operator to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
   c) Enclosure or covering of conveyor systems
   d) Use of a spray or chute to mitigate emissions at the drop point.

5. No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]

6. No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOCs) or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department [Rule 62-296.320(1)(a), F.A.C.] To comply, procedures to minimize pollutant emissions should include but not be limited to the following:

   a) tightly cover or close all VOC containers when they are not in use,
   b) tightly cover, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use,
   c) maintain all piping, valves, fittings, etc. in good operating condition,
   d) prevent excessive air turbulence across exposed VOCs,
   e) immediately confine and clean up VOC spills and make sure certain wastes are placed in closed containers for reuse, recycling or proper disposal

7. No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. 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 62-296.320(2), F.A.C.]

EMISSION LIMITS

8. For the facility, sulfur dioxide and VOC emissions are limited to less than 99.0 tons per consecutive 12 months. Additionally, combined hazardous air pollutant (HAP) emissions are limited to less than 25.0 tons per consecutive 12 months, and any single HAP emission is limited to less than 10.0 tons per consecutive 12 months.
[Rule 62-210.200(203), (PTE), F.A.C.]

9. The visible emissions for each source is limited to less than 20% opacity.
[Rule 62-296.320(4)(b)1., F.A.C.]

EMISSION MONITORING AND APPLICABLE TEST PROCEDURES

10. Each paint booth must be tested for visible emissions at the emission source in accordance with DEP Method 9 [Rule 62-297.401, F.A.C.] at least 90 days prior to permit expiration date. The DEP Method 9 test shall last thirty minutes or the length of the batch/cycle.
[Rule 62-297.310(4)(a)2., F.A.C.]

11. At least 15 days prior to the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the air compliance section of this office. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test. [Rule 62-297.310(7)(a)9., F.A.C.]

12. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2), F.A.C.]

13. Sulfur Dioxide - Sulfur Content. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by the vendor providing a fuel analysis upon each fuel delivery.
[Rules 62-213.440 and 62-296.406(3), F.A.C.]

14. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using one of ASTM D2622-94, ASTM D4294-90(95), ASTM 1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 or latest editions.
[Rules 62-213.440, 62-296.406(3) and 62-297.440, F.A.C.]

15. Reports of the required compliance tests shall be filed with the air compliance section of this office as soon as practical but no later than 45 days after the last test is completed. [Rule 62-297.310(8)(b), F.A.C.]

RECORDKEEPING AND DOCUMENT SUBMITTAL

16. In order to demonstrate compliance with specific condition numbers 1, 2, 3 and 8, and pursuant to Rule 62-4.070(3), F.A.C., the permittee shall maintain a monthly log at the facility for a period of at least five years from the date the data is recorded. The log, at a minimum, shall contain the following:

    Monthly

    a) Designation of the month and year of operation for which the records are being tabulated; and
    b) Consecutive 12-month total of SO_2, total VOC, combined HAPs and individual HAPs emissions rates.
    c) Hours of operation (operations listed in this permit)
    d) Consecutive 12-month total of fuel usage and sulfur content [Rules 62-4.070(3), and 62-213.440(1)(b)2., F.A.C.]

    Note: A consecutive 12-month total is equal to the total for the month in question plus the totals for the eleven months previous to the month in question. A consecutive 12-month total treats each month of the year as the end of a 12-month period. A 12-month total is not a year-to-date total. Facilities that have not been operating for 12 months should retain 12 month totals using whatever number of months of data are available until such a time as a consecutive 12 month total can be maintained each month.

17. Supporting documentation (chemical usage tracking logs, MSDS sheets, purchase orders, EPA "As Supplied" data sheets, EPA Method 24, etc.) shall be kept for each chemical and associated products which includes sufficient information to determine usage rates and emissions. These records shall be made available to the Department upon request. Documentation of each chemical reclaimed will use a mass balance method to determine usage/emissions (amount used minus amount collected for disposal or recycle). The log and documents shall be kept at the facility for at least five years and made available to the Department. Daily logs shall be completed within seven business days and the monthly logs shall be completed by the end of the following month. [Rules 62-4.070(3), and 62-213.440(1)(b)2., F.A.C.]

18. The owner or operator shall complete DEP Form No. 62-210.900(5), F.A.C. "Annual Operating Report for Air Pollutant Emitting Facility", including the Emissions Report, for each calendar year and submit to the air compliance section of this office on or before March 1 of the following year. [Rule 62-210.370(3), F.A.C.]

PERMIT APPLICATION

19. At least sixty days prior to the expiration date of this permit, the permittee shall submit to this office, four air permit applications, DEP Form No. 62-210.900(4), along with the processing fee established in Rule 62-4.050(4), F.A.C.
[Rule 62-4.090, F.A.C.]

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

_____

L.T. Kozlov, P.E.
Program Administrator
Air Resources Management

Issued: _____