



Jeb Bush
GOVERNOR

M. Rony François, M.D., M.S.P.H., Ph.D.
SECRETARY

August 18, 2006

ELECTRONIC CORRESPONDENCE

Rogermccaslin@adelphia.net

NOTICE OF A
FINAL AIR CONSTRUCTION PERMIT

PERMITTEE:

Venture Marine, Inc.
1800 Old Dixie Highway
Riviera Beach, FL 33404

Air Permit No.: 0990603-003-AC

PALM BEACH COUNTY, FLORIDA

Project: Initial air construction permit
at the new location

Authorized Representative:

Mr. Roger McCaslin, Vice president

Dear Mr. McCaslin:

Enclosed is Air Permit No. 0990603-003-AC to operate a source of air pollution located in Palm Beach County. This permit is issued pursuant to Chapter 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204 through 62-297 of the Florida Administrative Code. Any party to this Order (Permit) has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below 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 this Order (Permit) is filed with the Clerk of the Health Department.

Executed in West Palm Beach, Florida

PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

For any questions, contact:

Laxmana Tallam, P.E.
Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida, 33402-0029



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL. 33402

Jean M. Malecki, M.D., MPH, FACPM, Director

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CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by electronic mail before the close of business on 8/18/06 to the permittee. In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic mail on the same date to the following persons:

Darrel Graziani, P.E., Program Administrator
Southeast District Office - DEP
400 North Congress Ave, Suite 200
West Palm Beach, Florida, 33401

Email: **Darrel.Graziani@dep.state.fl.us**

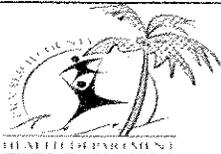
David Asvestas, P.E.
Banester Engineering Inc.
28070 Smithson Valley Road
San Antonio, TX 78261

Email: **David@banester.com**

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

Bridget Bethune
(Clerk)

8/18/06
(Date)



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FINAL DETERMINATION

AIR CONSTRUCTION PERMIT

FACILITY

Venture Marine, Inc.
1800 Old Dixie Highway
Riviera Beach, FL 33404

Description: Boat Manufacturing Facility

SIC No.: 3732

UTM: Zone 17; 592.933 km E; 2962.062 km N

Palm Beach County, Florida

Authorized Representative:

Mr. Roger McCaslin, Vice president

PROJECT

Air Permit No. 0990603-003-AC

Initial Air Construction Permit at new location

COMMENTS / CHANGES

The Health Department received proof of publication on August 8, 2006 that the Public Notice of Intent to Issue Permit was published in the August 03, 2006 issue of The Palm Beach Post. No comments were made by the applicant, the general public, or the Florida Department of Environmental Protection.

FINAL ACTION

The final action of the Health Department is to issue this air pollution permit.



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SECRETARY

AIR POLLUTION CONSTRUCTION PERMIT
PALM BEACH COUNTY HEALTH DEPARTMENT

ELECTRONIC CORRESPONDENCE
Rogermccaslin@adelphia.net

ISSUED TO:

Permittee:

Venture Marine, Inc.
1800 Old Dixie Highway
Riviera Beach, FL 33404

ARMS No.:	0990603
Permit No:	0990603-003-AC
Issued:	August 18, 2006
Expires:	August 17, 2007

Authorized Representative:

Mr. Roger McCaslin, Vice president

LOCATED AT: 1800 Old Dixie Highway, Riviera Beach, FL 33404

UTM: Zone 17; 592.933 Km. East, 2962.062 Km. North
Latitude: 80°03'55"; Longitude: 26°46'37"

Description: Fiberglass Boat Manufacturing Operations; SIC No.: 3732

STATEMENT OF BASIS:

The Florida Department of Environmental Protection (DEP) has permitting jurisdiction for this project pursuant to Section 403.087 of the Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (Health Department) as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits to for this type of air pollution source located in Palm Beach County. Accordingly, the Health Department issues this permit under the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the work for the proposed project in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida

PALM BEACH COUNTY HEALTH DEPARTMENT

James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

Air Permit Engineer: Laxmana Tallam, P.E.
Filename:0990603-003-AC_FINAL



Post Office Box 29 / 901 Evernia Street, West Palm Beach, FL. 33402
Jean M. Malecki, M.D., MPH, FACPM, Director
www.pbchd.com

SECTION I. SUMMARY INFORMATION**PERMIT HISTORY**

- 02-01-06: Received application for an Air Construction Permit
This is a relocated facility.
- 03-04-04: Issued Federally Enforceable State Air Operation Permit to this facility at the previous location (0990603-002-AF)

PERMIT CONTENT

- Section I: Summary Information
- Section II: Facility-Wide Specific Conditions
- Section III: Emissions Unit Specific Conditions
- Section IV: Appendices
 - Appendix A:* General Permit Conditions
 - Appendix B:* Citation Format
 - Appendix C:* Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63.

REGULATORY CLASSIFICATION

Applicability to other rules and regulations is summarized as follows:

- Title III: The permittee proposes to be restricted for material consumption only by production capacity limitations and will be a major source with respect to hazardous air pollutants (HAPs).
- Title IV: The facility will not operate any units subject to the acid rain provisions of the Clean Air Act.
- Title V: The permittee proposes to not restrict material consumption but is limited by virtue of capacity and will be established as a major source status with respect to Title V permit program, in accordance with Chapter 213, F.A.C.
- PSD: The facility is classified as a natural PSD minor source of air pollution in accordance with Rule 62-212.400 F.A.C.
- RACT: The facility will not operate any units subject to the RACT.
- NSPS: The facility is not subject to the requirements of 40 CFR 60.
- NESHAP: As a major source of hazardous air pollutants HAPs, the facility is subject to requirements of 40 CFR 63, Subpart VVVV, **National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.**

SUMMARY OF THE EMISSION UNIT

The applicant proposes to relocate its reinforced fiberglass boats manufacturing operations currently located at 1480 West 53rd Street and 1525 West 53rd Street in West Palm Beach, Palm Beach County, Florida. The new location of the combined operation (fiberglass lay-up operations associated with the hull and deck fabrication and final product assemblies including the installation of fiberglass component) will be 1800 Old Dixie Highway, Riviera Beach, Palm Beach County. For hull and deck fabrication, the gel coat and resins are applied using a non-atomized application method. The VOC and HAP emissions will exit the building through seven roof mounted 18,000 cfm fans, with vertical discharge and blast dampers at a discharge height of 43 feet. Dust control will be accomplished through the use of Torit dust collectors within the building for cutting/grinding, and dry particle arrestors at the exhaust of the seven roof mounted fans.

Fiberglass boats are built from glass fiber reinforcements laid in a mold and saturated with a polyester or vinylester plastic resin. The resin hardens to form a rigid plastic part reinforced with the fiberglass. The resin is

SECTION I. SUMMARY INFORMATION

mixed with a catalyst as it is applied that causes a cross-linking reaction between the resin molecules. The crosslinking reaction causes the resin to harden from a liquid to a solid. Fiberglass manufacturing processes are generally considered either “open molding” or “closed molding.” In open molding, fiberglass boat parts are built “from the outside in” according to three basic process steps:

- (1) The mold is sprayed with a layer of gel coat, which is a pigmented polyester resin that hardens and becomes the smooth outside surface of the part.
- (2) The inside of the hardened gel coat layer is coated with a “skin coat” of chopped glass fibers and polyester or vinylester resin.
- (3) Additional layers of fiberglass cloth or chopped glass fibers saturated with resin are added until the part is the final thickness. The same basic process is used to build or repair molds with tooling gel coat and tooling resin. In closed molding, the resin is applied to fabric placed between the halves of a two-piece mold. Three basic types of closed molding used in boat manufacturing are resin infusion molding, resin transfer molding, and compression molding with sheet molding compound. The polyester and vinylester resins that are used in fiberglass boat manufacturing contain styrene as a solvent and a cross-linking agent. Gel coats also contain Methyl Methacrylate (MMA) as a solvent, and styrene. Styrene and MMA are hazardous air pollutants (HAPs), and a fraction evaporates during resin and gel coat application and curing. Resins and gel coats containing styrene and MMA are also used to make the molds used in producing fiberglass parts. Mixing is done to stir the resin or gel coat and promoters, fillers, or other additives before being applied to the parts. Some HAPs from the resin and gel coat are emitted during the mixing process.

Resin and gel coat application equipment requires cleaning with solvents to remove uncured resin or gel coat when not in use. The resin or gel coat will catalyze in the hoses or gun if not flushed with a solvent after each use.

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

- 1.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (901 Evernia Street), West Palm Beach, Florida, 33402-0029, and telephone number (561) 355-3136. In addition, *copies* shall be submitted to the Air Program, Southeast District Office, Florida Department of Environmental Protection (DEP) at 400 North Congress Avenue, West Palm Beach, Florida, 33401. [**Specific Operating Agreement (SOA)**]
- 1.2 General Conditions: The permittee shall be aware of, and operate under, the attached General Conditions listed in *Appendix A* of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [**Rule 62-4.160, F.A.C.**]
- 1.3 Citation Format: *Appendix B* of this permit provides the format for citing applicable regulations.
- 1.4 Application for a Title V Operation Permit: **The permittee must file an application for an operations permit at least ninety days before the expiration of the source's air construction permit, but no later than 180 days after commencing operation, unless a different application due date is provided at Rule 62-204.800, F.A.C., or an earlier date is provided in the air construction permit. [Rule 62-213.420(1)(a) 2, F.A.C.]**

Any applicant for a Title V permit, permit revision or permit renewal must submit an application form number 62-210.900(1), which must include all the information specified by subsection 62-213.420 (3) F.A.C., except that an application for permit revision must contain only the information related to the proposed change(s) from the currently effective Title V permit and any other requirements that become applicable at the time of the application. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision, or permit renewal shall be certified by the responsible official in accordance with the Rule 62-213.420(4), F.A.C. [**Rule 62-213.420(1)(b) 1, F.A.C.**]

- 1.5 Applicable Regulations: This facility is subject to the following regulations: Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297. The facility is also subject to the requirements of 40 CFR 63, Subpart VVVV, **National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing**. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [**Rule 62-210.300, F.A.C. and the SOA**]
- 1.6 Other Permits: This air pollution permit does not preclude the owner or operator from obtaining any other types of required permits, licenses or certifications from this Department or other departments or agencies.
- 1.7 Extension of This Permit: The expiration date of this construction permit may be extended upon request of the owner or operator and submission of the appropriate fee to the Health Department **at least 60 days prior** to the expiration date of this permit. [**Rules 62-4.050, 62-4.080, and 62-4.220, F.A.C.**]

2.0 GENERAL POLLUTANT EMISSION LIMITING STANDARDS

- 2.1 General Particulate Emission Limiting Standards: General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, the permittee shall not:

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- (1) Cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as No. 1 on the Ringelmann Chart (20 percent opacity). **[Rule 62-296.320(4)(b)1., F.A.C.]**
 - (2) If the presence of uncombined water is the only reason for failure to meet the visible emissions standards given in Rule 62-296.320(4)1, F.A.C., such failure shall not be a violation of the rule. **[Rule 62-296.320(4)(b)3, F.A.C.]**
 - (3) All visible emissions test performed pursuant to the requirements of Rule 62-296.320(b)(4)1, F.A.C. shall use EPA Reference Method 9, and shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-296.320(4)(b)1, F.A.C.]**
- 2.2 Prevention of Accidental Releases (Section 112(r) of CAA): At such time as the requirements of 40 CFR Part 68 are applicable to this source, the permittee shall: **[Section 112(r)(7)(B)(iii) of the CAA, 40 CFR Part 68, Section 252.941(1)(c), F.S.]**
- (1) Submit a Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office RMP Reporting Center.
 - (2) Report to the appropriate representative of the Department of Community Affairs, as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the permittee is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the Clean Air Act (CAA).
 - (3) Submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S. and Rule 9G-21, F.A.C.
- 2.3 Notifications and Reports: The permittee shall submit all compliance-related notifications and reports required by this permit to the Palm Beach County Health Department and the Florida Department of Environmental Protection's (FDEP) Southeast District Office at:
- (1) **Palm Beach County Health Department**
Air Pollution Control Section
Post Office Box 29
West Palm Beach, Florida 33402-0029
Telephone: (561) 355-3136
Fax: (561) 804-9405
 - (2) **Florida Department of Environmental Protection**
Air Program, Southeast District Office
400 North Congress Avenue, Suite 200
West Palm Beach, Florida, 33401
Telephone: (561) 681-6600
Fax: (561) 681 – 6790
- 2.4 U.S. Environmental Protection Agency, Report & Notifications: Any reports, data, notification, certifications, and requests required to be sent to the U. S. EPA should be sent to:
- United States Environmental Protection Agency**
Region 4
Air and EPCRA Enforcement Branch, Air Enforcement Section
61 Forsyth Street
Atlanta, GA 30303-8960
Telephone: 404/562-9155
Fax: 404/562-9163 or 404/562-9164
- 2.5 Objectionable Odors: Objectionable Odor Prohibited: 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.]**
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SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

Note: An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-210.200(203), F.A.C.]

- 2.6 **General VOC Standards.** Volatile Organic Compounds Emissions or Organic Solvents Emissions: The permittee shall allow no person to store, pump, handle, process, load, unload, or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Health Department. **[Rule 62-296.320(1)(a), F.A.C.]**

Such controls include the following:

- (1) Tightly cover or close all VOC containers when they are not in use.
- (2) Tightly cover all open tanks that contain VOCs when they are not in use.
- (3) Maintain all pipes, valves, fittings, etc., which handle VOCs in good operating condition.
- (4) Confine rags used with VOCs to tightly-closed, fire-proof containers when not in use.
- (5) Immediately confine and clean up VOC spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

- 2.7 **Unconfined Particulate Emission Limiting Standards:** Unconfined Emissions of Particulate Matter: The permittee shall not cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions shall include the following:

- (1) Paving and maintenance of roads, parking areas and yards.
- (2) Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- (3) Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- (4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- (5) Landscaping or planting of vegetation.
- (6) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- (7) Confining abrasive blasting where possible.
- (8) Enclosure or covering of conveyor systems.

[Rule 62-296.320(4)(c), F.A.C.]

3.0 OPERATION REQUIREMENTS

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

3.2 **Excess Emissions Requirements:**

- (a) Excess emissions resulting from start-up, shutdown or malfunction of these emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Health Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**
- (b) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction are prohibited. **[Rule 62-210.700(4), F.A.C.]**

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- (c) In case of excess emissions resulting from malfunctions, the permittee shall notify the Air Pollution Control Section of the Palm Beach County Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the problem; and the corrective actions being taken to prevent recurrence. [**Rule 62-210.700(6), F.A.C.**]
- (d) Considering operational variations in types of industrial equipment operations affected by this rule, the Health Department may adjust the maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest. [**Rule 62-210.700(5), F.A.C.**]

4.0 COMPLIANCE MONITORING REQUIREMENTS

- 4.1 Test Procedures: All test methods and procedures shall be performed in accordance with the applicable requirements of Chapter 62-297, F.A.C. [**Rule 62-297.100, F.A.C.**]
- 4.2 Operational Rate During Testing: Unless otherwise stated in the applicable emission limiting standard for a rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable 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.**]
- 4.3 Test Notification: At least 15 days prior to the date on which each formal compliance test is to begin, the permittee shall notify the Health Department in writing of: the test date; the expected test time; the location of the test; the facility contact person responsible for coordinating the test; and the person or company conducting test. The 15 day notification requirement may be waived at the discretion of the Health Department. Likewise, if circumstances prevent testing during the 60-day test window specified for the emissions unit, the owner or operator may request an alternate test date before the expiration of this window. [**Rule 62-297.310(7)(a)9., F.A.C.**]
- 4.4 Special Compliance Tests: When the Health Department, 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 a DEP rule or permit is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Health Department. [**Rule 62-297.310(7)(b), F.A.C.**]

5.0 REPORTING AND RECORDKEEPING REQUIREMENTS

- 5.1 Annual Operations Report: Before March 1st of each year, the owner or operator shall submit an Annual Operations Report [*DEP Form No. 62-210.900(5)*] to the Health Department which summarizes operations for the previous calendar year. [**Rule 62-210.370(3), F.A.C.**]
- 5.2 Excess Emissions Report: If excess emissions occur, the Health Department may request a written summary report of the incident. [**Rules 62-4.130 and 62-210.700(6), F.A.C.**]
- 5.3 Emission Compliance Reports: For each required emissions compliance test, a report indicating the results of the test shall be filed with the Health Department as soon as practical, but no later than 45 days after the last sampling run is completed. The report shall provide sufficient detail on the tested emissions unit and the procedures used to allow the Health Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in **Rule 62-297.310(8)(c), F.A.C.** Additional report information may be specified for a given group of emissions units in this permit. [**Rule 62-297.310(8), F.A.C.**]
- 5.4 Report Plant Operation Problems: If the owner or operator is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause,

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

the owner or operator shall immediately notify the Health Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the owner or operator from any liability for failure to comply with Department rules. **[Rule 62-4.130, F.A.C.]**

- 5.5 Retain Records: All records required by this permit shall be kept by the owner or operator and made available for Health Department inspection for a minimum of five (5) years from the date of such records. **[Rule 62-4.070(3), F.A.C.]**

SECTION III: UNIT SPECIFIC CONDITIONS

SUBSECTION A. This portion of the permit addresses the following emissions unit.

EU ID No.	EMISSIONS UNIT DESCRIPTION
001	Fiberglass Boat Manufacturing Facility: Regulated Activities: <ul style="list-style-type: none"> • Open molding resin and gelcoat operations (including pigmented gelcoat, clear gelcoat, production resin, tooling gelcoat, and tooling resin) • Resin and gelcoat mixing operations • Resin and gelcoat application equipment cleaning operations • Carpet and fabric adhesive operations

The source proposes to demonstrate compliance with the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing for Open Molding Resin and Gel Coat Operations by using either compliant materials or the emissions averaging option.

A.1 **VOC Limit:**

The facility-wide emissions of volatile organic compounds (VOC) from the boat manufacturing operations shall not exceed 95 tons in any consecutive (12) month-period. [Requested by the Applicant]

A.2 **Preventive Maintenance: [Rule 62-296.320(1), F.A.C.]**

- (a) All containers with VOC or hazardous air pollutant (HAP) compounds shall be kept covered.
- (b) Accidental spills shall be acted on promptly.
- (c) Wiping rags shall be kept in explosion proof container.

{Note: The reporting requirements established by this specific condition will be re-evaluated during the permit renewal process. At that time, Health Department will review the specific information contained in the various progress reports to determine the need to continue this reporting requirement.}

A.3 **Compliance Date:**

The permittee shall comply with the standards of the 40 CFR 63 Subpart VVVV upon startup of the facility. Appendix C is a part of this permit. **[40 CFR 63.5695, and Rule 62-204.800(11)(b)72., F.A.C.]**

{Permitting note: In this permit, "subpart" refers to 40 CFR 63 part VVVV, unless otherwise specified}

SECTION III: UNIT SPECIFIC CONDITIONS
A.4 Emission limits for open molding resin and gel coat operations: [40 CFR 60.5698]

- (a) The permittee shall limit organic HAP emissions from the following five open molding operations to the emission limit specified in paragraph (b) of this Specific Condition. Operations listed in paragraph (d) are exempt from this limit.
- (1) Production resin.
 - (2) Pigmented gel coat.
 - (3) Clear gel coat.
 - (4) Tooling resin.
 - (5) Tooling gel coat.
- (b) The permittee shall limit organic HAP emissions from open molding operations to the limit specified by equation 1 of this section, based on a 12-month rolling average.

$$HAP\ Limit = [46(M_R) + 159(M_{PG}) + 291(M_{CG}) + 54(M_{TR}) + 214(M_{TG})] \quad (Eq. 1)$$

Where:

HAP Limit = total allowable organic HAP that can be emitted from the open molding operations, kilograms.

M_R = mass of production resin used in the past 12 months, excluding any materials exempt under paragraph (d) of this section, megagrams.

M_{PG} = mass of pigmented gel coat used in the past 12 months, excluding any materials exempt under paragraph (d) of this section, megagrams.

M_{CG} = mass of clear gel coat used in the past 12 months, excluding any materials exempt under paragraph (d) of this section, megagrams.

M_{TR} = mass of tooling resin used in the past 12 months, excluding any materials exempt under paragraph (d) of this section, megagrams.

M_{TG} = mass of tooling gel coat used in the past 12 months, excluding any materials exempt under paragraph (d) of this section, megagrams.

- (c) The open molding emission limit is the same for both new and existing sources.
- (d) The materials specified in paragraphs (d)(1) through (3) of this condition are exempt from the open molding emission limit specified in paragraph (b) of this condition.
- (1) Production resins (including skin coat resins) that must meet specifications for use in military vessels or must be approved by the U.S. Coast Guard for use in the construction of lifeboats, rescue boats, and other life-saving appliances approved under 46 CFR subchapter Q or the construction of small passenger vessels regulated by 46 CFR subchapter T. Production resins for which this exemption is used must be applied with nonatomizing (non-spray) resin application equipment. The permittee shall keep a record of the resins for which the permittee are using this exemption.

SECTION III: UNIT SPECIFIC CONDITIONS

- (2) Pigmented, clear, and tooling gel coat used for part or mold repair and touch up. The total gel coat materials included in this exemption must not exceed 1 percent by weight of all gel coat used at the facility on a 12-month rolling-average basis. The permittee shall keep a record of the amount of gel coats used per month for which the permittee are using this exemption and copies of calculations showing that the exempt amount does not exceed 1 percent of all gel coat used.
- (3) Pure, 100 percent vinylester resin used for skin coats. This exemption does not apply to blends of vinyl ester and polyester resins used for skin coats. The total resin materials included in the exemption cannot exceed 5 percent by weight of all resin used at the facility on a 12-month rolling-average basis. The permittee shall keep a record of the amount of 100 percent vinylester skin coat resin used per month that is eligible for this exemption and copies of calculations showing that the exempt amount does not exceed 5 percent of all resin used.

A.5 HAP Compliance Options – Open Molding Operations: (40 CFR 63.5701)

The permittee shall use one or more of the options listed in paragraphs (a) through (c) of this condition to meet the emission limit in Condition A.4 (40 CFR 63.5698) for the resins and gel coats used in open molding operations.

(a) Maximum achievable control technology (MACT) model point value averaging (emissions averaging) option.

(1) Demonstrate that emissions from the open molding resin and gel coat operations that the permittee averages meet the emission limit in Condition A.4 (40 CFR 63.5698) using the procedures described in Condition A.8 (40 CFR 63.5710) of this permit. Compliance with this option is based on a 12-month rolling average.

(2) Those operations and materials not included in the emissions average must comply with paragraph (b) of this condition.

(b) Compliant materials option. Demonstrate compliance by using resins and gel coats that meet the organic HAP content requirements in Table A.5-1. Compliance with this option is based on a 12-month rolling average.

Table A.5-1: HAP Weighted average requirements for open molding operations

For this operation	And this organic HAP content application method	You must not exceed this weighted-average (weight percent) requirement
1. Production resin	Atomized (spray)	28 percent
2. Production resin	Nonatomized (nonspray)	35 percent
3. Pigmented gel coat	Any method	33 percent
4. Clear gel coat operations	Any method	48 percent
5. Tooling resin operations	Atomized (spray)	30 percent
6. Tooling resin operations	Nonatomized (nonspray)	39 percent
7. Tooling gel coat	Any method	40 percent

SECTION III: UNIT SPECIFIC CONDITIONS**A.6 The general requirements for complying with the open molding emission limit:****[40 CFR 63.5704]**

- (a) *Emissions averaging option.* For those open molding operations and materials complying using the emissions averaging option, the permittee shall demonstrate compliance by performing the steps in paragraphs (a)(1) through (5) of this section.
- (1) Use the methods specified in 40 CFR 63.5758 (condition A.17) to determine the organic HAP content of resins and gel coats.
 - (2) Complete the calculations described in 40 CFR 63.5710 (Condition # A.8) to show that the organic HAP emissions do not exceed the limit specified in 40 CFR 63.5698 (Condition A.4).
 - (3) Keep records as specified in paragraphs (a)(3)(i) through (iv) of this section for each resin and gel coat.
 - (i) Hazardous air pollutant content.
 - (ii) Amount of material used per month.
 - (iii) Application method used for production resin and tooling resin. This record is not required if all production resins and tooling resins are applied with nonatomized technology.
 - (iv) Calculations performed to demonstrate compliance based on MACT model point values, as described in 40 CFR63.5710 (condition A.8).
 - (4) Prepare and submit the implementation plan described in 40 CFR 63.5707 (condition A.7) to the Administrator and keep it up to date.
 - (5) Submit semiannual compliance reports to the Administrator as specified in 40 CFR63.5764 (condition A.19)
- (b) *Compliant materials option.* For each open molding operation complying using the compliant materials option, the permittee must demonstrate compliance by performing the steps in paragraphs (b)(1) through (4) of this section.
- (1) Use the methods specified in 40 CFR63.5758 (condition A.17) to determine the organic HAP content of resins and gel coats.
 - (2) Complete the calculations described in 40 CFR63.5713 (condition A.9) to show that the weighted-average organic HAP content does not exceed the limit specified in Table A.5-1.
 - (3) Keep records as specified in paragraphs (b)(3)(i) through (iv) of this section for each resin and gel coat.
 - (i) Hazardous air pollutant content.
 - (ii) Application method for production resin and tooling resin. This record is not required if all production resins and tooling resins are applied with nonatomized technology.

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(iii) Amount of material used per month. This record is not required for an operation if all materials used for that operation comply with the organic HAP content requirements.

(iv) Calculations performed, if required, to demonstrate compliance based on weighted-average organic HAP content as described in 40 CFR63.5713 (condition A.9).

- (4) Submit semiannual compliance reports to the Administrator as specified in 40 CFR 63.5764 (condition A.19)

A.7. Implementation Plan for Open Molding Operations [40 CFR 63.5707]

- (a) The permittee shall prepare an implementation plan for all open molding operations for which the permittee comply by using the emissions averaging option described in 40 CFR 63.5704(a) (condition A.6).
- (b) The implementation plan must describe the steps the permittee shall take to bring the open molding operations covered into compliance. For each operation included in the emissions average, the implementation plan must include the elements listed in paragraphs (b)(1) through (3) of this section.
- (1) A description of each operation included in the average.
- (2) The maximum organic HAP content of the materials used, the application method used (if any atomized resin application methods are used in the average), and any other methods used to control emissions.
- (3) Calculations showing that the operations covered by the plan will comply with the open molding emission limit specified in 40 CFR63.5698 (condition A.4).
- (c) The permittee shall submit the implementation plan to the Administrator with the notification of compliance status specified in 40 CFR63.5761 (condition A.18).
- (d) The permittee shall keep the implementation plan on site and provide it to the Administrator when asked.
- (e) If the permittee revises the implementation plan, the permittee shall submit the revised plan with the next semiannual compliance report specified in 40 CFR63.5764 (condition A.19).

A.8. Compliance Monitoring for Open Molding Operations: [40 CFR 63.5710]

- (a) Compliance using the emissions averaging option is demonstrated on a 12-month rolling-average basis and is determined at the end of every month (12 times per year). The first 12-month rolling-average period begins on the compliance date specified in 40 CFR 63.5695 (condition A.3).
- (b) At the end of the twelfth month after the compliance date and at the end of every subsequent month, use equation 1 of this section to demonstrate that the organic HAP emissions from those operations included in the average do not exceed the emission limit in 40 CFR63.5698 (condition A.4) calculated for the same 12-month period. (Include terms in equation 1 of 40 CFR 63.5698 and equation 1 of this section for only those operations and materials included in the average.)

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$$HAP \text{ emissions} = \left[(PV_R)(M_R) + (PV_{PG})(M_{PG}) + (PV_{CG})(M_{CG}) + (PV_{TR})(M_{TR}) + (PV_{TG})(M_{TG}) \right] \quad (Eq. 1)$$

Where:

HAP emissions=	Organic HAP emissions calculated using MACT model point values for each operation included in the average, kilograms.
PV _R =	Weighted-average MACT model point value for production resin used in the past 12 months, kilograms per megagram.
M _R =	Mass of production resin used in the past 12 months, megagrams.
PV _{PG} =	Weighted-average MACT model point value for pigmented gel coat used in the past 12 months, kilograms per megagram.
M _{PG} =	Mass of pigmented gel coat used in the past 12 months, megagrams.
PV _{CG} =	Weighted-average MACT model point value for clear gel coat used in the past 12 months, kilograms per megagram.
M _{CG} =	Mass of clear gel coat used in the past 12 months, megagrams.
PV _{TR} =	Weighted-average MACT model point value for tooling resin used in the past 12 months, kilograms per megagram.
M _{TR} =	Mass of tooling resin used in the past 12 months, megagrams.
PV _{TG} =	Weighted-average MACT model point value for tooling gel coat used in the past 12 months, kilograms per megagram.
M _{TG} =	Mass of tooling gel coat used in the past 12 months, megagrams.

(c) At the end of every month, use equation 2 of this section to compute the weighted-average MACT model point value for each open molding resin and gel coat operation included in the average.

$$PV_{OP} = \frac{\sum_{i=1}^n (M_i PV_i)}{\sum_{i=1}^n (M_i)} \quad (Eq. 2)$$

Where:

PV _{OP} =	weighted-average MACT model point value for each open molding operation (PV _R , PV _{PG} , PV _{CG} , PV _{TR} , and PV _{TG}) included in the average, kilograms of HAP per megagram of material applied.
M _i =	mass of resin or gel coat i used within an operation in the past 12 months, megagrams.
n=	number of different open molding resins and gel coats used within an operation in the past 12 months.
PV _i =	the MACT model point value for resin or gel coat i used within an operation in the past 12 months, kilograms of HAP per megagram of material applied.

(d) The permittee shall use the equations in Table A.8-1 to calculate the MACT model point value (PV_i) for each resin and gel coat used in each operation in the past 12 months.

(e) If the organic HAP emissions, as calculated in paragraph (b) of this section, are less than the organic HAP limit calculated in 40 CFR 63.5698(b) (condition A.4) for the same 12-month period, then you are in compliance with the emission limit in 40 CFR 63.5698 (condition A.4) for those operations and materials included in the average.

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Table A.8-1: MACT model point values ¹

For this operation	And this application method	Use this formula to calculate the MACT model point value for each resin and gel coat
1. Production resin, tooling resin	a. Atomized. b. Atomized, plus vacuum bagging with roll-out. c. Atomized, plus vacuum bagging without roll-out. d. Nonatomized. e. Nonatomized, plus vacuum bagging with roll-out. f. Nonatomized, plus vacuum bagging without roll-out.	0.014 x (Resin HAP%) ^{2.425} 0.01185 x (Resin HAP%) ^{2.425} 0.00945 x (Resin HAP%) ^{2.425} 0.014 x (Resin HAP%) ^{2.275} 0.0110 x (Resin HAP%) ^{2.275} 0.0076 x (Resin HAP%) ^{2.275}
2. Pigmented gel coat, clear gel coat, tooling gel coat.	All methods	0.445 x (Gel coat HAP%) ^{1.675}

¹ Equations calculate MACT model point value in kilograms of organic HAP per megagrams of resin or gel coat applied. The equations for vacuum bagging with roll-out are applicable when a facility rolls out the applied resin and fabric prior to applying the vacuum bagging materials. The equations for vacuum bagging without roll-out are applicable when a facility applies the vacuum bagging materials immediately after resin application without rolling out the resin and fabric. HAP% = organic HAP content as supplied, expressed as a weight- percent value between 0 and 100 percent.

A.9 Compliance monitoring if using compliant materials [40 CFR 63.5713]

- (a) Compliance using the organic HAP content requirements listed in Table A.5-1 is based on a 12-month rolling average that is calculated at the end of every month. The first 12-month rolling-average period begins on the compliance date specified in 40 CFR 63.5695 (condition A.3). If the permittee is using filled material (production resin or tooling resin) the permittee shall comply according to the procedure described in 40 CFR 63.5714 (condition A.10).
- (b) At the end of the twelfth month after the compliance date and at the end of every subsequent month, the permittee shall review the organic HAP contents of the resins and gel coats used in the past 12 months in each operation. If all resins and gel coats used in an operation have organic HAP contents no greater than the applicable organic HAP content limits in Table A.5-1, then you are in compliance with the emission limit specified in 40 CFR 63.5698 (condition A.4) for that 12-month period for that operation. In addition, you do not need to complete the weighted-average organic HAP content calculation contained in paragraph (c) of this section for that operation.
- (c) At the end of every month the permittee shall use equation 1 of this section to calculate the weighted-average organic HAP content for all resins and gel coats used in each operation in the past 12 months.

$$\text{Weighted -Average HAP Content (\%)} = \frac{\sum_{i=1}^n (M_i \text{ HAP}_i)}{\sum_{i=1}^n (M_i)} \quad (\text{Eq. 1})$$

Where:

M_i = mass of open molding resin or gel coat i used in the past 12 months in an operation, megagrams.

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HAP_i = Organic HAP content, by weight percent, of open molding resin or gel coat i used in the past 12 months in an operation. Use the methods in 40 CFR 63.5758 (condition A.17) to determine organic HAP content.

n = number of different open molding resins or gel coats used in the past 12 months in an operation.

- (f) If the weighted-average organic HAP content does not exceed the applicable organic HAP content limit specified in Table A.5-1, then you are in compliance with the emission limit specified in 40 CFR 63.5698 (condition A.4).

A.10 Compliance Monitoring if using filled resins [40 CFR 63.5714]

- (a) If the permittee uses a filled production resin or filled tooling resin, the permittee shall demonstrate compliance for the filled material on an as-applied basis using equation 1 of this section.

$$PV_F = PV_u \times \frac{(100 - \% \text{ Filler})}{100} \quad (\text{Eq. 1})$$

Where:

PV_F = The as-applied MACT model point value for a filled production resin or tooling resin, kilograms organic HAP per megagram of filled material.

PV_u = The MACT model point value for the neat (unfilled) resin, before filler is added, as calculated using the formulas in Table A.8-1.

% Filler = The weight-percent of filler in the as-applied filled resin system.

- (b) If the filled resin is used as a production resin and the value of PV_F calculated by equation 1 of this section does not exceed 46 kilograms of organic HAP per megagram of filled resin applied, then the filled resin is in compliance.
- (c) If the filled resin is used as a tooling resin and the value of PV_F calculated by equation 1 of this section does not exceed 54 kilograms of organic HAP per megagram of filled resin applied, then the filled resin is in compliance.
- (d) If you are including a filled resin in the emissions averaging procedure described in 40 CFR 63.5710 (condition A.8), then use the value of PV_F calculated using equation 1 of this section for the value of PV_i in equation 2 of 40 CFR 63.5710 (condition A.8).

A.11 Emissions Inventory: [Rule 62-4.070(3), F.A.C.]

The permittee shall maintain a current emissions inventory for the source in order to ensure compliance with the emission cap specified in condition A.1. As a minimum, the emissions inventory shall be reviewed and updated monthly, as needed. The emissions inventory shall include the following:

- (a) Materials Inventory: The source shall develop and maintain an inventory of raw materials (i.e., resins, catalysts, activators, solvents, etc.) used at the source. As a minimum, the emissions inventory shall be reviewed and updated monthly, as needed. The inventory shall contain, as a minimum, the raw material name, the density (lb/gal), the total VOC content (lb/gal), the individual and total HAP contents (lb/gal), and the identified HAPs. The inventory shall be supported by Material Safety Data Sheets supplied by the manufacturer.

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- (b) Emission Factor Inventory: The permittee shall maintain a current emission factor inventory for determining monthly emissions of styrene and total HAPs. Emission factors consistent with the applicable section of applicable section of 40 CFR Part 63, NESHAP for Boat Manufacturing

A.12 Compliance Monitoring System: [Rule 62-297.310(7)(b), F.A.C.]

The permittee shall develop and implement a daily and monthly compliance monitoring system in conjunction with the Emissions Inventory (Condition A.11) and the Operating Records (Condition A.24) requirements of this permit. As a minimum, the Compliance Monitoring System shall include calculations of 12-month rolling total emissions of VOC, individual HAP, and total HAP emissions. The system shall be updated on or before the 15th of each month by compiling the daily records into the system.

A.13 Standards for Resin and Gel Coat Mixing Operations: [40 CFR 63.5731]

- (a) All resin and gel coat mixing containers with a capacity equal to or greater than 208 liters (55 gal), including those used for on-site mixing of putties and polyputties, must have a cover with no visible gaps in place at all times.
- (b) The work practice standard in paragraph (a) of this condition does not apply when material is being manually added to or removed from a container, or when mixing or pumping equipment is being placed in or removed from a container.
- (c) To demonstrate compliance with the work practice standard in paragraph (a) of this section, the permittee shall visually inspect all mixing containers subject to this standard at least once per month. The inspection should ensure that all containers have covers with no visible gaps between the cover and the container, or between the cover and equipment passing through the cover.
- (d) The permittee shall keep records of which mixing containers are subject to this standard and the results of the inspections, including a description of any repairs or corrective actions taken.

A.14 Standards for Resin and Gel Coat Application Equipment Cleaning Operations: [40 CFR 63.5734]

- (a) The permittee shall use a cleaning solvent that contains no more than 5 percent organic HAP by weight, for routine flushing of resin and gel coat application equipment (e.g., spray guns, flowcoaters, brushes, rollers, and squeegees). For removing cured resin or gel coat from application equipment, no organic HAP content limit applies.
- (b) The permittee shall store organic HAP-containing solvents used for removing cured resin or gel coat in containers with covers. The covers must have no visible gaps and must be in place at all times, except when equipment to be cleaned is placed in or removed from the container. On containers with a capacity greater than 7.6 (2 gal) liters, the distance from the top of the container to the solvent surface must be no less than 0.75 times the diameter of the container. Containers that store organic HAP-containing solvents used for removing cured resin or gel coat are exempt from the requirements of 40 CFR part 63, subpart T- Halogenated Solvent Cleaners. Cured resin or gel coat means resin or gel coat that has changed from a liquid to a solid.

SECTION III: UNIT SPECIFIC CONDITIONS**A.15 Compliance Monitoring for -Resin and Gel Coat Application Equipment Cleaning Operations: [40 CFR 63.5737]**

- (a) The permittee shall determine and record the organic HAP content of the cleaning solvents subject to the standards specified in 40 CFR 63.5734 (condition A.14) using the methods specified in 40 CFR 63.5758 (condition A.17).
- (b) If the source recycles cleaning solvents on site, the permittee shall use documentation from the solvent manufacturer or supplier or a measurement of the organic HAP content of the cleaning solvent as originally obtained from the solvent supplier for demonstrating compliance, subject to the conditions in 40 CFR 63.5758 (condition A.17) for demonstrating compliance with organic HAP content limits.
- (c) At least once per month, the permittee visually inspect any containers holding organic HAP-containing solvents used for removing cured resin and gel coat to ensure that the containers have covers with no visible gaps. The permittee shall keep records of the monthly inspections and any repairs made to the covers.

A.16 Standards for Carpet Fabric Adhesive Operations: [40 CFR 63.5740]

- (a) The permittee shall use carpet and fabric adhesives that contain no more than 5 percent organic HAP by weight.
- (b) To demonstrate compliance with the emission limit in paragraph (a) of this section, the permittee shall determine and record the organic HAP content of the carpet and fabric adhesives using the methods in 40 CFR 63.5758 (condition A.17)

A.17 Methods for Determining Hazardous Air Pollutant Content [40 CFR 63.5758]

- (a) To determine the organic HAP content for each material used in the open molding resin and gel coat operations, carpet and fabric adhesive operations, or aluminum recreational boat surface coating operations, the permittee shall use one of the options in paragraphs (a)(1) through (6) of this section.
 - (1) *Method 311 (appendix A to 40 CFR part 63).*

The permittee may use Method 311 for determining the mass fraction of organic HAP. Use the procedures specified in paragraphs (a)(1)(i) and (ii) of this section when determining organic HAP content by Method 311.

 - (i) Include in the organic HAP total each organic HAP that is measured to be present at 0.1 percent by mass or more for Occupational Safety and Health Administration (OSHA)-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other compounds. For example, if toluene (not an OSHA carcinogen) is measured to be 0.5 percent of the material by mass, you do not need to include it in the organic HAP total. Express the mass fraction of each organic HAP you measure as a value truncated to four places after the decimal point (for example, 0.1234).
 - (ii) Calculate the total organic HAP content in the test material by adding up the individual organic HAP contents and truncating the result to three places after the decimal point (for example, 0.123).
 - (2) *Method 24 (appendix A to 40 CFR part 60).* The permittee may use Method 24 to determine the mass fraction of non-aqueous volatile matter of aluminum coatings and use that value as a substitute for mass fraction of organic HAP.

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- (3) *ASTM D1259–85 (Standard Test Method for Nonvolatile Content of Resins)*. The permittee may use ASTM D1259–85 (available for purchase from ASTM) to measure the mass fraction of volatile matter of resins and gel coats for open molding operations and use that value as a substitute for mass fraction of organic HAP.
- (4) *Alternative method*. The permittee may use an alternative test method for determining mass fraction of organic HAP if you obtain prior approval by the Administrator. The permittee shall follow the procedure in 40 CFR 63.7(f) to submit an alternative test method for approval.
- (5) *Information from the supplier or manufacturer of the material*. The permittee may rely on information other than that generated by the test methods specified in paragraphs (a)(1) through (4) of this section, such as manufacturer's formulation data, according to paragraphs (a)(5)(i) through (iii) of this section.
- (i) Include in the organic HAP total each organic HAP that is present at 0.1 percent by mass or more for OSHA-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other compounds. For example, if toluene (not an OSHA carcinogen) is 0.5 percent of the material by mass, you do not have to include it in the organic HAP total.
- (ii) If the organic HAP content is provided by the material supplier or manufacturer as a range, then the permittee shall use the upper limit of the range for determining compliance. If a separate measurement of the total organic HAP content using the methods specified in paragraphs (a)(1) through (4) of this section exceeds the upper limit of the range of the total organic HAP content provided by the material supplier or manufacturer, then the permittee shall use the measured organic HAP content to determine compliance.
- (iii) If the organic HAP content is provided as a single value, the permittee may assume the value is a manufacturing target value and actual organic HAP content may vary from the target value. If a separate measurement of the total organic HAP content using the methods specified in paragraphs (a)(1) through (4) of this section is less than 2 percentage points higher than the value for total organic HAP content provided by the material supplier or manufacturer, then the permittee may use the provided value to demonstrate compliance. If the measured total organic HAP content exceeds the provided value by 2 percentage points or more, then the permittee must use the measured organic HAP content to determine compliance.
- (6) *Solvent blends*. Solvent blends may be listed as single components for some regulated materials in certifications provided by manufacturers or suppliers. Solvent blends may contain organic HAP which must be counted toward the total organic HAP content of the materials. When detailed organic HAP content data for solvent blends are not available, the permittee may use the values for organic HAP content that are listed in Table A.17-1 or A.17-2. The permittee may use Table A.17-2 only if the solvent blends in the materials you use do not match any of the solvent blends in Table A.17-1 and you know only whether the blend is either aliphatic or aromatic. However, if test results indicate higher values than those listed in Table A.17-1 or A.17-2, then the test results must be used for determining compliance.

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Table A.17-1: Default organic HAP contents of Solvents and Solvent Blends

Solvent/solvent blend	CAS No.	Average organic HAP content, % by mass	Typical organic HAP, percent by mass percent by mass
1. Toluene	108-88-3	100	Toluene
2. Xylene(s)	1330-20-7	100	Xylenes, ethylbenzene
3. Hexane	110-54-3	50	n-hexane
4. n-hexane	110-54-3	100	n-hexane
5. Ethylbenzene	100-41-4	100	Ethylbenzene
6. Aliphatic	-----	0	None
7. Aromatic 100	-----	2	1% xylene, 1% cumene
8. Aromatic 150	-----	9	Naphthalene
9. Aromatic naphtha	64742-95-6	2	1% xylene, 1% cumene
10. Aromatic solvent	64742-94-5	10	Naphthalene
11. Exempt mineral spirits	8032-32-40	0	None
12. Ligroines (VM & P)	8032-32-4	0	None
13. Lactol spirits	64742-89-6	15	Toluene
14. Low aromatic white spirit	64742-82-1	0	None
15. Mineral spirits	64742-88-7	1	Xylenes
16. Hydrotreated naphtha	64742-48-9	0	None
17. Hydrotreated light distillate	64742-47-8	0.1	Toluene
18. Stoddard solvent	8052-41-3	1	Xylenes
19. Super high-flash naphtha	64742-95-6	5	Xylenes
20. Varol ® solvent	8052-49-3	1	0.5% xylenes, 0.5% ethyl benzene
21. VM & P naphtha	64742-89-8	6	3% toluene, 3% xylene
22. Petroleum distillate mixture	68477-31-6	8	4% naphthalene, 4% biphenyl.

Table A.17-2: Default organic HAP contents of Petroleum Solvent Groups

Solvent type	Average organic HAP content, percent by mass	Typical organic HAP content percent by mass
Aliphatic (Mineral Spirits 135, 3 1% Xylene, 1% Mineral Spirits 150 EC, Toluene, and 1% Naphtha, Mixed Hydrocarbon, Ethylbenzene. Aliphatic Hydrocarbon, Aliphatic Naptha, Naphthol Spirits, Petroleum Spirits, Petroleum Oil, Petroleum Naphtha, Solvent Naptha, Solvent Blend.)	3	1% Xylene, 1% Toluene, and 1% Ethylbenzene
Aromatic (Medium-flash Naphtha, 6 4% Xylene, 1% High-flash Naphtha, Aromatic Toluene, and 1% Naphtha, Light Aromatic Ethylbenzene. Naphtha, Light Aromatic Hydrocarbons, Aromatic Hydrocarbons, Light Aromatic Solvent.)	6	4% Xylene, 1% Toluene, and 1% Ethylbenzene

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NOTIFICATIONS, REPORTS, AND RECORDS

A.18 Notification Required [40 CFR 63.5761]

- (a) The permittee shall submit all of the notifications in Table A.18-1 that apply to you by the dates in the Table. The notifications are described more fully in 40 CFR part 63, subpart A, General Provisions, referenced in Appendix C of this permit.
- (b) If the permittee changes any information submitted in any notification, then the permittee must submit the changes in writing to the Administrator within 15 calendar days after the change.

Table A.18-1: Applicability and Timing of Notifications

If your facility	You must submit	By this date
1. Is an existing source subject to this subpart	An initial notification containing the information specified in § 63.9(b)(2).	No later than the dates specified in § 63.9(b)(2).
2. Is a new source subject to this subpart.	The notifications specified in § 63.9(b) (3) to (5).	No later than the dates specified § 63.9(b)(4) and (5)
3. Qualifies for a compliance extension as specified in § 63.9(c)	A request for a compliance extension as specified in § 63.9(c).	No later than the dates specified in § 63.6(i).
4. Is complying with organic HAP content limits, application equipment requirements; or MACT model point value averaging period provisions.	A notification of compliance status as specified in § 63.9(h).	No later than 30 calendar days after the end of the first 12-month averaging period after your facility's compliance date.

A.19 Reporting Requirements [40 CFR 63.5764]

- (a) The permittee shall submit the applicable reports specified in paragraphs (b) through (e) of this section. To the extent possible, the permittee must organize each report according to the operations covered by this subpart and the compliance procedure followed for that operation.
- (b) Unless the Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the permittee shall submit each report by the dates in paragraphs (b)(1) through (5) of this section.

(1) If the source is not controlled by an add-on control device (i.e., you are complying with organic HAP content limits, application equipment requirements, or MACT model point value averaging provisions), the first compliance report must cover the period beginning 12 months after the compliance date specified for the source in 40 CFR 63.5695 (condition A.3) and ending on June 30 or December 31, whichever date is the first date following the end of the first 12-month period after the compliance date that is specified for the source in 40 CFR 63.5695 (condition A.3). If the source is controlled by an add-on control device, the first compliance report must cover the period beginning on the compliance date specified for the source in 40 CFR 63.5695 (condition A.3) and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for the source in 40 CFR 63.5695 (condition A.3).

(2) The first compliance report must be postmarked or delivered no later than 60 calendar days after the end of the compliance reporting period specified in paragraph (b)(1) of this section.

SECTION III: UNIT SPECIFIC CONDITIONS

- (3) Each subsequent compliance report must cover the applicable semiannual reporting period from January 1 through June 30 or from July 1 through December 31.
- (4) Each subsequent compliance report must be postmarked or delivered no later than 60 calendar days after the end of the semiannual reporting period.
- (5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.
- (c) The compliance report must include the information specified in paragraphs (c)(1) through (7) of this section.
- (1) Company name and address.
- (2) A statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the report.
- (3) The date of the report and the beginning and ending dates of the reporting period.
- (4) A description of any changes in the manufacturing process since the last compliance report.
- (5) A statement or table showing, for each regulated operation, the applicable organic HAP content limit, application equipment requirement, or MACT model point value averaging provision with which the permittee is complying. The statement or table must also show the actual weighted-average organic HAP content or weighted-average MACT model point value (if applicable) for each operation during each of the rolling 12-month averaging periods that end during the reporting period.
- (6) If the source were in compliance with the emission limits and work practice standards during the reporting period, the permittee shall include a statement to that effect.
- (7) If the source deviated from an emission limit or work practice standard during the reporting period, the permittee shall also include the information listed in paragraphs (c)(7)(i) through (iv) of this section in the semiannual compliance report.
- (i) A description of the operation involved in the deviation.
- (ii) The quantity, organic HAP content, and application method (if relevant) of the materials involved in the deviation.
- (iii) A description of any corrective action the permittee took to minimize the deviation and actions the permittee have taken to prevent it from happening again.
- (iv) A statement of whether or not the facility was in compliance for the 12-month averaging period that ended at the end of the reporting period.

SECTION III: UNIT SPECIFIC CONDITIONS**A.20 Monthly Emission Reports: [Rule 62-297.310(7)(b), F.A.C.]**

The permittee shall maintain a monthly emissions report, on or before the 15th of each month, to summarize site-wide emissions of VOC, individual HAP, and total HAPs. The report shall include, as a minimum, the monthly emissions and the 12-month rolling total emissions for VOC, individual HAP and total HAP. The report shall also include any updates to the emissions factors used to calculate emissions and the effective date of the emission factor usage. In addition, the report shall include a summary of the Production Schedule, Raw Material Usage (Production & Clean-up), Production emissions, Clean-up emissions, and Equipment emissions (Fugitives).

A.21 General Recordkeeping Requirements [40 CFR 63.5767]

- (a) The permittee shall keep the records specified in paragraphs (a) through (d) of this section in addition to records specified in individual sections of 40 CFR 63 Subpart.VVVV
- (b) The permittee shall keep a copy of each notification and report that the permittee submitted to comply with this subpart.
- (c) The permittee shall keep all documentation supporting any notification or report that is submitted.
- (d) If the facility is not controlled by an add-on control device (i.e., the permittee is complying with organic HAP content limits, application equipment requirements, or MACT model point value averaging provisions), the permittee shall keep the records specified in paragraphs (c)(1) through (3) of this section.
 - (1) The total amounts of open molding production resin, pigmented gel coat, clear gel coat, tooling resin, and tooling gel coat used per month and the weighted-average organic HAP contents for each operation, expressed as weight-percent. For open molding production resin and tooling resin, the permittee shall also record the amounts of each applied by atomized and nonatomized methods.
 - (2) Not applicable
 - (3) Not applicable

A.22 Record Maintenance [40 CFR 63.5770]

- (a) Facility records must be readily available and in a form so they can be easily inspected and reviewed.
- (b) The permittee shall keep each record for 5 years following the date that each record is generated.
- (c) The permittee shall keep each record on site for at least 2 years after the date that each record is generated. The permittee can keep the records offsite for the remaining 3 years.
- (d) The permittee may keep the records on paper or an alternative media, such as microfilm, computer, computer disks, magnetic tapes, or on microfiche.

SECTION III: UNIT SPECIFIC CONDITIONS**A.23 Operating Records: [Rule 62-4.070(3), F.A.C.]**

The permittee shall maintain the following records for at least five (5) years:

- (a) Daily records of all the styrene-containing resins received at the site and the reported styrene content (% weight) of each;
- (b) Daily records of all the styrene-containing resins exported from the site as waste and the reported styrene content (% weight) of each;
- (c) Daily records of all the styrene-containing solvent(s) received at the site and the reported styrene content (% weight) of each;
- (d) Daily records of all the styrene-containing solvent(s) exported from the site as waste and the reported styrene content (% weight) of each;
- (e) The date and amount of all materials received on site which are not tracked under (a) or (c) but that contain volatile organic compounds (VOCs) and/or hazardous air pollutants (HAPs).
- (b) The date and amount of all materials exported from the site as wastes which are not tracked under (b) or (d) but that contain volatile organic compounds (VOCs) and/or hazardous air pollutants (HAPs).

{Permitting Note: The permittee may elect to use an electronic recordkeeping system in the format of either a spreadsheet or database provided records can be generated when requested by the Health Department.}

LIST OF APPENDICES

APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Citation Format
C	Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63

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

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Health Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Health Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Health Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Health Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Health Department with the following information:
- (a) A description of and cause of non-compliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

(1) The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Health Department for penalties or for revocation of this permit.

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

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Health Department may be used by the Health Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology;
 - (b) Determination of Prevention of Significant Deterioration; and
 - (c) Compliance with New Source Performance Standards.
- G.14 The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

APPENDIX B: CITATION FORMAT

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

Guidance Memorandums from the Bureau of Air Regulation, Florida Department of Environmental Protection:

Example: **[DARM-PER/GEN-12]** *(Refers to a specific, numbered guidance memorandum.)*

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

Example: **[F.A.C. 62-4.070]**

Where: 62 - Title 62
 62-4 - Chapter 62-4
 62-4.070 - Rule 62-4.070

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

Where: 40 - Title 40
 CFR - Code of Federal Regulations
 60 - Part 60
 60.334 - Rule 60.334

New Permit Numbers:

Example: 099-0333-002-AC, or
 099-0333-001-AO

Where: AC - Air Construction Permit
 AO - Air Operation Permit
 099 - Number code identifying the facility is located in Palm Beach County
 0333 - 4-digit facility identification number assigned by permit tracking database
 001 or 002 - 3-digit sequential file number assigned by permit tracking database

Old Air Permit Numbers:

Example: AC50-123456

Where: AC - Air Construction Permit
 AO - Air Operation Permit
 123456 - 6-digit sequential file number assigned by permit tracking database.

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63****Section I:****Other Information You Need To Know****63.5773 What parts of the General Provisions apply to me?**

The permittee shall comply with the requirements of General Provisions of 40 CFR 63, applicable to Boat Manufacturing (section III of this appendix)

63.5776 Who implements and enforces this subpart?

(a) If the Administrator has delegated authority to the State or local agency, the State or local agency has the authority to implement and enforce this subpart.

(b) In delegating implementation and enforcement authority of this subpart to a State or local agency under 40 CFR part 63, subpart E, the authorities that are retained by the Administrator of the U.S. EPA and are not transferred to the State or local agency are listed in paragraphs (b)(1) through (4) of this section.

(1) Under 40 CFR63.6(g), the authority to approve alternatives to the standards listed in paragraphs (b)(1)(i) through (vii) of this section is not delegated.

- (i) 40 CFR63.5698—Emission limit for open molding resin and gel coat operations.
- (ii) 40 CFR63.5728—Standards for closed molding resin operations.
- (iii) 40 CFR63.5731(a)—Standards for resin and gel coat mixing operations.
- (iv) 40 CFR63.5734—Standards for resin and gel coat application equipment cleaning operations.
- (v) 40 CFR63.5740(a)—Emission limit for carpet and fabric adhesive operations.
- (vi) 40 CFR63.5743—Standards for aluminum recreational boat surface coating operations.
- (vii) 40 CFR63.5746(g)—Approval of alternative means of demonstrating compliance with the emission limits for aluminum recreational boat surface coating operations.

(2) Under 40 CFR63.7(e)(2)(ii) and (f), the authority to approve alternatives to the test methods listed in paragraphs (b)(2)(i) through (iv) of this section is not delegated.

- (i) 40 CFR63.5719(b)—Method for determining whether an enclosure is a total enclosure.
- (ii) 40 CFR63.5719(c)—Methods for measuring emissions from a control device.
- (iii) 40 CFR63.5725(d)(1)—Performance specifications for thermal oxidizer combustion temperature monitors.
- (iv) 40 CFR63.5758—Method for determining hazardous air pollutant content of regulated materials.

(3) Under 40 CFR63.8(f), the authority to approve major alternatives to the monitoring requirements listed in 40 CFR63.5725 is not delegated. A “major alternative” is defined in 40 CFR63.90.

(4) Under 40 CFR63.10(f), the authority to approve major alternatives to the reporting and recordkeeping requirements listed in 40 CFR40 CFR63.5764, 63.5767, and 63.5770 is not delegated. A “major alternative” is defined in 40 CFR63.90.

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63****Section II:
Definitions****63.5779 What definitions apply to this subpart?**

Terms used in this subpart are defined in the Clean Air Act, in 40 CFR63.2, and in this section as follows:

Add-on control means an air pollution control device, such as a thermal oxidizer, that reduces pollution in an air stream by destruction or removal before discharge to the atmosphere.

Administrator means the Administrator of the United States Environmental Protection Agency (U.S. EPA) or an authorized representative (for example, a State delegated the authority to carry out the provisions of this subpart).

Aluminum recreational boat means any marine or freshwater recreational boat that has a hull or deck constructed primarily of aluminum. A recreational boat is a vessel which by design and construction is intended by the manufacturer to be operated primarily for pleasure, or to be leased, rented or chartered to another for the latter's pleasure (rather than for commercial or military purposes); and whose major structural components are fabricated and assembled in an indoor, production-line manufacturing plant or similar land-side operation and not in a dry dock, graving dock, or marine railway on the navigable waters of the United States.

Aluminum recreational boat surface coating operation means the application of primers or top coats to aluminum recreational boats. It also includes the application of clear coats over top coats. Aluminum recreational boat surface coating operations do not include the application of wood coatings or antifoulant coatings to aluminum recreational boats.

Aluminum coating spray gun cleaning means the process of flushing or removing paints or coatings from the interior or exterior of a spray gun used to apply aluminum primers, clear coats, or top coats to aluminum recreational boats.

Aluminum wipedown solvents means solvents used to remove oil, grease, welding smoke, or other contaminants from the aluminum surfaces of a boat before priming or painting. Aluminum wipedown solvents contain no coating solids; aluminum surface preparation materials that contain coating solids are considered coatings for the purpose of this subpart and are not wipedown solvents.

Antifoulant coating means any coating that is applied to the underwater portion of a boat specifically to prevent or reduce the attachment of biological organisms and that is registered with EPA as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. section 136, *et seq.*). For the purpose of this subpart, primers used with antifoulant coatings to prepare the surface to accept the antifoulant coating are considered antifoulant coatings.

Assembly adhesive means any chemical material used in the joining of one fiberglass, metal, foam, or wood parts to another to form a temporary or permanently bonded assembly. Assembly adhesives include, but are not limited to, methacrylate adhesives and putties made from polyester or vinylester resin mixed with inert fillers or fibers.

Atomized resin application means a resin application technology in which the resin leaves the application equipment and breaks into droplets or an aerosol as it travels from the application equipment to the surface of the part. Atomized resin application includes, but is not limited to, resin spray guns and resin chopper spray guns.

Boat means any type of vessel, other than a seaplane, that can be used for transportation on the water.

Boat manufacturing facility means a facility that manufactures the hulls or decks of boats from fiberglass or aluminum or assembles boats from premanufactured hulls and decks, or builds molds to make fiberglass hulls or decks. A facility that manufactures only parts of boats (such as hatches, seats, or lockers) or boat trailers, but no boat hulls or decks or molds for fiberglass boat hulls or decks, is not considered a boat manufacturing facility for the purpose of this subpart.

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63**

Carpet and fabric adhesive means any chemical material that permanently attaches carpet, fabric, or upholstery to any surface of a boat.

Clear gel coat means gel coats that are clear or translucent so that underlying colors are visible. Clear gel coats are used to manufacture parts for sale. Clear gel coats do not include tooling gel coats used to build or repair molds.

Closed molding means any molding process in which pressure is used to distribute the resin through the reinforcing fabric placed between two mold surfaces to either saturate the fabric or fill the mold cavity. The pressure may be clamping pressure, fluid pressure, atmospheric pressure, or vacuum pressure used either alone or in combination. The mold surfaces may be rigid or flexible. Closed molding includes, but is not limited to, compression molding with sheet molding compound, infusion molding, resin injection molding (RIM), vacuum-assisted resin transfer molding (VARTM), resin transfer molding (RTM), and vacuum-assisted compression molding. Processes in which a closed mold is used only to compact saturated fabric or remove air or excess resin from the fabric (such as in vacuum bagging), are not considered closed molding. Open molding steps, such as application of a gel coat or skin coat layer by conventional open molding prior to a closed molding process, are not closed molding.

Cured resin and gel coat means resin or gel coat that has been polymerized and changed from a liquid to a solid.

Deviation means any instance in which an affected source subject to this subpart or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including, but not limited to, any emission limit, operating limit, or work practice requirement;
- (2) Fails to meet any term or condition which is adopted to implement an applicable requirement in this subpart and which is included in the operating permit for any affected source required to obtain such permit; or
- (3) Fails to meet any emission limit, operating limit, or work practice requirement in this subpart during any startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

Enclosure means a structure, such as a spray booth, that surrounds a source of emissions and captures and directs the emissions to an add-on control device.

Fiberglass boat means a vessel in which either the hull or deck is built from a composite material consisting of a thermosetting resin matrix reinforced with fibers of glass, carbon, aramid, or other material.

Fiberglass hull and deck coatings means coatings applied to the exterior or interior surface of fiberglass boat hulls and decks on the completed boat. Polyester and vinylester resins and gel coats used in building fiberglass parts are not fiberglass hull and deck coatings for the purpose of this subpart.

Filled resin means a resin to which an inert material has been added to change viscosity, density, shrinkage, or other physical properties.

Gel coat means a thermosetting resin surface coating containing styrene (Chemical Abstract Service or CAS No. 100-42-5) or methyl methacrylate (CAS No. 80-62-6), either pigmented or clear, that provides a cosmetic enhancement or improves resistance to degradation from exposure to the elements. Gel coat layers do not contain any reinforcing fibers and gel coats are applied directly to mold surfaces or to a finished laminate.

Hazardous air pollutant or HAP means any air pollutant listed in, or pursuant to section 112(b) of the Clean Air Act.

Hazardous air pollutant content or HAP content means the amount of HAP contained in a regulated material at the time it is applied to the part being manufactured. If no HAP is added to a material as a thinner or diluent, then the HAP content is the same as the HAP content of the material as purchased from the supplier. For resin and gel coat, HAP

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63**

content does not include any HAP contained in the catalyst added to the resin or gel coat during application to initiate curing.

Hazardous air pollutant data sheet (HDS) means documentation furnished by a material supplier or an outside laboratory to provide the organic HAP content of the material by weight, measured using an EPA Method, manufacturer's formulation data, or an equivalent method. For aluminum coatings, the HDS also documents the solids content by volume, determined from the manufacturer's formulation data. The purpose of the HDS is to help the affected source in showing compliance with the organic HAP content limits contained in this subpart. The HDS must state the maximum total organic HAP concentration, by weight, of the material. It must include any organic HAP concentrations equal to or greater than 0.1 percent by weight for individual organic HAP that are carcinogens, as defined by the Occupational Safety and Health Administration Hazard Communication Standard (29 CFR part 1910), and 1.0 percent by weight for all other individual organic HAP, as formulated. The HDS must also include test conditions if EPA Method 311 is used for determining organic HAP content.

Maximum achievable control technology (MACT) model point value means a number calculated for open molding operations that is a surrogate for emissions and is used to determine if the open molding operations are in compliance with the provisions of this subpart. The units for MACT model point values are kilograms of organic HAP per megagram of resin or gel coat applied.

Manufacturer's certification means documentation furnished by a material supplier that shows the organic HAP content of a material and includes a HDS.

Mold means the cavity or surface into or on which gel coat, resin, and fibers are placed and from which finished fiberglass parts take their form.

Mold sealing and release agents means materials applied to a mold to seal, polish, and lubricate the mold to prevent parts from sticking to the mold. Mold sealers, waxes, and glazing and buffing compounds are considered mold sealing and release agents for the purposes of this subpart.

Mold stripping and cleaning solvents means materials used to remove mold sealing and release agents from a mold before the mold surface is repaired, polished, or lubricated during normal mold maintenance.

Month means a calendar month.

Neat resin means a resin to which no filler has been added.

Nonatomized resin application means any application technology in which the resin is not broken into droplets or an aerosol as it travels from the application equipment to the surface of the part. Nonatomized resin application technology includes, but is not limited to, flowcoaters, chopper flowcoaters, pressure fed resin rollers, resin impregnators, and hand application (for example, paint brush or paint roller).

Open molding resin and gel coat operation means any process in which the reinforcing fibers and resin are placed in the mold and are open to the surrounding air while the reinforcing fibers are saturated with resin. For the purposes of this subpart, open molding includes operations in which a vacuum bag or similar cover is used to compress an uncured laminate to remove air bubbles or excess resin, or to achieve a bond between a core material and a laminate.

Pigmented gel coat means opaque gel coats used to manufacture parts for sale. Pigmented gel coats do not include tooling gel coats used to build or repair molds.

Production resin means any resin used to manufacture parts for sale. Production resins do not include tooling resins used to build or repair molds, or assembly adhesives as defined in this section.

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63**

Recycled resin and gel coat application equipment cleaning solvent means cleaning solvents recycled on-site or returned to the supplier or another party to remove resin or gel coat residues so that the solvent can be reused.

Research and development activities means:

- (1) Activities conducted at a laboratory to analyze air, soil, water, waste, or product samples for contaminants, environmental impact, or quality control;
- (2) Activities conducted to test more efficient production processes or methods for preventing or reducing adverse environmental impacts, provided that the activities do not include the production of an intermediate or final product for sale or exchange for commercial profit, except in a *de minimis* manner; and
- (3) Activities conducted at a research or laboratory facility that is operated under the close supervision of technically trained personnel, the primary purpose of which is to conduct research and development into new processes and products and that is not engaged in the manufacture of products for sale or exchange for commercial profit, except in a *de minimis* manner.

Resin means any thermosetting resin with or without pigment containing styrene (CAS No. 100–42–5) or methyl methacrylate (CAS No. 80–62–6) and used to encapsulate and bind together reinforcement fibers in the construction of fiberglass parts.

Resin and gel coat application equipment cleaning means the process of flushing or removing resins and gel coats from the interior or exterior of equipment that is used to apply resin or gel coat in the manufacture of fiberglass parts.

Resin and gel coat mixing operation means any operation in which resin or gel coat, including the mixing of putties or polyputties, is combined with additives that include, but are not limited to, fillers, promoters, or catalysts.

Roll-out means the process of using rollers, squeegees, or similar tools to compact reinforcing materials saturated with resin to remove trapped air or excess resin.

Skin coat is a layer of resin and fibers applied over the gel coat to protect the gel coat from being deformed by the next laminate layers.

Tooling resin means the resin used to build or repair molds (also known as tools) or prototypes (also known as plugs) from which molds will be made.

Tooling gel coat means the gel coat used to build or repair molds (also known as tools) or prototypes (also known as plugs) from which molds will be made.

Vacuum bagging means any molding technique in which the reinforcing fabric is saturated with resin and then covered with a flexible sheet that is sealed to the edge of the mold and where a vacuum is applied under the sheet to compress the laminate, remove excess resin, or remove trapped air from the laminate during curing. Vacuum bagging does not include processes that meet the definition of closed molding.

Vinylester resin means a thermosetting resin containing esters of acrylic or methacrylic acids and having double-bond and ester linkage sites only at the ends of the resin molecules.

Volume fraction of coating solids means the ratio of the volume of coating solids (also known as volume of nonvolatiles) to the volume of coating; liters of coating solids per liter of coating.

Wood coatings means coatings applied to wooden parts and surfaces of boats, such as paneling, cabinets, railings, and trim. Wood coatings include, but are not limited to, primers, stains, sealers, varnishes, and enamels. Polyester and

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63**

vinylester resins or gel coats applied to wooden parts to encapsulate them or bond them to other parts are not wood coatings.

Section III:**General Provisions (40 CFR 63 Subpart A) applicable to Boat Manufacturing****40 CFR 63.1 Applicability.****(a) General.**

(1) Terms used throughout this part are defined in 40 CFR 63.2 or in the Clean Air Act (Act) as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in 40 CFR 63.2.

(2) [Reserved.]

(3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (including those requirements in part 60 of this chapter), or a standard issued under State authority.

(4) – (9) [Reserved.]

(10) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word “calendar” is absent, unless otherwise specified in an applicable requirement.

(11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(13) Special provisions set forth under an applicable subpart of this part or in a relevant standard established under this part shall supersede any conflicting provisions of this subpart.

(14) Any standards, limitations, prohibitions, or other federally enforceable requirements established pursuant to procedural regulations in this part [including, but not limited to, equivalent emission limitations established pursuant to section 112(g) of the Act] shall have the force and effect of requirements promulgated in this part and shall be subject to the provisions of this subpart, except when explicitly specified otherwise.

(b) - (e) [Reserved.]

APPENDIX C.**Definitions of 40 CFR Part 63, Subpart VVVV, & General Provisions of 40 CFR Part 63****40 CFR 63.2 Definitions. [Additional definitions are found in 40 CFR 63.5779.]**

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 et seq., as amended by Pub. L. 101-549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, per 40 CFR 63.41, means the stationary source or group of stationary sources which, when fabricated (on site), erected or installed meets the definition of “construct a major source” or the definition of “reconstruct a major source.”

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator’s satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Commenced means, with respect to construction or reconstruction of a stationary source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Construction means the on-site fabrication, erection, or installation of an affected source.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means the maximum achievable control technology emission limitation (MACT emission limitation) for hazardous air pollutants that the Administrator (or a State with an approved permit program)

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determines on a case-by-case basis, pursuant to section 112(g) or section 112(j) of the Act, to be equivalent to the emission standard that would apply to an affected source if such standard had been promulgated by the Administrator under this part pursuant to section 112(d) or section 112(h) of the Act.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Reconstruction means the replacement of components of an affected or a previously unaffected stationary source to such an extent that:

- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and
- (2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Relevant standard means:

- (1) An emission standard;
- (2) An alternative emission standard;
- (3) An alternative emission limitation; or
- (4) An equivalent emission limitation established pursuant to section 112 of the Act that applies to the stationary source, the group of stationary sources, or the portion of a stationary source regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

Shutdown means the cessation of operation of an affected source for any purpose.

Startup means the setting in operation of an affected source for any purpose.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

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40 CFR 63.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) *System International (SI) units of measure:*

g = gram

kg = kilogram

Mg = megagram = 10^6 gram = metric ton

{Permitting note: tons (short) x 0.9072 = metric tons. Metric tons x 1.1023 = tons (short).}

(b) [Reserved.]

(c) *Miscellaneous:*

% = percent

40 CFR 63.4 Prohibited activities and circumvention.

(a) *Prohibited activities.*

(1) No owner or operator subject to the provisions of this part shall operate any affected source in violation of the requirements of this part except under-

- (i) An extension of compliance granted by the Administrator under this part; or
- (ii) An extension of compliance granted under this part by a State with an approved permit program; or
- (iii) An exemption from compliance granted by the President under section 112(i)(4) of the Act.

(2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.

(3) After the effective date of an approved permit program in a State, no owner or operator of an affected source in that State who is required under this part to obtain a title V permit shall operate such source except in compliance with the provisions of this part and the applicable requirements of the permit program in that State.

(4) [Reserved]

(5) An owner or operator of an affected source who is subject to an emission standard promulgated under this part shall comply with the requirements of that standard by the date(s) established in the applicable subpart(s) of this part (including this subpart) regardless of whether -

- (i) A title V permit has been issued to that source; or
- (ii) If a title V permit has been issued to that source, whether such permit has been revised or modified to incorporate the emission standard.

(b) *Circumvention.* No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to

(1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;

(2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

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(3) The fragmentation of an operation such that the operation avoids regulation by a relevant standard.

(c) *Severability*. Notwithstanding any requirement incorporated into a title V permit obtained by an owner or operator subject to the provisions of this part, the provisions of this part are federally enforceable.

40 CFR 63.5 [Reserved.]**40 CFR 63.6 Compliance with standards and maintenance requirements.**

(a) *Applicability*.

(1) The requirements in this section apply to owners or operators of affected sources for which any relevant standard has been established pursuant to section 112 of the Act unless—

- (i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or
- (ii) The Administrator has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.

(b) - (e) [Reserved]

(f) Compliance with nonopacity emission standards –

(1) *Applicability*. The nonopacity emission standards set forth in this part shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart.

(2) *Methods for determining compliance*.

- (i) - (iii) [Reserved.]
- (iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.
- (v) [Reserved.]

(3) *Finding of compliance*. The Administrator will make a finding concerning an affected source's compliance with a nonopacity emission standard, as specified in paragraphs (f)(1) and (f)(2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.

(g) *Use of an alternative nonopacity emission standard*.

(1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative emission standard for purposes of compliance with the promulgated standard. Any FEDERAL REGISTER notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on

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requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.

(2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with 40 CFR 63.7 and 40 CFR 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative non-opacity emission standard shall be appropriately quality assured and quality controlled, as specified in 40 CFR 63.7 and 40 CFR 63.8.

(3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

40 CFR 63.7 –63.8 [Reserved.]**40 CFR 63.9 Notification requirements.***(a) Applicability and general information.*

(1) The requirements in this section apply to owners and operators of affected sources that are subject to the provisions of this part, unless specified otherwise in a relevant standard.

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4)(i) [Reserved.]

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) – (g) [Reserved.]

(h) Notification of compliance status.

(1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2) (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list -

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- (A) The methods that were used to determine compliance;
 - (B) [Reserved.]
 - (C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;
 - (D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;
 - (E) An analysis demonstrating whether the affected source is a major source or an area source (using the emissions data generated for this notification);
 - (F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and
 - (G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.
- (ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.
- (3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.
- (4) [Reserved]
- (5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in 40 CFR 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of 40 CFR 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.
- (6) Advice on a notification of compliance status may be obtained from the Administrator.
- (i) *Adjustment to time periods or postmark deadlines for submittal and review of required communications.*
- (1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

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- (ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.
- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.
- (j) *Change in information already provided.* Any change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

40 CFR 63.10 Recordkeeping and reporting requirements.**(a) *Applicability and general information.***

- (1) The requirements of this section apply to owners or operators of affected sources who are subject to the provisions of this part, unless specified otherwise in a relevant standard.
- (2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.
- (3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.
- (4) (i) [Reserved]
(ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.
- (5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without

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changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60, part 61, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in 40 CFR 63.9(i).

(b) *General recordkeeping requirements.*

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche. **[40 CFR 40 CFR 63.567 and 63.5770 specify additional recordkeeping requirements.]**

(2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of –

(i) – (xi) [Reserved.]

(xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;

(xiii) [Reserved.]

(xiv) All documentation supporting initial notifications and notifications of compliance status under 40 CFR 63.9.

(3) [Reserved.]

(c) [Reserved.]

(d) *General reporting requirements.*

(1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in

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accordance with the reporting requirements in the relevant standard(s). [**40 CFR 63.5764 specifies additional reporting requirements.**]

(2) - (5) [Reserved.]

(e) [Reserved.]

(f) *Waiver of recordkeeping or reporting requirements.*

(1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) If an application for a waiver of record-keeping or reporting is made, the application shall accompany the request for an extension of compliance under 40 CFR 63.6(i), any required compliance progress report or compliance status report required under this part (such as under 40 CFR 63.6(i) and 40 CFR 63.9(h)) or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.

(4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she -

- (i) Approves or denies an extension of compliance; or
- (ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or
- (iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.

(6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

40 CFR 63.11 [Reserved.]

40 CFR 63.12 State authority and delegations. [40 CFR 63.5776 lists those sections of subpart A that are not delegated.]

(a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from -

(1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;

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- (2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or
- (3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.
- (b) (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.
- (2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.
- (c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain Federal or State reporting requirement. The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to the EPA and the State agency.

40 CFR 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.

- (a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency indicated as follows:

EPA Region IV; Director; Air, Pesticides and Toxics, Management Division; Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia 30303-8960

- (b) All information required to be submitted to the Administrator under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.

- (c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

40 CFR 63.14 Incorporations by reference.

- (a) The materials listed in this section are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses noted below, and all are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC, at the Air and Radiation Docket and Information Center,

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U.S. EPA, 401 M Street, SW., Washington, DC, and at the EPA Library (MD-35), U.S. EPA, Research Triangle Park, North Carolina.

(b) The materials listed below are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103; or University Microfilms International, 300 North Zeeb Road, Ann Arbor, Michigan 48106.

(1) – (8) [Reserved.]

(9) ASTM D1475–90, Standard Test Method for Density of Paint, Varnish, Lacquer, and Related Products, IBR approved for 40 CFR 63.788 appendix A.

(10) ASTM D2369–93, Standard Test Method for Volatile Content of Coatings, IBR approved for 40 CFR 63.788 appendix A.

(11) [Reserved.]

(12) ASTM D4017–90, Standard Test Method for Water and Paints and Paint Materials by Karl Fischer Method, IBR approved for 40 CFR 63.788 appendix A.

(13) – (14) [Reserved.]

(15) ASTM D3792–91, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for 40 CFR 63.788 appendix A.

(16) ASTM D3257–93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for 40 CFR 63.786(b).

(17) ASTM E260–91, Standard Practice for Packed Column Gas Chromatography, IBR approved for 40 CFR 63.786(b).

40 CFR 63.15 Availability of information and confidentiality.**(a) Availability of information.**

(1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.

(2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) Confidentiality.

(1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.

(2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.