TomJohn Engineering, Inc.

8424 4th St. N. Suite G
St. Petersburg, FL 33702
(727) 579-0403
Fax (727) 579-0205

October 11, 1999

Mr. Lennon Anderson, P.E.
Air Permitting Section
FL Dept of Environmental Protection
P.O. Box 15425
West Palm Beach, FL 33416

RECEIVED
NOV 0 1 1999
DEPT OF ENV PROTECTION
WEST PALM BEACH

Re: Dakota Yachts Industries, Incorporated

Dear Mr. Anderson:

Dakota Yachts Industries, Incorporated currently has a construction permit for a fiberglass boat building facility (0850131-001-AC). At the time of the original submission, there was a concern on the part of the facility regarding their ability to comply with material usage standards (in particular, styrene contents) potentially required by FDEP as a "presumptive MACT" standard.

Since that time, changes in both the probable USEPA MACT and the FDEP presumptive MACT have been made, and the facility will be able to manufacture fiberglass boats to the necessary high quality while complying with the proposed USEPA boat building MACT and the proposed FDEP presumptive MACT requirements. Due to projected increases in demand and the ability to comply with the potential MACT standards, Dakota Yachts Industries has determined that increased production and the concomitant increase in emissions is desirable for this facility.

Dakota Yachts Industries is therefore submitting the attached Air Construction/Modification Permit and Title V Operating Permit application. Since the "Modification" application is for increased emissions only and there is no physical "construction" associated with the application, the application package consists of a Facility Information section for the modification, with signatures and seals, a Facility Information section for the operation permit, with signatures and seals, and the Emission Unit section and Attachments section common to both applications. This procedure has been utilized in similar situations (e.g., Southwest District) to facilitate processing.

The submission of the Proof of Publication for the modification permit to the Department will allow the processing of the operation permit to proceed.

Dakota Yachts Industries has provided a check for $2000.00 as the Agency processing fee for the original Title V application (emissions over 25 tons/yr). Due to the uncertainty of the FDEP presumptive MACT standards, this project was scaled down to synthetic minor status (under 25 tons/yr), requiring a fee of $1000.00 and yielding a credit balance of $1000.00. This application requests an increase in emissions of 24 tons/yr, requiring a processing fee of $1000.00, which is

equivalent to the balance remaining. Dakota Yachts Industries has therefore not included a check for $1000.00 as the Agency processing fee for this application.

Thank you for your attention to this matter. If you have any questions please contact me at my office.

Sincerely,

Tom T. John, P.E.

enclosures: as stated

cc: Dakota Yachts Industries
File

TTJ:dj

Tom John Engineering
8424 4th Street N. Suite K
St. Petersburg, FL 33702
(727) 579 - 0403

Title V Air Construction/Modification and Operating Permit Application

Dakota Yachts Industries, Inc.
1985 Airport Road
Stuart, Florida 34996

October 11, 1999

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Title V Air Construction/Modification & Operating Permit Application

Dakota Yachts Industries

Construction/Modification Application Specific Pages

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Construction/Modification Application

Application Information Section

Department of Environmental Protection

Division of Air Resources Management

APPLICATION FOR AIR PERMIT - TITLE V SOURCE

See Instructions for Form No. 62-210.900(1)

I. APPLICATION INFORMATION

Identification of Facility

1. Facility Owner/Company Name: Dakota Yachts Industries, Inc.	
2. Site Name: Dakota Yachts Industries, Inc.	
3. Facility Identification Number: 0850131-001-AC	[ ] Unknown
4. Facility Location: Street Address or Other Locator: 1985 Airport Road City: Stuart County: Martin Zip Code: 34996	
5. Relocatable Facility? [ ] Yes [X] No	6. Existing Permitted Facility? [X] Yes [ ] No

Application Contact

1. Name and Title of Application Contact: Scott Beattie, Vice President
2. Application Contact Mailing Address: Organization/Firm: Dakota Yachts Industries, Inc. Street Address: 1985 Airport Road City: Stuart State: Florida Zip Code: 34996
3. Application Contact Telephone Numbers: Telephone: (561) 781 - 4122 Fax: (561) 781 - 1209

Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

Purpose of Application

Air Operation Permit Application **NOT APPLICABLE**

This Application for Air Permit is submitted to obtain: (Check one)

[ ] Initial Title V air operation permit for an existing facility which is classified as a Title V source.

[ ] Initial Title V air operation permit for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.

Current construction permit number:_____

[ ] Title V air operation permit revision to address one or more newly constructed or modified emissions units addressed in this application.

Current construction permit number:_____

Operation permit number to be revised:_____

[ ] Title V air operation permit revision or administrative correction to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. (Also check Air Construction Permit Application below.)

Operation permit number to be revised/corrected:_____

[ ] Title V air operation permit revision for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.

Operation permit number to be revised:_____

Reason for revision:_____

Air Construction Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

[X] Air construction permit to construct or modify one or more emissions units.

[ ] Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.

[ ] Air construction permit for one or more existing, but unpermitted, emissions units.

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official:
   Frank Passey, President

2. Owner/Authorized Representative or Responsible Official Mailing Address:
   Organization/Firm: Dakota Yachts Industries, Inc.
   Street Address: 999 NW 10th Terrace, Suite 3
   City: Fort Lauderdale State: Florida Zip Code: 33311

3. Owner/Authorized Representative or Responsible Official Telephone Numbers:
   Telephone: (954) 522 - 0082 Fax: (954) 522 - 0109

4. Owner/Authorized Representative or Responsible Official Statement:

   I, the undersigned, am the owner or authorized representative(check here [ ], if so) or the responsible official (check here [X], if so) of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.*

Frank Passey — Signature

10/27/99 — Date

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

1. Professional Engineer Name: TOM T. JOHN, P.E
   Registration Number: 33157

2. Professional Engineer Mailing Address:
   Organization/Firm: Tom John Engineering, Inc
   Street Address: 8424 4th Street North, Suite K
   City: St. Petersburg State: Florida Zip Code: 33702

3. Professional Engineer Telephone Numbers:
   Telephone: (727) 579 - 0403 Fax: (727) 579 - 0205

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain a Title V source air operation permit (check here [ ], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [X], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Signature

11 October 1999
Date

(seal)

* Attach any exception to certification statement.

Scope of Application

Emissions Unit ID	Description of Emissions Unit	Permit Type	Processing Fee
001	Fiberglass boat building - resin and gelcoat application, mold care, and related assembly and cleanup activities	AC1E	$1000.00

Application Processing Fee

Check one: [ ] Attached - Amount: $1000.00 [X] Not Applicable*

*Credit balance $1000.00 from previous submission

Construction/Modification Information

1. Description of Proposed Project or Alterations:
The initial project is discussed in the previous application. This construction/modification segment addresses the proposed increase in air emissions commensurate with increased raw material usages. The additional emissions will make the facility subject to Title III and Title V, CAAA (1990).

2. Projected or Actual Date of Commencement of Construction: permit receipt

3. Projected Date of Completion of Construction: permit receipt

Application Comment

No physical construction is required; the applicant is therefore submitting the significant pages of the construction/modification application, followed by a complete Title V source operating application and is requesting simultaneous processing of this submittal. Activities and recordkeeping will be in accordance with the provisions of the MACT for fiberglass boatbuilding proposed by USEPA.

Construction/Modification Application

Facility Information Section

II. FACILITY INFORMATION

A. GENERAL FACILITY INFORMATION

Facility Location and Type

1. Facility UTM Coordinates: Zone: 17 East (km): 576.4 North (km): 3006.3			
2. Facility Latitude/Longitude: Latitude (DD/MM/SS): Longitude (DD/MM/SS):			
3. Governmental Facility Code: 0	4. Facility Status Code: C	5. Facility Major Group SIC Code: 37	6. Facility SIC(s): 3732
7. Facility Comment (limit to 500 characters): The facility is currently a synthetic minor source. This construction/modification application requests expanded capacity which will make the facility subject to CAAA (1990) Title III and Title V. The facility will comply with all MACT requirements proposed by USEPA.			

Facility Contact

1. Name and Title of Facility Contact: Scott Beattie, Vice President
2. Facility Contact Mailing Address: Organization/Firm: Dakota Yachts Industries, Inc. Street Address: 1985 Airport Road City: Stuart State: Florida Zip Code: 34996
3. Facility Contact Telephone Numbers: Telephone: (561) 781 - 4122 Fax: (561) 781 - 1209

Facility Regulatory Classifications

Check all that apply:

1. [ ] Small Business Stationary Source? [X] Unknown
2. [ ] Major Source of Pollutants Other than Hazardous Air Pollutants (HAPs)?
3. [ ] Synthetic Minor Source of Pollutants Other than HAPs?
4. [X] Major Source of Hazardous Air Pollutants (HAPs)?
5. [ ] Synthetic Minor Source of HAPs?
6. [ ] One or More Emissions Units Subject to NSPS?
7. [ ] One or More Emission Units Subject to NESHAP?
8. [ ] Title V Source by EPA Designation?
9. Facility Regulatory Classifications Comment (limit to 200 characters): Monthly record keeping of materials used and calculation of emissions is proposed as demonstration of compliance with permit conditions and standards proposed for MACT by USEPA

List of Applicable Regulations

62-296.320(1), F.A.C.	General VOC Standards
62-296.320(2), F.A.C.	Objectionable Odor Prohibition
62-296.320(4)(b), F.A.C.	General Visible Emission Standard
62-296.320(4)(c), F.A.C.	Unconfined Emissions of Particulate Matter
62-297, F.A.C.	Testing, Reporting and Record Keeping
Title V Core List, following	

Title V Core List

Effective: 03/25/96

[**Note:** The Title V Core List is meant to simplify the completion of the "List of Applicable Regulations" for DEP Form No. 62-210.900(1), Application for Air Permit - Long Form. The Title V Core List is a list of rules to which all Title V Sources are presumptively subject. The Title V Core List may be referenced in its entirety, or with specific exceptions. The Department may periodically update the Title V Core List.]

Federal: ***(description)***

40 CFR 61: National Emission Standards for Hazardous Air Pollutants (NESHAP)
40 CFR 61, Subpart M: National Emission Standard for Asbestos.

40 CFR 82: Protection of Stratospheric Ozone.
40 CFR 82, Subpart B: Servicing of Motor Vehicle Air Conditioners (MVAC).
40 CFR 82, Subpart F: Recycling and Emissions Reduction.

State: ***(description)***

CHAPTER 62-4, F.A.C.: PERMITS, effective 10-16-95

62-4.030, F.A.C.: General Prohibition.
62-4.040, F.A.C.: Exemptions.
62-4.050, F.A.C.: Procedure to Obtain Permits; Application.
62-4.060, F.A.C.: Consultation.
62-4.070, F.A.C.: Standards for Issuing or Denying Permits; Issuance; Denial.
62-4.080, F.A.C.: Modification of Permit Conditions.
62-4.090, F.A.C.: Renewals.
62-4.100, F.A.C.: Suspension and Revocation.
62-4.110, F.A.C.: Financial Responsibility.
62-4.120, F.A.C.: Transfer of Permits.
62-4.130, F.A.C.: Plant Operation - Problems.
62-4.150, F.A.C.: Review.
62-4.160, F.A.C.: Permit Conditions.
62-4.210, F.A.C.: Construction Permits.
62-4.220, F.A.C.: Operation Permit for New Sources.

CHAPTER 62-103, F.A.C.: RULES OF ADMINISTRATIVE PROCEDURE, effective 12-31-95

62-103.150, F.A.C.: Public Notice of Application and Proposed Agency Action.
62-103.155, F.A.C.: Petition for Administrative Hearing; Waiver of Right to Administrative Proceeding.

CHAPTER 62-210, F.A.C.: STATIONARY SOURCES - GENERAL REQUIREMENTS, effective 03-21-96

62-210.300, F.A.C.: Permits Required.
62-210.300(1), F.A.C.: Air Construction Permits.
62-210.300(2), F.A.C.: Air Operation Permits.
62-210.300(3), F.A.C.: Exemptions.
62-210.300(3)(a), F.A.C.: Full Exemptions.
62-210.300(3)(b), F.A.C.: Temporary Exemption.

62-210.300(5), F.A.C.: Notification of Startup.
62-210.300(6), F.A.C.: Emissions Unit Reclassification.

62-210.350, F.A.C.: Public Notice and Comment.
62-210.350(3), F.A.C.: Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.

62-210.360, F.A.C.: Administrative Permit Corrections.

62-210.370(3), F.A.C.: Annual Operating Report for Air Pollutant Emitting Facility.

62-210.650, F.A.C.: Circumvention.

62-210.900, F.A.C.: Forms and Instructions.
62-210.900(1) Application for Air Permit - Long Form, Form and Instructions.
62-210.900(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions.

CHAPTER 62-213, F.A.C.: OPERATION PERMITS FOR MAJOR SOURCES OF AIR POLLUTION, effective 03-20-96

62-213.205, F.A.C.: Annual Emissions Fee.
62-213.400, F.A.C.: Permits and Permit Revisions Required.
62-213.410, F.A.C.: Changes Without Permit Revision.
62-213.412, F.A.C.: Immediate Implementation Pending Revision Process.
62-213.420, F.A.C.: Permit Applications.
62-213.430, F.A.C.: Permit Issuance, Renewal, and Revision.
62-213.440, F.A.C.: Permit Content.
62-213.460, F.A.C.: Permit Shield.

62-213.900, F.A.C.: Forms and Instructions.
62-213.900(1) Major Air Pollution Source Annual Emissions Fee Form, Form and Instructions.

CHAPTER 62-210, F.A.C.: STATIONARY SOURCES - GENERAL REQUIREMENTS, effective 03-21-96

62-210.300, F.A.C.: Permits Required.
62-210.300(1), F.A.C.: Air Construction Permits.
62-210.300(2), F.A.C.: Air Operation Permits.
62-210.300(3), F.A.C.: Exemptions.
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62-210.900(1) Application for Air Permit - Long Form, Form and Instructions.
62-210.900(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions.

CHAPTER 62-213, F.A.C.: OPERATION PERMITS FOR MAJOR SOURCES OF AIR POLLUTION, effective 03-20-96

62-213.205, F.A.C.: Annual Emissions Fee.
62-213.400, F.A.C.: Permits and Permit Revisions Required.
62-213.410, F.A.C.: Changes Without Permit Revision.
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62-213.460, F.A.C.: Permit Shield.

62-213.900, F.A.C.: Forms and Instructions.
62-213.900(1) Major Air Pollution Source Annual Emissions Fee Form, Form and Instructions.

CHAPTER 62-256, F.A.C.: OPEN BURNING AND FROST PROTECTION FIRES, effective 11-30-94

CHAPTER 62-257, F.A.C.: ASBESTOS NOTIFICATION AND FEE, effective 03/24/96

CHAPTER 62-281, F.A.C.: MOTOR VEHICLE AIR CONDITIONING REFRIGERANT RECOVERY AND RECYCLING, effective 03-07-96

CHAPTER 62-296, F.A.C.: STATIONARY SOURCES - EMISSION STANDARDS, effective 03-13-96

62-296.320(2), F.A.C.: Objectionable Odor Prohibited.
62-296.320(3), F.A.C.: Industrial, Commercial, and Municipal Open Burning Prohibited.
62-296.320(4)(c), F.A.C.: Unconfined Emissions of Particulate Matter.

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B. FACILITY POLLUTANTS

List of Pollutants Emitted

1. Pollutant Emitted	2. Pollutant Classif.	3. Requested Emissions Cap lb/hour	tons/year	4. Basis for Emissions Cap	5. Pollutant Comment
styrene H163	M	Not Applicable	48	other	
total HAP	M	Not Applicable	48	other	includes styrene
total VOC	B	Not Applicable	48	other	includes HAP species

C. FACILITY SUPPLEMENTAL INFORMATION

Supplemental Requirements

1. Area Map Showing Facility Location:
   [X] Attached, Document ID: 1 [ ] Not Applicable [ ] Waiver Requested

2. Facility Plot Plan:
   [X] Attached, Document ID: 1 [ ] Not Applicable [ ] Waiver Requested

3. Process Flow Diagram(s):
   [X] Attached, Document ID: 2 [ ] Not Applicable [ ] Waiver Requested

4. Precautions to Prevent Emissions of Unconfined Particulate Matter:
   [X] Attached, Document ID: 2 [ ] Not Applicable [ ] Waiver Requested

5. Fugitive Emissions Identification:
   [X] Attached, Document ID: 2 [ ] Not Applicable [ ] Waiver Requested

6. Supplemental Information for Construction Permit Application:
   [ ] Attached, Document ID: _____ [X] Not Applicable

7. Supplemental Requirements Comment:

Additional Supplemental Requirements for Title V Air Operation Permit Applications

8. List of Proposed Insignificant Activities:
   [X] Attached, Document ID: 3 [ ] Not Applicable

9. List of Equipment/Activities Regulated under Title VI:
   [ ] Attached, Document ID:_____
   [ ] Equipment/Activities On site but Not Required to be Individually Listed
   [X] Not Applicable

10. Alternative Methods of Operation:
    [ ] Attached, Document ID:_____ [X] Not Applicable

11. Alternative Modes of Operation (Emissions Trading):
    [ ] Attached, Document ID:_____ [X] Not Applicable

12. Identification of Additional Applicable Requirements:
    [X] Attached, Document ID: 4 [ ] Not Applicable

13. Risk Management Plan Verification:
    [ ] Plan previously submitted to Chemical Emergency Preparedness and Prevention Office (CEPPO). Verification of submittal attached (Document ID:_____) or previously submitted to DEP (Date and DEP Office:_____)
    [ ] Plan to be submitted to CEPPO (Date required:_____)
    [X] Not Applicable

14. Compliance Report and Plan:
    [X] Attached, Document ID: 5 [ ] Not Applicable

15. Compliance Certification (Hard-copy Required):
    [X] Attached, Document ID: 5 [ ] Not Applicable

Operating Permit Application

Application Information Section

Department of Environmental Protection

Division of Air Resources Management

APPLICATION FOR AIR PERMIT - TITLE V SOURCE

See Instructions for Form No. 62-210.900(1)

I. APPLICATION INFORMATION

Identification of Facility

1. Facility Owner/Company Name: Dakota Yachts Industries, Inc.	
2. Site Name: Dakota Yachts Industries, Inc.	
3. Facility Identification Number: 0850131-001-AC	[ ] Unknown
4. Facility Location: Street Address or Other Locator: 1985 Airport Road City: Stuart County: Martin Zip Code: 34996	
5. Relocatable Facility? [ ] Yes [X] No	6. Existing Permitted Facility? [X] Yes [ ] No

Application Contact

1. Name and Title of Application Contact: Scott Beattie, Vice President
2. Application Contact Mailing Address: Organization/Firm: Dakota Yachts Industries, Inc. Street Address: 1985 Airport Road City: Stuart State: Florida Zip Code: 34996
3. Application Contact Telephone Numbers: Telephone: (561) 781 - 4122 Fax: (561) 781 - 1209

Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

Purpose of Application

Air Operation Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

[ ] Initial Title V air operation permit for an existing facility which is classified as a Title V source.

[X] Initial Title V air operation permit for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.

Current construction permit number: 0850131-001-AC

[ ] Title V air operation permit revision to address one or more newly constructed or modified emissions units addressed in this application.

Current construction permit number: _____

Operation permit number to be revised: _____

[ ] Title V air operation permit revision or administrative correction to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. (Also check Air Construction Permit Application below.)

Operation permit number to be revised/corrected: _____

[ ] Title V air operation permit revision for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.

Operation permit number to be revised: _____

Reason for revision: _____

Air Construction Permit Application*

This Application for Air Permit is submitted to obtain: (Check one)

[ ] Air construction permit to construct or modify one or more emissions units.

[ ] Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.

[ ] Air construction permit for one or more existing, but unpermitted, emissions units.

* Air Construction/Modification application submitted for concurrent processing

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official:
   Frank Passey, President

2. Owner/Authorized Representative or Responsible Official Mailing Address:
   Organization/Firm: Dakota Yachts Industries, Inc.
   Street Address: 999 NW 10th Terrace, Suite 3
   City: Fort Lauderdale State: Florida Zip Code: 33311

3. Owner/Authorized Representative or Responsible Official Telephone Numbers:
   Telephone: (954) 522 - 0082 Fax: (954) 522 - 0109

4. Owner/Authorized Representative or Responsible Official Statement:

   I, the undersigned, am the owner or authorized representative(check here [ ], if so) or the responsible official (check here [X], if so) of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.*

Frank Passey — Signature

10/27/99 — Date

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

1. Professional Engineer Name: TOM T. JOHN, P.E
   Registration Number: 33157

2. Professional Engineer Mailing Address:
   Organization/Firm: Tom John Engineering, Inc
   Street Address: 8424 4th Street North, Suite K
   City: St. Petersburg State: Florida Zip Code: 33702

3. Professional Engineer Telephone Numbers:
   Telephone: (727) 579 - 0403 Fax: (727) 579 - 0205

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

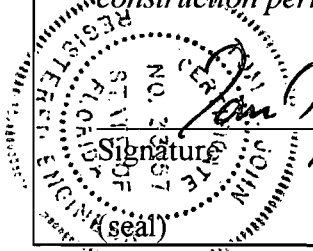
(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain a Title V source air operation permit (check here [ ], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [X], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.



Signature (seal)

11 October 1999
Date

* Attach any exception to certification statement.

Scope of Application

Emissions Unit ID	Description of Emissions Unit	Permit Type	Processing Fee
001	Fiberglass Boat Building - resin and gelcoat application, mold care, and related assembly and cleanup activities	AO1C	$0.00

Application Processing Fee

Check one: [ ] Attached - Amount: $ _____ [X] Not Applicable

Construction/Modification Information

1. Description of Proposed Project or Alterations:
The initial project is discussed in the previous application. The construction/modification segment addresses the proposed increase in air emissions commensurate with increased raw material usages. The additional emissions will make the facility subject to Title III and Title V, CAAA (1990). This segment presents the full Title V Operating Permit Application, submitted for simultaneous processing.

2. Projected or Actual Date of Commencement of Construction: permit receipt

3. Projected Date of Completion of Construction: permit receipt

Application Comment

No physical construction is required; the applicant is therefore submitting the significant pages of the construction/modification application, followed by a complete Title V source operating application and is requesting simultaneous processing of this submittal. Activities and recordkeeping will be in accordance with the provisions of the MACT for fiberglass boatbuilding proposed by USEPA.

Operating Permit Application

Facility Information Section

II. FACILITY INFORMATION

A. GENERAL FACILITY INFORMATION

Facility Location and Type

1. Facility UTM Coordinates: Zone: 17 East (km): 576.4 North (km): 3006.3			
2. Facility Latitude/Longitude: Latitude (DD/MM/SS): Longitude (DD/MM/SS):			
3. Governmental Facility Code: 0	4. Facility Status Code: C	5. Facility Major Group SIC Code: 37	6. Facility SIC(s): 3732
7. Facility Comment (limit to 500 characters): The facility is currently a synthetic minor source. The construction/modification application requests expanded capacity which will make the facility subject to CAAA (1990) Title III and Title V, and a full Title V operating permit application is presented here. The facility will comply with all MACT requirements proposed by USEPA.			

Facility Contact

1. Name and Title of Facility Contact: Scott Beattie, Vice President
2. Facility Contact Mailing Address: Organization/Firm: Dakota Yachts Industries, Inc. Street Address: 1985 Airport Road City: Stuart State: Florida Zip Code: 34996
3. Facility Contact Telephone Numbers: Telephone: (561) 781 - 4122 Fax: (561) 781 - 1209

Facility Regulatory Classifications

Check all that apply:

1. [ ] Small Business Stationary Source?	[X] Unknown
2. [ ] Major Source of Pollutants Other than Hazardous Air Pollutants (HAPs)?	
3. [ ] Synthetic Minor Source of Pollutants Other than HAPs?	
4. [X] Major Source of Hazardous Air Pollutants (HAPs)?	
5. [ ] Synthetic Minor Source of HAPs?	
6. [ ] One or More Emissions Units Subject to NSPS?	
7. [ ] One or More Emission Units Subject to NESHAP?	
8. [ ] Title V Source by EPA Designation?	
9. Facility Regulatory Classifications Comment (limit to 200 characters): Monthly record keeping of materials used and calculation of emissions is proposed as demonstration of compliance with permit conditions and standards proposed for MACT by USEPA	

List of Applicable Regulations

62-296.320(1), F.A.C.	General VOC Standards
62-296.320(2), F.A.C.	Objectionable Odor Prohibition
62-296.320(4)(b), F.A.C.	General Visible Emission Standard
62-296.320(4)(c), F.A.C.	Unconfined Emissions of Particulate Matter
62-297, F.A.C.	Testing, Reporting and Record Keeping
Title V Core List, following page 8 of Construction/Modification segment	

B. FACILITY POLLUTANTS

List of Pollutants Emitted

1. Pollutant Emitted	2. Pollutant Classif.	3. Requested Emissions Cap lb/hour	tons/year	4. Basis for Emissions Cap	5. Pollutant Comment
styrene H163	M	Not Applicable	48	other	
total HAP	M	Not Applicable	48	other	includes styrene
total VOC	B	Not Applicable	48	other	includes HAP species

C. FACILITY SUPPLEMENTAL INFORMATION

Supplemental Requirements

1. Area Map Showing Facility Location:
   [X] Attached, Document ID: 1 [ ] Not Applicable [ ] Waiver Requested

2. Facility Plot Plan:
   [X] Attached, Document ID: 1 [ ] Not Applicable [ ] Waiver Requested

3. Process Flow Diagram(s):
   [X] Attached, Document ID: 2 [ ] Not Applicable [ ] Waiver Requested

4. Precautions to Prevent Emissions of Unconfined Particulate Matter:
   [X] Attached, Document ID: 2 [ ] Not Applicable [ ] Waiver Requested

5. Fugitive Emissions Identification:
   [X] Attached, Document ID: 2 [ ] Not Applicable [ ] Waiver Requested

6. Supplemental Information for Construction Permit Application:
   [ ] Attached, Document ID: _____ [X] Not Applicable

7. Supplemental Requirements Comment:

Additional Supplemental Requirements for Title V Air Operation Permit Applications

8. List of Proposed Insignificant Activities:
   [X] Attached, Document ID: 3 [ ] Not Applicable

9. List of Equipment/Activities Regulated under Title VI:
   [ ] Attached, Document ID: _____
   [ ] Equipment/Activities On site but Not Required to be Individually Listed
   [X] Not Applicable

10. Alternative Methods of Operation:
    [ ] Attached, Document ID: _____ [X] Not Applicable

11. Alternative Modes of Operation (Emissions Trading):
    [ ] Attached, Document ID: _____ [X] Not Applicable

12. Identification of Additional Applicable Requirements:
    [X] Attached, Document ID: 4 [ ] Not Applicable

13. Risk Management Plan Verification:
    [ ] Plan previously submitted to Chemical Emergency Preparedness and Prevention Office (CEPPO). Verification of submittal attached (Document ID: _____) or previously submitted to DEP (Date and DEP Office: _____)
    [ ] Plan to be submitted to CEPPO (Date required: _____)
    [X] Not Applicable

14. Compliance Report and Plan:
    [X] Attached, Document ID: 5 [ ] Not Applicable

15. Compliance Certification (Hard-copy Required):
    [X] Attached, Document ID: 5 [ ] Not Applicable

Operating Permit Application

Emission Unit Information Section

III. EMISSIONS UNIT INFORMATION

A separate Emissions Unit Information Section (including subsections A through J as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application.

A. GENERAL EMISSIONS UNIT INFORMATION
(All Emissions Units)

Emissions Unit Description and Status

1. Type of Emissions Unit Addressed in This Section: (Check one)

[ ] This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).

[X] This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.

[ ] This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.

2. Regulated or Unregulated Emissions Unit? (Check one)

[X] The emissions unit addressed in this Emissions Unit Information Section is a regulated emissions unit.

[ ] The emissions unit addressed in this Emissions Unit Information Section is an unregulated emissions unit.

3. Description of Emissions Unit Addressed in This Section (limit to 60 characters):
Fiberglass boat building utilizing styrene based resins and gelcoats; includes assembly and cleanup materials.

4. Emissions Unit Identification Number:
ID: 001
[ ] No ID
[ ] ID Unknown

5. Emissions Unit Status Code:	6. Initial Startup Date:	7. Emissions Unit Major Group SIC Code:	8. Acid Rain Unit?
C	Not applicable	37	[ ] No

9. Emissions Unit Comment: (Limit to 500 Characters)

Emissions Unit Information Section 1 of 1

Emissions Unit Control Equipment

1. Control Equipment/Method Description (Limit to 200 characters per device or method):

   No controls for VOC emissions

2. Control Device or Method Code(s):

Emissions Unit Details

1. Package Unit: **Not Applicable**
   Manufacturer: Not Applicable Model Number:Not Applicable
2. Generator Nameplate Rating: **Not Applicable** MW
3. Incinerator Information: **Not Applicable**
   Dwell Temperature: °F
   Dwell Time: seconds
   Incinerator Afterburner Temperature: °F

B. EMISSIONS UNIT CAPACITY INFORMATION
(Regulated Emissions Units Only)

Emissions Unit Operating Capacity and Schedule

1. Maximum Heat Input Rate: **Not Applicable**				
2. Maximum Incineration Rate: **Not Applicable** lb/hr				tons/day
3. Maximum Process or Throughput Rate: **Not Applicable**				
4. Maximum Production Rate: approximately 790 tons/year of VOC based raw materials				
5. Requested Maximum Operating Schedule:				
	24	hours/day	7	days/week
	52	weeks/year	8760	hours/year
6. Operating Capacity/Schedule Comment (limit to 200 characters):				
Annual material usages are a surrogate indicator of emissions, and should not be considered a permit limitation				

C. EMISSIONS UNIT REGULATIONS
(Regulated Emissions Units Only)

List of Applicable Regulations

See Page 8 of Facility Information section	

D. EMISSION POINT (STACK/VENT) INFORMATION
(Regulated Emissions Units Only)

Emission Point Description and Type

1. Identification of Point on Plot Plan or Flow Diagram? See Attachment 1	2. Emission Point Type Code: 3
3. Descriptions of Emission Points Comprising this Emissions Unit for VE Tracking (limit to 100 characters per point): Three roof mounted exhaust vents	
4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common: **Not Applicable**	

5. Discharge Type Code: V	6. Stack Height: 53 feet	7. Exit Diameter: 4 feet
8. Exit Temperature: 77°F	9. Actual Volumetric Flow 10,000 (Est.)	10. Water Vapor: negligible %

11. Maximum Dry Standard Flow Rate: Not Applicable	12. Nonstack Emission Point Height: Not Applicable feet
13. Emission Point UTM Coordinates: Not Applicable Zone: East (km): North (km):	
14. Emission Point Comment (limit to 200 characters):	

E. SEGMENT (PROCESS/FUEL) INFORMATION
(All Emissions Units)

Segment Description and Rate: Segment 1 of 3

1. Segment Description (Process/Fuel Type) (limit to 500 characters): Styrene based resin combined with catalyst and spray applied to forms and molds.		
2. Source Classification Code (SCC): 3-14-015-17 Open contact molding; Resin/Laminate application, spray layup	3. SCC Units: Tons applied	
4. Maximum Hourly Not Applicable	5. Maximum Annual Rate: 790*	6. Estimated Annual Activity Factor: Not Applicable
7. Maximum % Sulfur: Not Applicable	8. Maximum % Ash: Not Applicable	9. Million Btu per SCC Unit: Not Applicable
10. Segment Comment (limit to 200 characters): Monthly record keeping proposed as demonstration of compliance.		

Segment Description and Rate: Segment 2 of 3

1. Segment Description (Process/Fuel Type) (limit to 500 characters): Open contact molding; Styrene based resin combined with catalyst and spray applied to forms and molds Gel Coat Application, Spray Layup		
2. Source Classification Code (SCC): 3-14-015-12	3. SCC Units: Tons of coating applied	
4. Maximum Hourly Rate: Not Applicable	5. Maximum Annual Rate: 790*	6. Estimated Annual Activity Factor: Not Applicable
7. Maximum % Sulfur: Not Applicable	8. Maximum % Ash: Not Applicable	9. Million Btu per SCC Unit: Not Applicable
10. Segment Comment (limit to 200 characters): Monthly record keeping proposed as demonstration of compliance.		

Segment Description and Rate: Segment 3 of 3

1. Segment Description (Process/Fuel Type) (limit to 500 characters): Mold care, assembly and acetone cleanup are included in this segment. Product is removed, trimmed and sanded as required, and assembled.		
2. Source Classification Code (SCC): 3-14-015-50 (-51, -52, -53, -60)	3. SCC Units: Tons of solvent	
4. Maximum Hourly Rate: Not Applicable	5. Maximum Annual Rate: 790*	6. Estimated Annual Activity Factor: Not Applicable
7. Maximum % Sulfur: Not Applicable	8. Maximum % Ash: Not Applicable	9. Million Btu per SCC Unit: Not Applicable
10. Segment Comment (limit to 200 characters): Monthly record keeping proposed as demonstration of compliance.		

Emissions Unit Information Section 1 of 1

F. EMISSIONS UNIT POLLUTANTS
(All Emissions Units)

1. Pollutant Emitted	2. Primary Control Device Code	3. Secondary Control Device Code	4. Pollutant Regulatory Code
styrene H163	**not applicable**	**not applicable**	**NS**
total HAP	**not applicable**	**not applicable**	**NS**
total VOC	**not applicable**	**not applicable**	**NS**

G. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION
(Regulated Emissions Units -
Emissions-Limited and Preconstruction Review Pollutants Only)

Potential/Fugitive Emissions

1. Pollutant Emitted: total VOC	2. Total Percent Efficiency of Control: **Not applicable**
3. Potential Emissions: **not applicable** Lb/hr **48** tons/yr	4. Synthetically Limited ? Y
5. Range of Estimated Fugitive Emissions: [X] 1 [ ] 2 [ ] 3 _____ to _____ tons/year	
6. Emission Factor: see attached spreadsheet Reference: PERGEN37 Process Knowledge	7. Emissions Method Code: 5 (FDEP Guidance)
8. Calculation of Emissions (limit to 600 characters): See attached spreadsheet	
9. Pollutant Potential/Fugitive Emissions Comment (limit to 200 characters):	

Allowable Emissions Allowable Emissions _____ of _____ Not Applicable

1. Basis for Allowable Emissions Code:	2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units:	4. Equivalent Allowable Emissions: lb/hour tons/year
5. Method of Compliance (limit to 60 characters):	
6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters):	

G. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION
(Regulated Emissions Units -
Emissions-Limited and Preconstruction Review Pollutants Only)

Potential/Fugitive Emissions

1. Pollutant Emitted: total HAP	2. Total Percent Efficiency of Control: **Not applicable**
3. Potential Emissions: **not applicable** Lb/hr **48** tons/yr	4. Synthetically Limited ? Y
5. Range of Estimated Fugitive Emissions: [X] 1 [ ] 2 [ ] 3 _____ to _____ tons/year	
6. Emission Factor: see attached spreadsheet Reference: PERGEN37 Process Knowledge	7. Emissions Method Code: 5 (FDEP Guidance)
8. Calculation of Emissions (limit to 600 characters): See attached spreadsheet	
9. Pollutant Potential/Fugitive Emissions Comment (limit to 200 characters):	

Allowable Emissions Allowable Emissions _____ of _____ Not Applicable

1. Basis for Allowable Emissions Code:	2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units:	4. Equivalent Allowable Emissions: lb/hour tons/year
5. Method of Compliance (limit to 60 characters):	
6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters):	

G. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION
(Regulated Emissions Units -
Emissions-Limited and Preconstruction Review Pollutants Only)

Potential/Fugitive Emissions

1. Pollutant Emitted: total Styrene H-163	2. Total Percent Efficiency of Control: **Not applicable**
3. Potential Emissions: **not applicable** Lb/hr **48** tons/yr	4. Synthetically Limited ? Y
5. Range of Estimated Fugitive Emissions: [X] 1 [ ] 2 [ ] 3 _____ to _____ tons/year	
6. Emission Factor: see attached spreadsheet Reference: PERGEN37	7. Emissions Method Code: 5 (FDEP Guidance)
8. Calculation of Emissions (limit to 600 characters): See attached spreadsheet	
9. Pollutant Potential/Fugitive Emissions Comment (limit to 200 characters):	

Allowable Emissions Allowable Emissions _____ of _____ Not Applicable

1. Basis for Allowable Emissions Code:	2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units:	4. Equivalent Allowable Emissions: lb/hour tons/year
5. Method of Compliance (limit to 60 characters):	
6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters):	

H. VISIBLE EMISSIONS INFORMATION

(Only Regulated Emissions Units Subject to a VE Limitation)

Visible Emissions Limitation: Visible Emissions Limitation 1 of 1

1. Visible Emissions Subtype: VE20	2. Basis for Allowable Opacity: [X] Rule [ ] Other
3. Requested Allowable Opacity: Normal Conditions: <20 % Exceptional Conditions: <20 % Maximum Period of Excess Opacity Allowed: 0 min/hour	
4. Method of Compliance: EPA Method 9 as required by Agency	
5. Visible Emissions Comment (limit to 200 characters):	

I. CONTINUOUS MONITOR INFORMATION

(Only Regulated Emissions Units Subject to Continuous Monitoring)

Continuous Monitoring System: Continuous Monitor _____ of _____

1. Parameter Code:	2. Pollutant(s):
3. CMS Requirement: [ ] Rule [ ] Other	
4. Monitor Information: Manufacturer: Model Number: Serial Number:	
5. Installation Date:	6. Performance Specification Test Date:
7. Continuous Monitor Comment (limit to 200 characters):	

J. EMISSIONS UNIT SUPPLEMENTAL INFORMATION
(Regulated Emissions Units Only)

Supplemental Requirements

1. Process Flow Diagram [X] Attached, Document ID: __1__ [ ] Not Applicable [ ] Waiver Requested
2. Fuel Analysis or Specification [ ] Attached, Document ID:_____ [X] Not Applicable [ ] Waiver Requested
3. Detailed Description of Control Equipment [ ] Attached, Document ID:_____ [X] Not Applicable [ ] Waiver Requested
4. Description of Stack Sampling Facilities [ ] Attached, Document ID:_____ [X] Not Applicable [ ] Waiver Requested
5. Compliance Test Report [ ] Attached, Document ID:_____ [X] Previously submitted, Date: __11 August 1999__ [ ] Not Applicable
6. Procedures for Startup and Shutdown [ ] Attached, Document ID:_____ [X] Not Applicable [ ] Waiver Requested
7. Operation and Maintenance Plan [ ] Attached, Document ID:_____ [X] Not Applicable [ ] Waiver Requested
8. Supplemental Information for Construction Permit Application [ ] Attached, Document ID:_____ [X] Not Applicable
9. Other Information Required by Rule or Statute [ ] Attached, Document ID:_____ [X] Not Applicable
10. Supplemental Requirements Comment:

Additional Supplemental Requirements for Title V Air Operation Permit Applications

11. Alternative Methods of Operation
[ ] Attached, Document ID:_____ [X] Not Applicable

12. Alternative Modes of Operation (Emissions Trading)
[ ] Attached, Document ID:_____ [X] Not Applicable

13. Identification of Additional Applicable Requirements
[ ] Attached, Document ID: 4 [ ] Not Applicable

14. Compliance Assurance Monitoring Plan
[ ] Attached, Document ID:_____ [X] Not Applicable

15. Acid Rain Part Application (Hard-copy Required)

[ ] Acid Rain Part - Phase II (Form No. 62-210.900(1)(a))
Attached, Document ID:_____

[ ] Repowering Extension Plan (Form No. 62-210.900(1)(a)1.)
Attached, Document ID:_____

[ ] New Unit Exemption (Form No. 62-210.900(1)(a)2.)
Attached, Document ID:_____

[ ] Retired Unit Exemption (Form No. 62-210.900(1)(a)3.)
Attached, Document ID:_____

[ ] Phase II NOx Compliance Plan (Form No. 62-210.900(1)(a)4.)
Attached, Document ID:_____

[ ] Phase NOx Averaging Plan (Form No. 62-210.900(1)(a)5.)
Attached, Document ID:_____

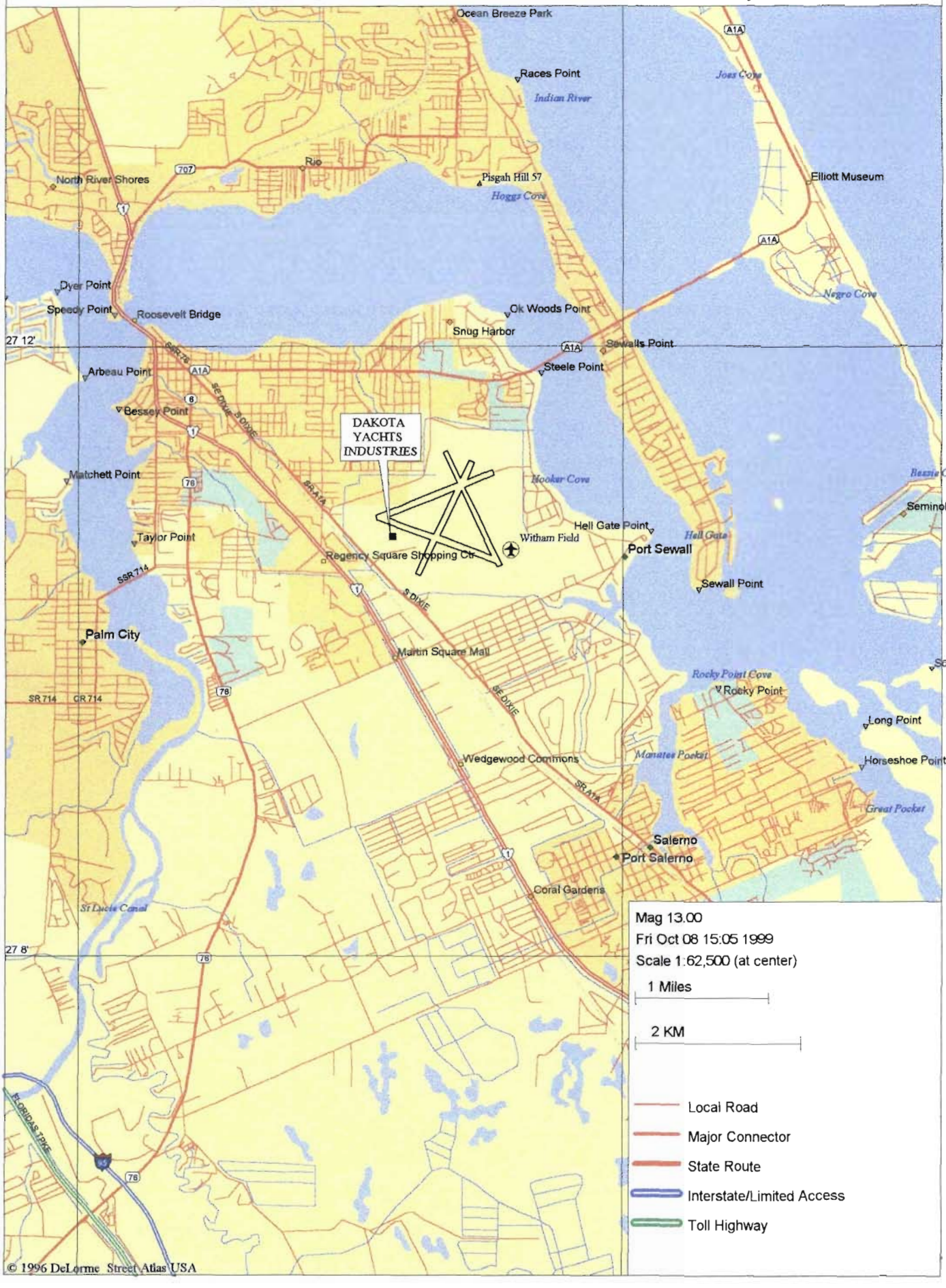
[X] Not Applicable

Site Location and Facility Plot Plan

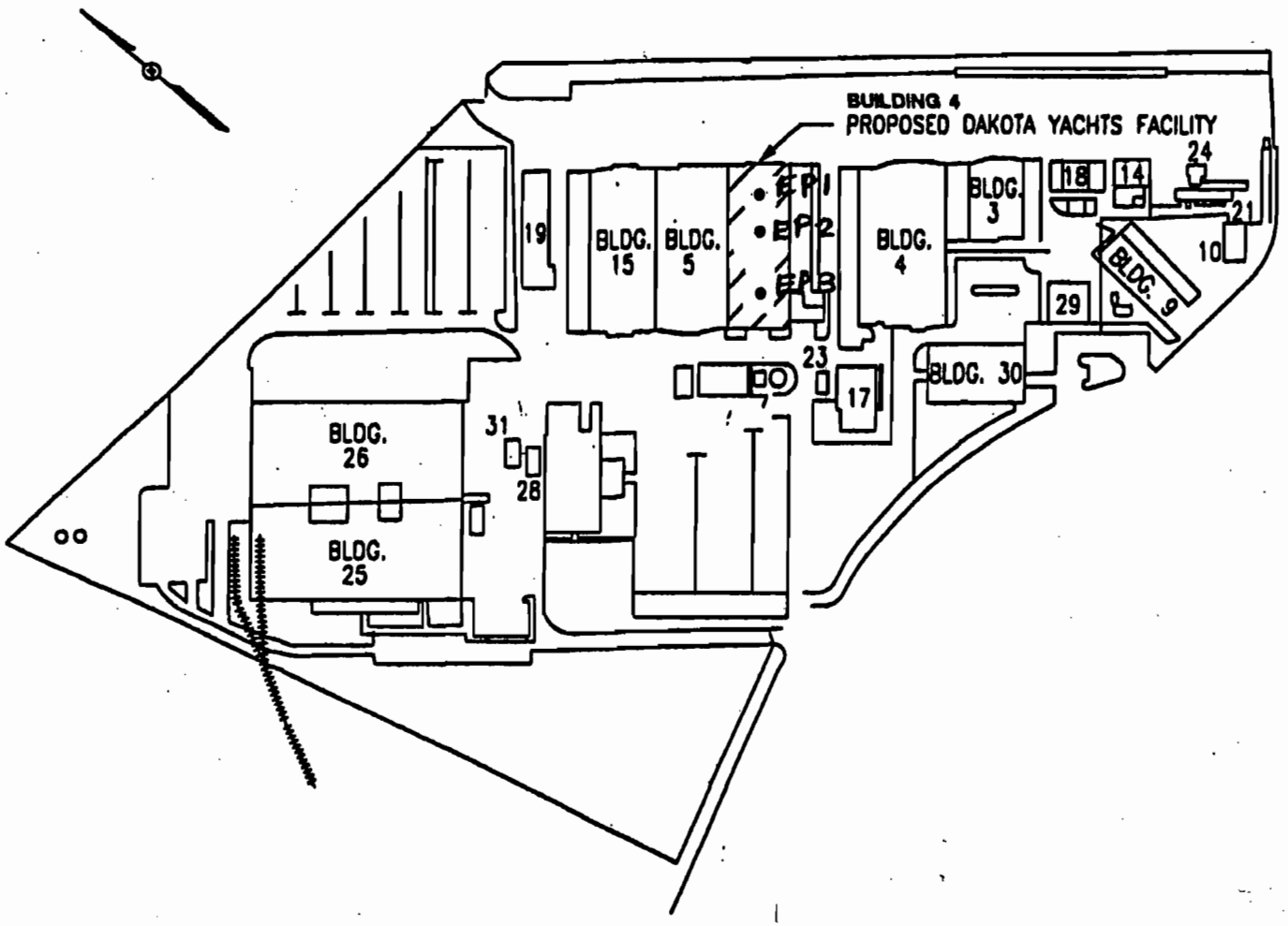
Attachment 1

DAKOTA YACHTS INDUSTRIES Martin County

DAKOTA YACHTS INDUSTRIES Martin County



copyright © 19 98



LEGEND

● ROOF VENT

Provided with original submission to FDEP

NO.	DATE	REVISION DESCRIPTION	BY / CKD

FACILITY PLOT PLAN

BOAT MANUFACTURING

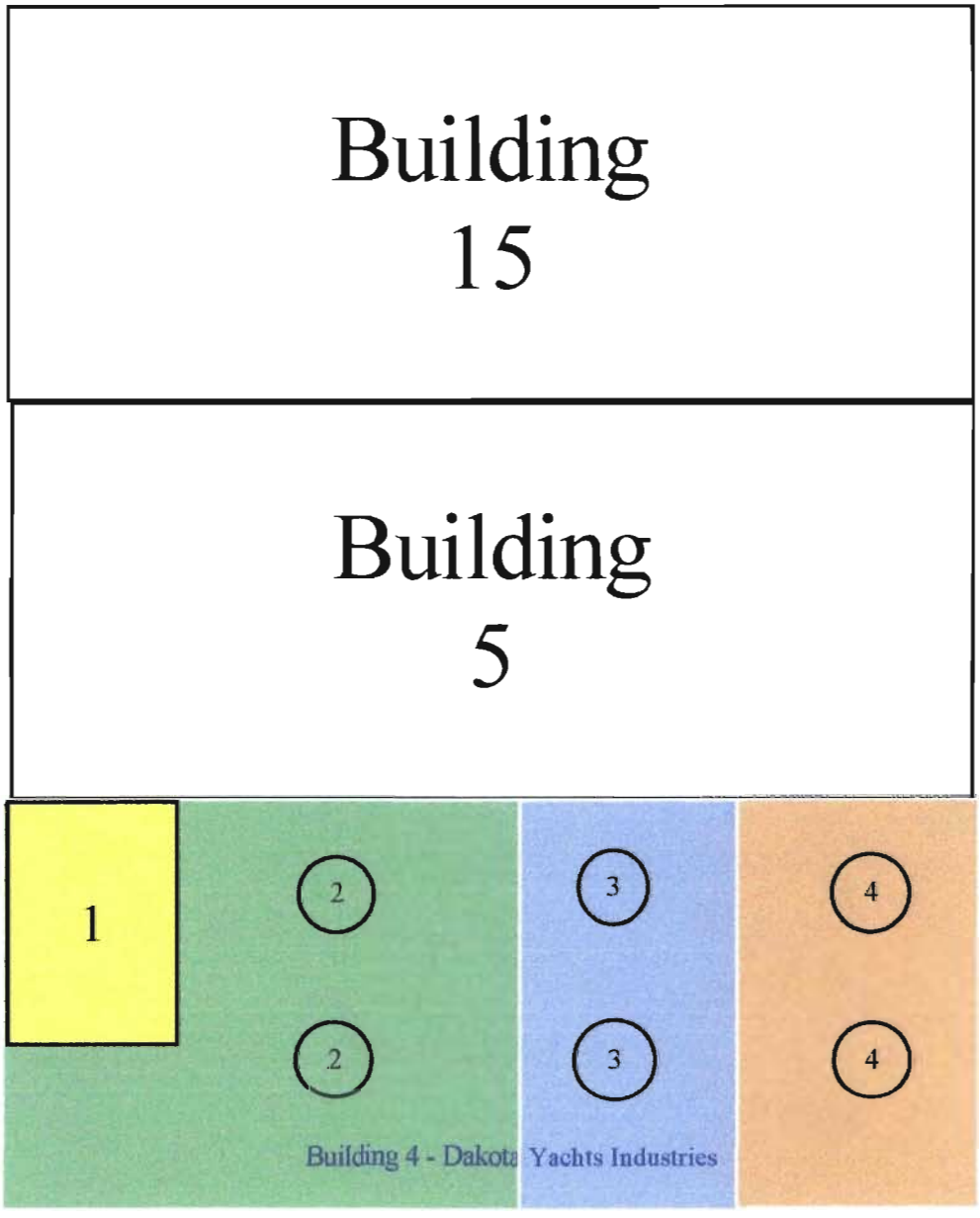
DAKOTA YACHTS INDUSTRIES, INC.
Stuart, Florida

ARCADIS GERAGHTY & MILLER
2905 WEST FORK DRIVE
SUITE 840, BATON ROUGE, LA 70827
Tel: 225-292-1004 Fax: 225-292-5210

PROJECT MANAGER: MSH	CHECKED BY: MSH
DRAWING FILE: PF939-2	CAD FILE: APF939-2
DRAWN: CRM/PJW	DATE: 3-4-99/3-5-99
PROJECT NUMBER: PF000939.0001	DRAWING NUMBER: 2

Filename = H:\GNODHA\DAKOTA-YACHTS\PF939-2.dwg
Menuname = C:\PROGRAM FILES\AUTOCAD R14\support\acad
AutoCAD Version = 14.0
Username = gnodhe
-05-1999
26:39

Area Identification
Dakota Yachts Industries



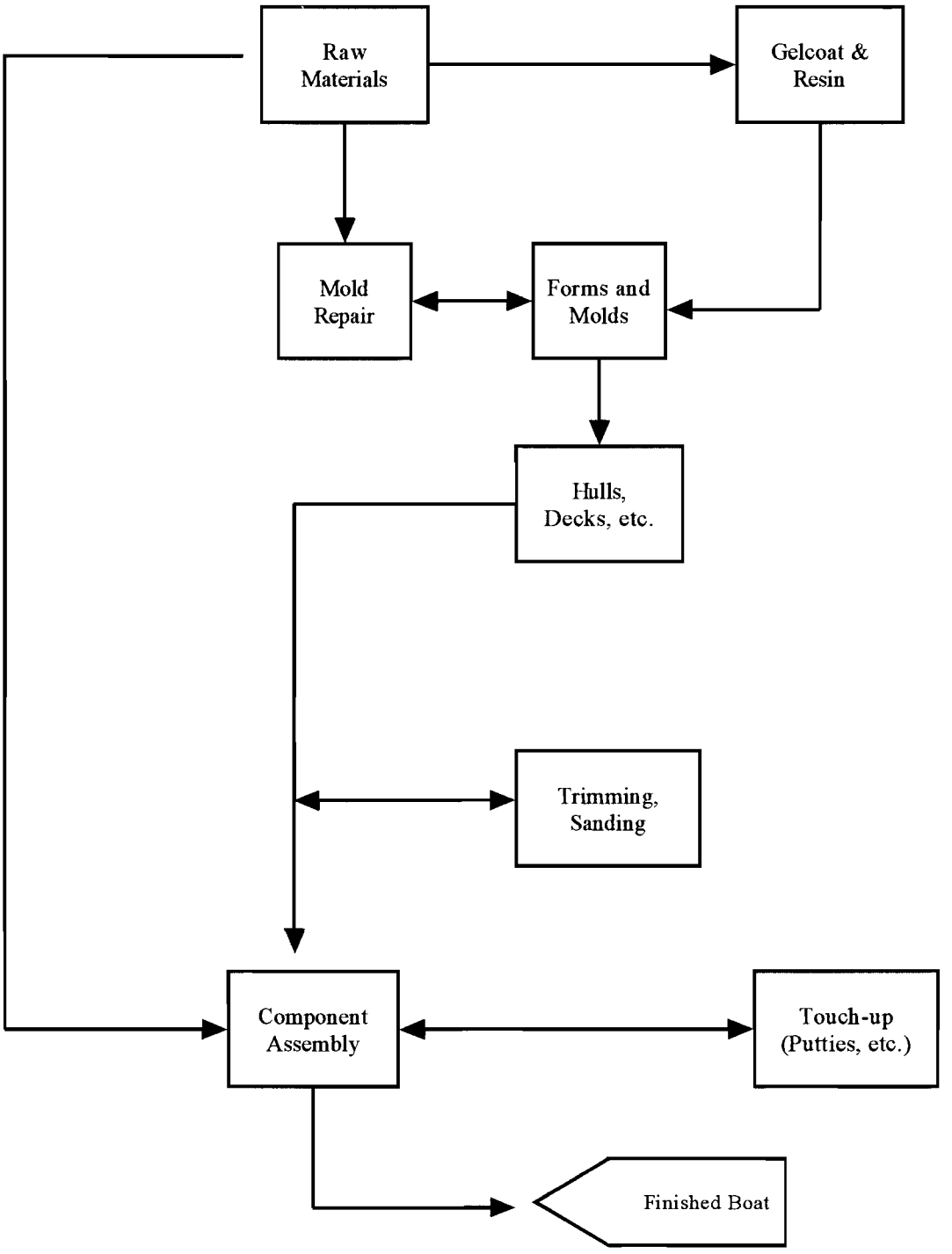
Key:
Area 1 - Hazardous Materials Storage
Area 2 - Gelcoat/Lamination Area
Area 3 - Trim Area
Area 4 - Assembly Area

Tom John Engineering, Inc.
St. Petersburg, Florida

Process Flow Diagram and Process Information

Attachment 2

Process Flow Diagram



DAKOTA YACHTS INDUSTRIES, INC
1985 Airport Road Stuart, FL 34996
Tom John Engineering, Inc. St. Petersburg, FL
(727) 579 - 0403

Process Description, Emission Estimates and Process Flowsheet

Process Description

Dakota Yachts Industries manufactures fiberglass fishing boats in a wide range of sizes and styles at their facility at 1985 Airport Road, Stuart (Martin County). The general process flowsheet for boat building is shown in the preceding figure. The source is an existing facility with permitted styrene annual missions below the threshold for a Title V permit and is designated as a "minor" source under that program. This submittal requests an increase in emissions of Title III, CAAA (1990) species above the threshold levels, and the facility will become a Title V source upon receipt of permit. This submittal also request that daily record keeping requirements be omitted from the permit, in accordance with other permits for similar facilities permitted by FDEP.

The location of the facility and the site buildings are illustrated in layout in Attachment 1. The building of interest consists of three main sections; Dakota Yachts Industries occupies the southernmost section of the building. The westernmost end of the building is currently the site of the lamination/gelcoating activities, and VOC species are dispersed through the three large exhaust fans in the roof of the building. Assembly activities are conducted in the easternmost end of the building. The gelcoating and lamination area are currently the primary sources of the VOC emissions.

Expected facility total operating hours to meet the projected demand for the facility will be 10 to 14 hours per day, 5 to 7 days per week, 52 weeks per year. Production demand will not be completely uniform throughout the year, and based on situation variables (product delivery schedule, preparation for trade shows, etc.) 24 hour days of resin and/or gelcoat use for seven days per week may be required for short periods. The facility therefore requests an unlimited daily facility operating schedule (8760 hours per year) and up to 24 hours per day, seven days per week for laminating/gelcoating activities, subject to a maximum regulated styrene and other HAP/VOC emissions as specified in the "facility information" section of the application. Record keeping of raw material usages and corresponding chemical species usage and estimated emissions, as illustrated in the following spreadsheet (and currently required by permit), is proposed as demonstration of "reasonable assurance" of compliance with permit emission limits.

Acetone, a VOC-exempt species, is the primary clean up solvent. Hazardous wastes are removed from the facility by a licensed hauler as necessary.

Adhesives and coatings, either water based or containing miscellaneous solvents, may be utilized principally in the assembly area of the building. In this area items such as seat cushions, covers and deck carpet may be prepared and applied to the boats. Two part foam may be introduced as needed. In general, these materials will be used in minor quantities, they do not contain sufficient single species or aggregate HAPs to trigger reporting concerns, and the contribution to total VOC is considered to be within the error of the total facility VOC estimation and therefore deemed "negligible."

The minor quantities of particulates generated from wood and fiberglass cutting, shaping and sanding operations performed by hand tools (exempt activities list) and limited tabletop equipment are in general controlled by portable "shop-vac" vacuum collectors and normal "good housekeeping" procedures. Careful "good housekeeping practices" providing control of fugitive particulates is necessary to prevent contamination of the fiberglass and gelcoat surfaces in the adjoining work area, and will be given the appropriate consideration by employees and management. There are no outside discharge points from these operations.

The main Clean Air Act Amendment (CAAA) Title III VOC/HAP species emitted from the fiberglassing operation is styrene, which forms the base for polyester resins and gelcoats used in the product manufacture. In some gelcoat materials, (typically) 3% to perhaps 5% of the styrene may be replaced with methyl methacrylate (MMA); MMA would then be the CAAA Title III VOC species emitted in second highest quantity from the facility. Since proper flow characteristics of the gelcoat are held constant as styrene decreases by the increasing MMA concentration, the total VOC emissions would remain essentially unchanged by this substitution of MMA.

The typical anticipated chemical usages after receipt of permit will result in estimated facility emissions of Clean Air Act Amendments of 1990 Title III and V species above the triggers for "major source" categorization. Monthly record keeping, similar to that provided in the following spreadsheet, and detailed report submissions for the FDEP Annual Operating Report are proposed as a method of demonstrating compliance with these limitations and the USEAP MACT requirements for fiberglass boat builders.

Emission Estimates

Lamination/gelcoating activities

The general procedure for estimating VOC/OS emissions is:

Material Usage Rate x Species Concentration x Emission Factor =

Species Emission Rate

The following spreadsheet presents a representation of the major raw materials typically used, the species composition of those materials, and major raw material usage rates. Note that these values are not requested permit maximums, but are used as an illustration.

The styrene contents shown for resin and gelcoat are values based on current materials and vendors, obtained from the Material Safety Data (MSD) sheets. The complete set of MSD sheets is available for inspection upon request by the Department.

Also presented in the following spreadsheet is the calculated maximum VOC emissions of the major species from the materials currently used at the presented rates. Dakota Yachts Industries recognizes that a change in materials or usages that results in significant emissions of a new species or a significant increase in a currently identified species may require notification and approval by FDEP.

The styrene emission factors utilized for emission calculations and shown in the following spreadsheet are based on current FDEP guidance. Minor contributions of styrene from such materials as putty and fillers may be assumed to have an emission factor no greater than the hand layup of resin (0.1). Methyl methacrylate (MMA) present in gelcoat is assumed to have an emission factor approximately 1.5 times the factor for styrene in gelcoat (CFA test data). General VOC species are assumed to have an emission factor of 1.0, except for reactive species (e.g., isocyanates or peroxides) and for high molecular weight/low volatility species (kerosene, oils) which are assumed to have negligible emission factors. Acetone, delisted by EPA and FDEP in June of 1995, is included in the spreadsheets for informational purposes but not included in the emission inventory.

Additional operations and chemicals which may be modified, added or deleted from the inventory include cleanup materials, propellants, mold care/cleaners, and adhesives. When these materials are introduced on site, the material data will be evaluated; new species or changes to existing species resulting in estimated emissions of over 1000 lbs/yr will be entered, and usages and emissions will be captured, in the facility data spreadsheet. The changes are expected to represent a small variation in the total facility emissions. Fugitive sources, such as open product and waste containers, will be identified and minimized, and solvents in general will be subject to careful dispersement and general "good housekeeping" practices, including the use of solvent safety cans, etc. These emissions may be considered "negligible" in comparison to the major species emitted from the operations.

The styrene content of the resin and gelcoat may vary depending on particular type, purpose, blend or supplier, and the species and concentrations of all other raw materials are subject to change, outside the control of Dakota Yachts Industries. Despite these changes, the record keeping system will track each individual species, e.g., styrene, at its actual concentration in each shipment (as identified from its accompanying MSD sheet), assign an emission factor, and determine the emissions of an individual raw material or source as well as total facility emission. Compliance with the USEAP MACT standards will be demonstrated in a similar manner.

It should be noted that the raw material usage rate is a surrogate measure of the VOC species emission rate, which is the product of the usage rate, the species concentration and the emission factor for a particular species in a particular operation. If the species concentration varies up or down, as is often the case, the usage rate may be adjusted accordingly to maintain compliance with a VOC emission limitation. Careful record keeping is proposed as a means of demonstrating compliance with VOC species emissions limitations imposed on the facility by permit. Those records will be provided to the Department with the Annual Operating Report required of facilities. This report will identify and quantify usages and emissions from the major VOC-containing production-related materials used at the facility.

Material Usage and Emission Discussion

It is clear that the quantity and variety of VOC containing materials potentially used at the facility makes it impractical to provide (or accept permit limits for) specific usage limits for all raw materials. Many of these materials will be used infrequently and may be replaced by alternatives or substitutes. However, as noted the contribution of these miscellaneous VOC emissions to the total facility emission will be small; the actual material usages and speciated emissions will be captured accurately in the facility data record and spreadsheet as illustrated, and will provide assurance that the styrene and miscellaneous VOC emission limits are not exceeded. Dakota Yachts Industries requests that the Department limit by permit only the total facility general VOC emissions, total HAP emissions and total styrene emissions. Dakota Yachts Industries requests that individual raw material usages and species concentrations be allowed to vary as necessary for facility operations (e.g., substitution of a high styrene resin for a low styrene resin or increased resin lbs/hr and corresponding reduced gelcoat lbs/hr) provided that Dakota Yachts Industries demonstrates in the facility usage and emission report that the variations result in emissions less than or equal to the FDEP permit limits and MACT requirements, as is common practice for fiberglass boat building permits. Dakota Yachts Industries further requests that the Department accept the determination of the FDEP presumptive MACT as an interim condition, to be superceded by the USEPA MACT requirements when promulgated. Dakota Yachts Industries requests that the Department revise by administrative action any permit conditions superceeded by the USEPA MACT requirements.

DAKOTA YACHTS INDUSTRIES, INC.

Raw Material Usage and Emissions Estimates for TITLE V CONSTRUCTION/OPERATION PERMIT

A. Materials Usage

	material	estimated annual usage tons	lbs
resin			
	Hydrex 100 ls 33370-22	449.3	898560
	Spraycore 2000-os	262.08	524160
gelcoat			
	Marine Base White	37.44	74880
catalyst			
	ddm9 clear	13.71	27410
	ddm9 red	13.71	27410
misc			
	putty/filler/mold care	12.60	25200
	acetone	not regulated as VOC	

Process Data	tons
total material (less acetone)	788.81
resin	711.36
gel	37.44
other styrene mat'l	12.60
resin catalyst	14.23
gel catalyst	0.75
catalyst for other	0.25
resin+gel	749
total catalyst	14.98
resin/gel	19.0
catalyst added wt%	2.0%

B. Species Compositions, wt %

	material	styrene	methylmeth acrylate	dimethyl phthalate	methylethyl ketone	Me3PD diiB	general VOC
resin							
	Hydrex 100 ls 33370-22	35%					
	Spraycore 2000-os	35%					
	(weighted 3 Month rolling avg)						
gelcoat							
	(weighted 3 Month rolling avg)	33%	5%				
catalyst							
	ddm9 clear			32%	1%	24%	6%
	ddm9 red			32%	1%	24%	6%
misc							
	putty/filler/mold care	50%					31%

C. Estimated Usage by Species

	material	total lbs used/procesed --> styrene	3744 methylmeth acrylate	17543 dimethyl phthalate	548 methylethyl ketone	13020 Me3PD diiB	11101 general VOC
resin							
	Hydrex 100 ls 33370-22	314496	0	0	0	0	0
	Spraycore 2000-os	183456	0	0	0	0	0
gelcoat							
	Marine Base White	24710	3744	0	0	0	0
catalyst							
	ddm9 clear	0	0	8771	274	6524	1645
	ddm9 red	0	0	8771	274	6496	1645
misc							
	putty/filler/mold care	12600	0	0	0	0	7812

D. Estimated Emissions by Species

		emission factors:	styrene in	resin	0.11	MMA	0.75
				gelcoat	0.48	DMP	0.0001
				misc	0.11	VOC	1.00
	HAP species ?		Y	Y	Y	Y	N	N
	total tons emitted -->		34.01	1.40	0.00	0.27	6.51	5.55
	total lbs emitted -->		68022	2808	2	548	13020	11101
	material		styrene	methylmeth acrylate	dimethyl phthalate	methylethyl ketone	Me3PD diiB	general VOC
resin								
	Hydrex 100 ls 33370-22		34595					
	Spraycore 2000-os		20180					
gelcoat								
	Marine Base White		11861	2808				
catalyst								
	ddm9 clear				1	274	6524	1645
	ddm9 red				1	274	6496	1645
misc								
	putty/filler/mold care		1386	0	0	0	0	7812

FACILITY TOTALS (tpy): styrene 35.41 HAP total 35.69 VOC total 47.75

This spreadsheet represents the proposed record keeping method and should not be used as permit limits

Proposed Exempt and Trivial Activities

Attachment 3

PROPOSED TRIVIAL AND EXEMPT ACTIVITIES

Dakota Yachts Industries, Incorporated, currently performs or may perform at a future date many of the activities presented in Attachment A, provided by FDEP and following, which lists "trivial" and presumptively exempt activities and emission units. No specific mention is made of these activities in the permit application.

All resins, gelcoats, paints and other VOC-based raw materials are received and stored in drums, eliminating VOC breathing and working losses. Transfer losses are minimized by work practices as required (Rule 62-297.320). These activities are considered presumptively exempt from permitting.

Acetone is used in some applications as a solvent; acetone is no longer considered a VOC, and the use of this material in this activity is considered presumptively exempt from permitting.

Activities involving the cutting, shaping, or trimming of fiberglass, wooden or foam parts, are performed by hand held tools (trivial list activity) and are conducted under Good Work Practice Standards. Particulate emissions from these and other potential particulate emission activities are minimized as discussed in Attachment 5, and the activities are considered exempt from permitting.

ATTACHMENT A

LIST OF ACTIVITIES THAT MAY BE TREATED AS "TRIVIAL"

The following types of activities and emissions units may be presumptively omitted from part 70 permit applications. Certain of these listed activities include qualifying statements intended to exclude many similar activities.

Combustion emissions from propulsion of mobile sources, except for vessel emissions from Outer Continental Shelf sources.

Air-conditioning units used for human comfort that do not have applicable requirements under title VI of the Act.

Ventilating units used for human comfort that do not exhaust air pollutants into the ambient air from any manufacturing/industrial or commercial process.

Non-commercial food preparation.

Consumer use of office equipment and products, not including printers or businesses primarily involved in photographic reproduction.

Janitorial services and consumer use of janitorial products.

Internal combustion engines used for landscaping purposes.

Laundry activities, except for dry-cleaning and steam boilers.

Bathroom/toilet vent emissions.

Emergency (backup) electrical generators at residential locations.

Tobacco smoking rooms and areas.

Blacksmith forges.

Plant maintenance and upkeep activities (e.g., grounds-keeping, general repairs, cleaning, painting, welding, plumbing, re-tarring roofs, installing insulation, and paving parking lots) provided these activities are not conducted as part of a manufacturing process, are not related to the source's primary business activity, and not otherwise triggering a permit

modification[1]

Repair or maintenance shop activities not related to the source's primary business activity, not including emissions from surface coating or de-greasing (solvent metal cleaning) activities, and not otherwise triggering a permit modification.

Portable electrical generators that can be moved by hand from one location to another.[2]

Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning or machining wood, metal or plastic.

Brazing, soldering and welding equipment, and cutting torches related to manufacturing and construction activities that do not result in emission of HAP metals.[3]

Air compressors and pneumatically operated equipment, including hand tools.

Batteries and battery charging stations, except at battery manufacturing plants.

Storage tanks, vessels, and containers holding or storing liquid substances that will not emit any VOC or HAP.[4]

Storage tanks, reservoirs, and pumping and handling equipment of any size containing soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.

---

[1]Cleaning and painting activities qualify if they are not subject to VOC or HAP control requirements. Asphalt batch plant owners/operators must still get a permit if otherwise required.

[2]"Moved by hand" means that it can be moved without the assistance of any motorized or non-motorized vehicle, conveyance, or device.

[3]Brazing, soldering and welding equipment, and cutting torches related to manufacturing and construction activities that emit HAP metals are more appropriate for treatment as insignificant activities based on size or production level thresholds. Brazing, soldering, welding and cutting torches directly related to plant maintenance and upkeep and repair of maintenance shop activities that emit HAP metals are treated as trivial and listed separately in this appendix.

[4]Exemptions for storage tanks containing petroleum liquids or other volatile organic liquids should be based on size limits such as storage tank capacity and vapor pressure of liquids stored and are not appropriate for this list.

Equipment used to mix and package, soaps, vegetable oil, grease, animal fat, and nonvolatile aqueous salt solutions, provided appropriate lids and covers are utilized.

Drop hammers or hydraulic presses for forging or metalworking.

Equipment used exclusively to slaughter animals, but not including other equipment at slaughterhouses, such as rendering cookers, boilers, heating plants, incinerators, and electrical power generating equipment.

Vents from continuous emissions monitors and other analyzers.

Natural gas pressure regulator vents, excluding venting at oil and gas production facilities.

Hand-held applicator equipment for hot melt adhesives with no VOC in the adhesive formulation.

Equipment used for surface coating, painting, dipping or spraying operations, except those that will emit VOC or HAP.

CO_2 lasers, used only on metals and other materials which do not emit HAP in the process.

Consumer use of paper trimmers/binders.

Electric or steam-heated drying ovens and autoclaves, but not the emissions from the articles or substances being processed in the ovens or autoclaves or the boilers delivering the steam.

Salt baths using nonvolatile slats that do not result in emissions of any regulated air pollutants.

Laser trimmers using dust collection to prevent fugitive emissions.

Bench-scale laboratory equipment used for physical or chemical analysis, but not lab fume hoods or vents.[5]

Routine calibration and maintenance of laboratory equipment or other analytical instruments.

Equipment used for quality control/assurance or inspection purposes, including sampling equipment used to withdraw materials for analysis.

---

[5]Many lab fume hoods or vents might qualify for treatment as insignificant (depending on the applicable SIP) or be grouped together for purposes of description.

Hydraulic and hydrostatic testing equipment.

Environmental chambers not using hazardous air pollutant (HAP) gasses.

Shock chambers.

Humidity chambers.

Solar simulators.

Fugitive emission related to movement of passenger vehicles, provided the emissions are not counted for applicability purposes and any required fugitive dust control plan or its equivalent is submitted.

Process water filtration systems and demineralizes.

Demineralized water tanks and demineralizer vents.

Boiler water treatment operations, not including cooling towers.

Oxygen scavenging (de-aeration) of water.

Ozone generators.

Fire suppression systems.

Emergency road flares.

Steam vents and safety relief valves.

Steam leaks.

Steam cleaning operations.

Steam sterilizers.

Additional Applicable Requirements

Attachment 4

ADDITIONAL APPLICABLE REQUIREMENTS

Additional applicable requirements for this facility are detailed in the current FDEP air permit, and the Title V permit, to be issued. The current permit describes, and the Title V permit will describe, the record keeping parameter requirements, the reporting requirements, and compliance testing requirements, as appropriate.

The facility will comply with the Specific Conditions and requirements of the current air permit and the Title V operating permit when issued, as noted in Attachment 5.

Dakota Yachts Industries, Incorporated will comply with FDEP regulations stating that "no person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any source whatsoever...without taking reasonable precautions to prevent such emissions" and that "no person shall cause suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor."

Dakota Yachts Industries will continue to employ "good housekeeping" and other reasonable work practices to minimize the generation of odors and particulates, in particular in the woodworking and fiberglass/topcoat cutting, sanding and shaping activities.

A requirement of the previous air permit is for the record keeping of usages and emission calculations of acetone, which is no longer considered a VOC species. Dakota Yachts Industries, Incorporated requests that the Title V operating permit reflect the de-listing of acetone by removing all permit references to that particular species.

The requirement in the current permit for a minimum exhaust stack exit velocity is based on the FDEP Draft Air Toxic Guidelines. In consideration of the non-Rule nature of the policy and in recognition of the policy memo of June 8, 1995, from Howard Rhodes, DARM, Dakota Yachts Industries, Incorporated requests that any stack flowrate referenced by the permit be considered a "guideline" parameter rather than an enforceable permit condition.

Compliance Report, Plan and Certification

Attachment 5

DAKOTA YACHTS INDUSTRIES, INCORPORATED
COMPLIANCE PLAN

The purpose of this attachment is to document the methods by which the facility proposes to demonstrate compliance with its applicable requirements. Most of the facility-wide applicable requirements address general permitting standards for stationary air pollution sources and general prohibitions on certain types of activities (e.g., open burning and motor vehicle air conditioner repair). For these types of requirements, no specific actions are required to be performed by the facility except on a periodic, as-needed basis. The facility will continue to comply with these general requirements by taking the necessary steps to ensure that all necessary air permits are applied for and obtained in accordance with FDEP's protocols and by not performing those activities that are prohibited.

For the purposes of the following discussion, compliance plans have been included only for those substantive requirements that set work practice standards or emissions limits, or will necessitate regular monitoring, recordkeeping, or reporting. Compliance plans for the facility as a whole and for each regulated emissions unit are described below.

A. GENERAL FACILITY COMPLIANCE PLAN

The compliance plans presented in this section address monitoring, recordkeeping, and reporting requirements for the facility as a whole.

1. In accordance with 62-210.370(3) FAC, the facility will submit an annual operating report to the appropriate FDEP district office by March 1 of the following year unless otherwise indicated by permit condition or FDEP request. The annual operating report will be completed on the form 62-210.900(5) FAC or as instructed by FDEP.

2. In accordance with 62-213.205 FAC, between January 15 and March 1 of each year, the facility will pay upon written notice from FDEP, an annual emissions fee in an amount determined by the procedures specified by the rule. The emissions fee will be submitted along with a completed form 62-213.900(1) FAC.

3. In accordance with 62-296.320(4)(c), the facility will take reasonable precautions to prevent emissions of unconfined particulate matter from the facility. Activities which can cause fugitive particulate emissions at the facility include vehicular movement, transportation of materials, and industrially related activities such as materials loading, unloading, storing, and handling. Reasonable precautions to be taken by the facility include:

   Application of water to paved and unpaved areas accommodating vehicular traffic if a visible particulate plume is observed to extend more than 15 feet from the point of origin.

Removal of particulate matter from buildings or work areas to prevent a visible particulate plume of unconfined particulate greater than 20%.

Enclosure or covering of activities or equipment where necessary to prevent unconfined particulate emissions from having an opacity greater than 20%.

B. CONTROL DEVICE/WORK PRACTICE PLAN

In order to comply with the permit general and specific conditions, all control devices (regulated and unregulated) will be properly maintained. Routine facility inspections will be performed to confirm the effectiveness of control devices (if present) and work practice standards in minimizing emissions. Repairs to equipment and modifications to work practice procedures will be made as necessary. Records of these repairs or modifications will be maintained on site for a minimum of 5 years and will be available for review by FDEP or the Agency's designated representatives. All required compliance testing and facility recordkeeping will be conducted in a timely manner and in conformance with the applicable permit specific conditions.

The facility will comply with the conditions of the Boat Building MACT promulgated by USEPA in accordance with the schedule contained in that promulgation, and in the interim with the conditions of the presumptive MACT for boatbuilders proposed by FDEP Tallahassee Office. The conditions of the presumptive MACT will be considered to be superceded by the USEPA MACT when it becomes effective, and any more restrictive permit conditions based on the FDEP proposal will be considered to be revised by Administrative action to reflect the USEPA position.

C. COMPLIANCE TESTING

Compliance testing, as appropriate and required by permit, will be conducted in accordance with EPA Methods as contained in 40CFR60 Appendix A and adopted by reference in Rule 62-297, FAC. This testing will be performed within 60 days of the receipt of notification or as specified by the Department. Submission of the test results, and an addendum to this application if necessary, will be filed within 45 days of the testing.

DAKOTA YACHTS INDUSTRIES, INCORPORATED
COMPLIANCE REPORT

The subject facility is in compliance with each existing applicable requirement outlined in the Title V application, except as noted below. A statement of compliance follows as required.

Emissions Unit ID	Description of Emission Unit	Compliance Status
001	Fiberglass Boatbuilding	In Compliance

Compliance Certification

I, the undersigned, am the responsible official as defined in Chapter 62-210.200 Florida Administrative Code (FAC) of the Title V source for which this report is being submitted. I hereby certify, based on the information and belief formed after reasonable inquiry, that the statements made and data contained in this report are true, accurate, and complete.

Signature

10/27/99
Date

COPY

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

NOV 10 1999

November 9, 1999

CERTIFIED MAIL

Mr. Frank Passey, President
Dakota Yachts Industries, Inc.
1985 Airport Road
Stuart, FL 34996

RE: Status of Application Review -- Request for Additional Information
DEP File No. 0850131-002-AC

Dear Mr. Passey:

The Department has reviewed your application received on November 1, 1999 for sufficiency of processing fee. However, your application remains incomplete. Please provide the following information promptly. Evaluation of your proposed project will continue to be delayed until all requested information has been received.

Please provide the following information in order to complete review of your application pursuant to Chapters 120 and 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4.070(1) and 62-204 through 62-297.

1. A processing fee of $1,000 is required. For the initial application, a processing fee of $1,000 (copy attached) was submitted; not $2,000 as alleged in your October 11, 1999 letter.

If you have any questions, please contact Lennon Anderson at 561/681-6632. When referring to this project, please use the file number indicated.

Sincerely,

Lennon Anderson
Air Permitting Engineer

cc: Mr. Tom John, P.E.

Attachment

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

JAN 0 3 2000

January 3, 2000

CERTIFIED MAIL
P109 463 050
Mr. Frank Passey, President
Dakota Yachts Industries, Inc.
1985 Airport Road
Stuart, FL 34996

RE: Status of Application Review -- Request for Additional Information
DEP File No. 0850131-002-AC

Dear Mr. Passey:

The Department has reviewed your application received on November 1, 1999. However, your application remains incomplete. Please provide the following information promptly. Evaluation of your proposed project will continue to be delayed until all requested information has been received.

Please provide the following information in order to complete review of your application pursuant to Chapters 120 and 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4.070(1) and 62-204 through 62-297.

1. The material usage for the facility once the synthetic limits are removed is proposed at 790 tons/year when operating about 10-14 hours/day for seven days/week. Meanwhile, in the original application, the material usage proposed was 440.4 tons/year for the same Title V source operating at 16 hours/day for seven days/week. Please explain why 790 tons/year is being requested without "physical construction" with emission at 48 tons/year when the original application stated that the maximum material usage that the facility could accommodate was 440.4 tons/year with emissions at 18 tons/year.

2. A case-by-case Maximum Achievable Control Technology (MACT) was submitted with the original application which was subsequently withdrawn to avoid MACT. Please resubmit a case-by-case MACT pursuant to 40 CFR 63.43(e).

   {Please note: There is no FDEP presumptive MACT. A case-by-case MACT is "case-by-case" and can evolve over time.}

3. Please submit an evaluation for the feasibility of add-on-control equipment.

4. Please clarify the following sentences, since 50 "new species" with emission of 1000 lbs/year each add up to 25 tons/year:

   "Additional operations and chemical which may be modified, added or deleted from the inventory include cleanup materials, propellants, mold care/cleaners, and adhesives. When these materials are introduced on site, the material data will be evaluated; new species or changes to existing species resulting in estimated emissions of over 1000 lbs/ year will be entered, and usages and emissions will be captured, in the facility spreadsheet. The changes are expected to represent a small variation in the total facility emissions"

5. Why is the maximum annual rate for each of the three segments listed on pages 17 and 18 has 790 tons/year?

If incorrect, please resubmit corrected pages of the application.

6. On the "Raw Material Usage and Emissions Estimate" worksheet, for the catalyst, the annual usage listed for clear and red "ddm9" is 13.71 tons/year (27.42 tons/year combined). However, in the "Process Data" section the total for the catalyst is 14.98 tons/year. Please explain this discrepancy. If incorrect, please resubmit a correct worksheet.

If you have any questions, please contact me at 561/681-6632. When referring to this project, please use the file number indicated.

Sincerely,

Lennon Anderson
Air Permitting Engineer

cc: Mr. Tom John, P.E.
8424 4th St. N. Suite G
St. Petersburg, FL 33702

Ms. Cindy Phillips, P.E., DARM

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TomJohn Engineering, Inc.

8424 4th St. N. Suite G
St. Petersburg, FL 33702
(727) 579-0403
Fax (727) 579-0205

January 27, 2000

Mr. Lennon Anderson
FL Dept of Environmental Protection
P.O. Box 15425
West Palm Beach, FL 33416

re: DEP File No. 0850131-002-AC
Request for Additional Information

DAKOTA YACHTS

Dear Mr. Anderson:

In response to your letter of January 3, 2000 we offer the following:

1. The "original" application, which as you note has been withdrawn, was prepared by another engineer at another firm. It would be inappropriate for me to presume the methods used in that calculation. The current application requests unlimited operating hours and an emission cap, based on calculations and record keeping, not material usage limitations.

2. Although a "Case by Case" MACT is strictly required, Dakota Yachts Industries notes in the application that the facility will comply with the EPA fiberglass boat building MACT when proposed (and requests any State imposed limits be administratively amended to reflect the EPA MACT).

   As of this writing, USEPA and FDEP are in close agreement with their MACT determination. As indicated in the Application, Dakota Yachts Industries is willing to comply with the recent FDEP limitations (subject to EPA's MACT promulgation, as discussed). FDEP has issued a MACT determination to Sea Ray Boats and more recently to Maritec Industries. In making the determination, the Department relied on, among other sources,

   - Minutes from Boat Manufacturer NESHAP stake holder meetings.
   - EPA Draft National Emission Standards for Boat Manufacturing (August 9, 1997).
   - Position Paper of the National Marine Manufacturers Regarding Proposed Technology Standards and Exemption Under Boat Manufacturing MACT Rule.

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01/27/00
Lennon Anderson
re: DEP File No. 0850131-002-AC
Request for Additional Information

The MACT determination for Maritec included:

- The use of production resins that contain a maximum average of 35% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average.
- The use of non-atomizing application equipment for production resins.
- The use of pigmented gelcoats and base gelcoats that contain a maximum average of 33% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average.
- The use of sprayed tooling resins, used for repair of molds, that contain a maximum average of 30% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average.
- The use of non-atomized tooling resins, used for making and repair of molds, that contain a maximum average of 39% total HAP content, based on MSD Sheets, with compliance determined on a 3-month rolling average.
- The use of tooling gelcoats, used for making and repair of molds, that contain a maximum average of 40% total HAP content, based on MSD Sheets, with compliance determined on a 3-month rolling average.
- No control of hazardous air pollutants emitted from mold sealing, releasing, stripping, and repair materials.
- No control of hazardous air pollutants emitted from coating processes for exterior wood parts.
- The use of resin and gelcoat cleaning solvents that contain no HAPs. An exception is the use of solvent cleaning machines which comply with the requirements of 40 CFR 63 Subpart T - Halogenated Solvent Cleaning.
- The use of carpet and fabric adhesives solvents that contain no HAPs.
- The use of carpentry adhesives that achieve a volatile hazardous air pollutant (VHAP) limit for contact adhesives, excluding aerosol adhesives and excluding contact adhesives applied to nonporous substrates, of no greater than 0.2 kg

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VHAP/kg solids (0.2 lb VHAP/lb solids), as applied using either of the compliance methods in 40 CFR 63.804(e).

- The use of the highest styrene content in calculations when MSD Sheets with styrene content ranges are used.

We have contacted the National Marine Manufacturers Association, who concur that no new processes or technologies have been operationally introduced since the Maritec determination. We therefore request that the Department consider these conditions as a MACT for this source.

3. The infeasibility of add-on control equipment is elucidated in the various developments of the EPA's MACT standard and in the absence of add-on control devices in similar sources recently permitted by FDEP. Add-on control devices for particulate sources are not necessary as the cutting/grinding is performed by hand tools and is limited to 20% opacity by rule.

4. You are correct that 50 new species at 100 lbs/year each equals 25 tons/year. The wording comes from previously submitted applications for other (similar and dissimilar) sources, and from other FDEP permits, and was intended to illustrate that the facility is aware of the need to identify and track significant material usages to ensure compliance with the facility wide VOC limits requested. To facilitate processing, we wish to withdraw the paragraph of concern.

5. Dakota Yachts Industries notes in the application that the anticipated maximum material processed is anticipated to be approximately 790 tons/year. However, as also stated, flexibility will be required to comply with the Federal MACT when applicable, with changing raw material chemistries, and with product evolution. By requesting emission limits rather than material limits, we will achieve this flexibility. We feel that supplying individual segment limits by any estimation method would be misleading; if solvents, cleaners and mold care VOC contributions are completely eliminated, the entire 790 tons could be resin and gelcoat. If the outer surfaces are made of epoxy, the entire 790 tons could be resin. In an attempt to avoid this confusion, we inserted the maximum (not for permitting limits) estimated usage in all segments.

6. As requested, we are re-submitting the spreadsheet. Please note that the spreadsheet is presented to illustrate the proposed record keeping method for monthly and rolling 12

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01/27/00
Lennon Anderson
re: DEP File No. 0850131-002-AC
Request for Additional Information

month totals, and will be modified to address actual materials used, compositions, and catalyst additions (which are not always fixed at 2%).

We hope this information will be sufficient to allow processing to proceed. Should you have any questions, please contact me at my office.

Sincerely,

Tom T. John, P.E.

enclosures: as stated

cc: Frank Passey - Dakota Yachts
Cindy Phillips - FDEP Tallahassee

TTJ:dj

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DAKOTA YACHTS INDUSTRIES, INC.

Raw Material Usage and Emissions Estimates for TITLE V CONSTRUCTION/OPERATION PERMIT

A. Materials Usage		estimated annual usage	
	material	tons	lbs
resin			
	Hydrex 100 ls 33370-22	449.3	898560
	Spraycore 2000-os	262.08	524160
gelcoat			
	Marine Base White	37.44	74880
catalyst			
	ddm9 clear	7.61	15228
	ddm9 red	7.61	15228
misc			
	putty/filler/mold care	12.60	25200
	acetone	not regulated as VOC	

Process Data	tons
total material (less acetone)	776.63
resin	711.36
gel	37.44
other styrene mat'l	12.60
resin catalyst	14.23
gel catalyst	0.75
catalyst for other	0.25
resin+gel	749
total catalyst	15.23
resin/gel	19.0
catalyst added wt%	2.0%

B. Species Compositions, wt %						
	material	styrene	methylmeth acrylate	dimethyl phthalate	methylethyl ketone	Me3PD diIB	general VOC
resin							
	Hydrex 100 ls 33370-22	35%					
	Spraycore 2000-os	35%					
	(weighted 3 Month rolling avg)						
gelcoat							
	(weighted 3 Month rolling avg)	33%	5%				
catalyst							
	ddm9 clear			32%	1%	24%	6%
	ddm9 red			32%	1%	24%	6%
misc							
	putty/filler/mold care	50%					31%

C. Estimated Usage by Species							
	total lbs used/procesed -->	535262	3744	9746	305	7233	9639
	material	styrene	methylmeth acrylate	dimethyl phthalate	methylethyl ketone	Me3PD diIB	general VOC
resin							
	Hydrex 100 ls 33370-22	314496	0	0	0	0	0
	Spraycore 2000-os	183456	0	0	0	0	0
gelcoat							
	Marine Base White	24710	3744	0	0	0	0
catalyst							
	ddm9 clear	0	0	4873	152	3624	914
	ddm9 red	0	0	4873	152	3609	914
misc							
	putty/filler/mold care	12600	0	0	0	0	7812

D. Estimated Emissions by Species							
emission factors:		styrene in	resin	0.11	MMA	0.75
			gelcoat	0.48	DMP	0.0001
			misc	0.11	VOC	1.00
	HAP species ?	Y	Y	Y	Y	N	N
	total tons emitted -->	34.01	1.40	0.00	0.15	3.62	4.82
	total lbs emitted -->	68022	2808	1	305	7233	9639
	material	styrene	methylmeth acrylate	dimethyl phthalate	methylethyl ketone	Me3PD diIB	general VOC
resin							
	Hydrex 100 ls 33370-22	34595					
	Spraycore 2000-os	20180					
gelcoat							
	Marine Base White	11861	2808				
catalyst							
	ddm9 clear			0	152	3624	914
	ddm9 red			0	152	3609	914
misc							
	putty/filler/mold care	1386	0	0	0	0	7812

FACILITY TOTALS (tpy):	styrene	35.41	HAP total	35.97	VOC total	44.00

This spreadsheet represents the proposed record keeping method and should not be used as permit limits

TomJohn Engineering, Inc.

8424 4th St. N. Suite G
St. Petersburg, FL 33702
(727) 579-0403
Fax (727) 579-0205

May 16, 2000

RECEIVED
MAY 22 2000
BUREAU OF AIR REGULATION

Mr. Lennon Anderson
FL Dept of Environmental Protection
P.O. Box 15425
West Palm Beach, FL 33416

re: Dakota Yachts 0850131-002-AC

Dear Mr. Anderson:

We have reviewed the Draft of the referenced air construction permit and offer the following comments for Part III specific conditions.

1.1 The limitation for maximum raw material usage rates is unnecessarily restrictive and not conducive to future reductions in styrene, other HAP, and total VOC content of materials used, as noted in the application. The potential future substitution of higher solids content materials with a correspondingly higher density would reduce emissions, but would have a negative impact on the facility material usage limits under this condition. We recommend rewording of this condition, as proposed in the application, to indicate that this usage level is an indicator only and exceedence is not necessarily a violation of an enforceable condition; exceedence of this limit with a satisfactory demonstration that the facility operations are still in compliance with the emission limitations of the permit would not result in permit non-compliance.

1.4 and 1.5 References to "ARMAL" should be deleted. The use of the "ARMAL" yields a rolling weighted average, the components of which are themselves further limited as 3 month rolling weighted averages (see page MD-3, MACT Determination, May 1, 2000). The expression presented uses the "maximum weighted HAP" contents of the materials rather than the calculated rolling 3 month average values; use of the calculated values would allow flexibility, substituting e.g., lower-than-maximum HAP content clear gelcoat for higher-than-maximum HAP content pigmented gelcoat. If this was the Department's intent, the equations should be revised to reflect that flexibility; if not, the references to ARMAL should be deleted.

1.7 We find the wording of and the series expression and subscripts for the calculation confusing. The calculation requested sums the weight of each material of concern (e.g. resin) used during the three month period (current and preceding 2 months) multiplied by its corresponding individual HAP content, and divides by the sum of the weights of those individual materials used during that period.

If the Department feels it is necessary to include an equation in the permit, we suggest that using summation symbols and subscripts would be appropriate.

1.11 The reference to Sea Ray and the requirement for an operating and maintenance plan and operator training are irrelevant and unnecessary. The application equipment is not "calibrated" against any measuring devices; no flow measuring or stroke counting devices are required for operation, and the pressure gauge is used as an indicator only. Routine maintenance of the application equipment is limited to cleaning of the tips. Proper operation of the equipment is determined by the observed shape and pattern density of the (non atomized) spray during application. Operator training, other than a general description of the activity, is provided "on the job" by the lamination supervisors in most cases. Since there are no enforceable items in the application method, we request that this condition be deleted.

2.1 The requirement for visible emission testing does not identify a testing frequency or start date. We suggest testing prior to permit renewal as consistent with current similar permits.

2.3 The condition should include a de minimum level of HAP below which record keeping is not required; otherwise, impurities and trivially low concentrations will unnecessarily complicate the record keeping. USEPA uses 1% (0.1% for carcinogens) as a de minimus value for the SARA Section 313 reports. Similarly, the condition appears to require that the permittee identify all HAP species in all raw materials used at the facility. To simplify the recordkeeping, we request, as noted in the application, that the significant raw materials be tracked, while exempting materials used sparingly or infrequently, e.g. those with a potential to emit less than 500 lbs. per year. Such uses and subsequent low level of emissions may be considered within the "negligible" range.

Additionally, item 2.3 references specific condition 3.5, which is not included in the 9 page draft conditions sent.

Thank your or your attention to this project. Should you have any questions, please contact me at my office.

Sincerely,

Tom T. John, P.E.

cc: *Cindy Phillips*, FDEP
Scott Sheplack, FDEP
Frank Passey, Dakota Yachts
Gracy Danois, Operating Source Section, USEPA Region 4

BEST AVAILABLE COPY

TomJohn Engineering, Inc.

8424 4th St. N. Suite G
St. Petersburg, FL 33702
(727) 579-0403
Fax (727) 579-0205

July 18, 2000

Mr. Lennon Anderson
FL Department of Environmental Protection
P.O. Box 15425
West Palm Beach, FL 33416

re: Dakota Yachts, 0850131-002-AC

Dear Mr. Anderson:

On May 1, 2000 your office sent out the Draft Permit and Intent to Issue for the referenced source. As noted in our response letter to you and in our subsequent discussions, the Specific Conditions of the Draft Permit references another boat building company. Specific Condition 1.11 states "... Sea Ray shall submit ..." Further, Specific Condition 1.4 and 1.5 reference aggregate limits developed for and requested by Sea Ray for their permit.

We requested that the Draft and Intent be re-issued with references to the other boat company deleted, and provided comments and suggestions on other specific conditions as well. Specific Condition 2.1 requires visible emission testing be performed, but does not identify the starting date or frequency of the testing. In our phone conversation you offered to change the facility references and review our comments on the other specific conditions.

As of this date, we have not receive a revised Draft and Intent to public notice. We would appreciate your efforts to review our comments and would be pleased to discuss the matter with you at your convenience.

Thank you for your attention in this matter. Should you have any questions, please contact me at my office.

Sincerely,

Tom T. John, P.E.

TTJ:dj

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

RECEIVED
AUG 31 2000
BUREAU OF AIR REGULATION

August 28, 2000

CERTIFIED MAIL
7000 0520 0016 6655 3457

In the Matter of an Application for Permit by:

Mr. Frank Passey, President
Dakota Yachts Industries, Inc.
1985 Airport Road
Stuart, FL 34996

DEP File No. 0850131-002-AC
Martin County
Project: Expanision of a fiberglass boat manufacturing facility which triggered Title V and MACT

INTENT TO ISSUE

Dear Mr. Passey:

The Department of Environmental Protection gives notice of its intent to re-issue a permit for the proposed project as detailed in the application specified above, for the reasons stated below. A copy of the revised draft permit is attached.

The applicant, Dakota Yachts, Inc., applied on November 1, 1999, to the Department of Environmental Protection for a permit to construct an air pollution source consisting of a fiberglass boat manufacturing facility. This facility is located at 1985 Airport Road, Stuart, Florida. The purpose of this application was to obtain a permit with Title V conditions which required a case-by-case MACT Determination.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.), to issue or deny permits for air pollution sources. The project is not exempt from permitting procedures. The Department has determined that an air pollution construction permit is required for the proposed work.

The Department intends to re-issue this air construction permit based on Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and the belief reasonable assurances have been provided to indicate the proposed project will not adversely impact air quality, and that the specific conditions in the draft permit limit the potential emissions of air pollutants to the amounts described above.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Air Construction Permit". The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C. requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Air Permitting Section of the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Air Permitting Section of the Department of Environmental Protection, in person at 400 North Congress Avenue, West Palm Beach, Florida 33401, or by mail to the Department of Environmental Protection, Southeast District, P.O. Box 15425, West Palm Beach, Florida 33416 (Telephone 561-681-6600; Fax 561-681-6790). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C..

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

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Air Permitting Section of the Department's Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida's Statutes.. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

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

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
(c) A statement of how and when petitioner received notice of the agency action or proposed action;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
(f) A demand for relief.

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

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

Mediation is not available in this proceeding.

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

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

(a) The name, address, and telephone number of the petitioner;
(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;

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

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

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

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

I. Goldman, P.E. AUG 28 2000
Isidore Goldman, P.E. Date
District Air Program Administrator
Southeast District

IG/la

attachment

cc: Cindy Phillips, P.E., DARM
Gracy Danois, Operating Source Section, U.S. EPA, Region 4
Tom Tittle, Air Program
Tom John, P.E., TJE

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

Clerk 08-28-00 Date

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit to Frank Passey of Dakota Yachts, Inc., to construct an air pollution source consisting of manufacturing fiberglass boats. This facility is located at 1985 Airport Road, Stuart, Florida. The Department's file number in this matter is 0850131-002-AC. The Department intends to issue this permit based on Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and the belief that reasonable assurances have been provided to indicate the proposed project will not adversely impact air quality.

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

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Air Permitting Section of the Department's Southeast District Office, 400 North Congress Avenue, West Palm Beach, Florida 33401. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida's Statutes.. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

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

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
(c) A statement of how and when petitioner received notice of the agency action or proposed action;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
(f) A demand for relief.

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

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

Mediation is not available in this proceeding.

Department of Environmental Protection

Jeb Bush
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

David B. Struhs
Secretary

NOTICE OF AIR POLLUTION PERMIT

August 28, 2000

CERTIFIED MAIL
7000 0520 0016 6655 3457

ISSUED TO:

Dakota Yachts Industries, Inc.
1985 Airport Road
Stuart, FL 34996

Permit Number: 0850131-002-AC
Issue Date:
Expiration Date:

Authorized Representative: Frank Passey, President

PROJECT:

Project: Expansion of a fiberglass boat manufacturing facility which triggered Title V and Maximum Acheivable Control Technology (MACT).
Facility Description: This facility manufactures fiberglass boats for the sports fishing industry (SIC # 3732)
Location: 1985 Airport Road, Stuart, FL 34996, Martin County
UTM: Zone 17; 575.66 Km. E; 3006.34 Km. N

Dear Mr. Passey:

This is Permit Number 0850131-002-AC to construct an air pollution source issued pursuant to Chapter 403.087, Florida Statutes (F.S.). This permit has been issued to incorporate changes requested by the applicant and to simplify and consolidate all previous construction permits into one permit for the facility.

NOTICE OF RIGHTS:

Any party to this Order has the right to seek judicial review of the permit under Section 120.68 of the Florida Statutes, by filing a Notice of Appeal under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Department.

STATEMENT OF BASIS:

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and in conformance with all existing regulations of the Florida Department of Environmental Protection. The above named owner or operator is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department, in accordance with the terms and conditions of this permit.

PART I -- SUMMARY INFORMATION

PERMIT CONTENTS:

Part I -- Summary Information
Part II -- Facility-Wide Specific Conditions
Part III -- Emission Unit Specific Conditions
Appendix A -- General Conditions
Appendix MD – MACT Determination (dated August 15, 2000)

CONSTRUCT: This permit addresses the following air pollution emission units:

Emission Unit Number	Emission Unit Description
001	Fiberglass boatbuilding, resin and gelcoat application, miscellaneous solvents, and related assembly/cleanup activities • Emission Points (EP) 1, 2 and 3 are roof vents

SIGNIFICANT DATES:

Public Notice of Intent Published:	^
Additional Information Received:	February 1, 2000
Request for Additional Information:	January 3, 2000
Application for Title V Statue Received:	November 1, 1999
Public Notice of Intent Published:	June 8, 1999
Application deemed complete:	May 28, 1999
Application for Non-Title V Status Received:	May 26, 1999
Application deemed complete:	March 31, 1999
Additional Information Received:	March 25, 1999
Request for Additional Information:	March 24, 1999
Application for Title V Status Received:	March 12, 1999

PERMIT HISTORY:

PART II -- FACILITY-WIDE SPECIFIC CONDITIONS

Conditions in this part generally apply to all emission units and activities covered under this permit.

1.0 Administrative Requirements

1.1 Regulating Agencies: All applications, tests, reports, notifications, or other submittals required by this permit shall be submitted to the Florida Department of Environmental Protection, Southeast District Office, Air Program at PO Box 15425, West Palm Beach, Florida, 33416 (street address 400 North Congress Avenue, West Palm Beach, Florida, 33401, phone 561/681-6600).

1.2 Citation Format: In this permit, references to F.A.C. Rule 62-xxx refer to rules promulgated under Title 62 of the Florida Administrative Code; references (if any) to 40 CFR 60.xx (or 61.xx or 63.xx) refer to regulations codified under Part 60 (or 61 or 63) of Title 40 of the Code of Federal Regulations.

1.3 Specific and General Conditions: The owner or operator shall be subject to the specific conditions of this permit and the owner or operator shall be aware of, and operate under, the attached General Conditions, attached as Appendix A of this permit. General Conditions are binding and enforceable pursuant to Chapter 403, F.S. [Rule 62-4.160, F.A.C.]

1.4 Applicable Regulations: This facility is subject to regulation of Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and 40 CFR 63. Issuance of this permit does not relieve the facility owner or operator from compliance with any other applicable federal, state or local permitting requirements or other regulations.

1.5 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.

1.6 Waste Disposal: The owner or operator shall treat, store, and dispose of all liquid, soled and hazardous waste in accordance will all applicable Federal, State, and Local regulations.

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 Department of Environmental Protection, Southeast District Office, Air Program **at least 60 days prior** to the expiration date of this permit.
[Rules 62-4.030, 62-4.050, and 62-4.220, F.A.C.]

1.8 Provision for Future USEPA Section 112(d) MACT Determination: At such time as the USEPA promulgates final regulations in 40CFR63 establishing standards for the Boat Manufacturing Industry, and the Department adopts such standards into its rules, the permittee may provide reasonable assurances of its ability to comply with any less restrictive specific provision of the promulgated MACT for "new" sources rather than the more restrictive specific provisions of the case-by-case MACT.
[MACT dated August 15, 2000]

2.0 General Pollutant Emission Limiting Standards

2.1 Objectionable Odor Prohibited: No person shall 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.]

2.2 General Visible Emission Standard: Unless otherwise specified by permit or rule, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emission of air pollutants from any activity, the density of which is equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b), F.A.C.]

2.3 Volatile Organic Compounds/Organic Solvents Emission:

No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.

Such controls include the following:

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

[Rule 62-296.320(1), F.A.C.]

2.4 Unconfined Emission of Particulate Matter:

No person shall cause, let, permit, suffer or allow the emission 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 emission.

Reasonable precautions include the following:

- Paving and maintenance of roads, parking areas and yards.
- Application of water or chemicals to control emission from such activities as demolition of buildings, grading roads, construction, and land clearing.
- Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- 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.
- Landscaping or planting of vegetation.
- Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- Confining abrasive blasting where possible.
- Substitution of powdery materials with granular or pelletized materials, where possible.

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

3.0 Operation Requirements

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

3.2 Excess Emission:

Excess emission resulting from startup, shutdown or malfunction of any emission unit shall be permitted providing best operational practices to minimize emission are adhered to, and the duration of excess emission shall be minimized but in no case exceeds two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

Excess emission 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 startup, shutdown, or malfunction shall be prohibited.
[Rule 62-210.700, F.A.C.]

4.0 Compliance Testing Requirements

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

5.0 Reporting and Record Keeping Requirements

5.1 Report Excess Emission: In case of excess emission resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. (condition 5.2 below). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rule 62-210.700(6), F.A.C.]

5.2 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, the owner or operator shall immediately notify the 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.]

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

5.4 Compliance Test Reports: Compliance test reports shall be submitted to the Department of Environmental Protection, Southeast District Office, Air Compliance Section, as soon as practical, but no later than 45 days after the last sampling run of each test is completed.

Test reports shall provide sufficient detail on the emission unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. Test reports, other than for an EPA or DEP Method 9 test, shall include the following information and other information as necessary to make a complete report required pursuant to F.A.C. Rule 297.310(8)(c):

- The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
- The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
- The type of air pollution control devices installed on the emission unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
- All measured and calculated data required to be determined by each applicable test procedure for each run.
- The detailed calculations for one run that relate the collected data to the calculated emission rate.
- The applicable emission standard, and the resulting maximum allowable emission rate for the emission unit, plus the test result in the same form and unit of measure.

[Rules 62-297.310(8)(a) &(b), F.A.C.]

5.5 Annual Report Required: On or before March 1 of each calendar year, a completed DEP Form 62-210.900(5), Annual Operating Report (AOR) Form for Air Pollutant Emitting Facility, shall be submitted to the Department of Environmental Protection, Southeast District Office, Air Program. **Included with this report shall be any additional reports, if any, required by this permit in Part III -- Emission Unit Specific Conditions.**
[Rule 62-4.070(3), F.A.C.]

PART III -- EMISSION UNIT SPECIFIC CONDITIONS

This part of this permit addresses the following emission units:

Emission Unit Number	Emission Unit Description
001	Fiberglass boatbuilding, resin and gelcoat application, miscellaneous solvents, and related assembly/cleanup activities • Emission Points (EP) 1, 2 and 3 are roof vents.

1.0 Emission Limiting Standards and Operation Restrictions

1.1 Visible Emission: Visible emission shall not be equal to nor exceed 5.0% opacity at any time.
[0850131-001-AC]

1.2 VOC and HAP Emission Limited: Emission of volatile organic compounds (VOC) (including hazardous air pollutants (HAP) shall not exceed 48.0 tons, emission of HAP (including styrene) shall not exceed 48.0 tons, and emission of styrene shall not exceed 48.0 tons, in any consecutive 12-month period.
[Rules 62-4.070(3), 62-204.800(10)(d)2., and 62-210.200 (PTE), F.A.C.]

1.3 Resins HAP Contents Limits: The maximum weighted percentage of total HAP content in resins shall be limited to the following:

- Production resins, 35% total HAP content
- Non-atomized tooling resins, used for making and repair of molds, 39% total HAP content.

[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

1.4 Gel Coats HAP Contents Limits: The maximum weighted percentage of total HAP content in gelcoats shall be limited to the following:

- Pigmented gel coats, 33% total HAP content.
- Base gel coats, 33% total HAP content.
- Clear gel coats, 48% total HAP content.
- Tooling gel coats, used for making and repair of molds, 40% total HAP content.

[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

1.5 Sprayed tooling resins HAP Contents Limits : The maximum weighted percentage of total HAP content in sprayed tooling resins, used for the making and repair of molds shall be limited to 30%, based on a 3-month rolling weighted average.
[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

1.6 Resin & Gel Coat Cleaning Solvents: The owner or operator shall only use resin and gel coat cleaning solvents which contain no HAP. If solvent cleaning machines are used, they must comply with the requirements of 40 CFR 63 Subpart T – Halogenated Solvent Cleaning. A solvent cleaning machine means device or piece of equipment that uses halogenated HAP solvent liquid or vapor to clean the surfaces of materials. Buckets, pails, and beakers with capacities of 7.6 liters (2 gallons) or less are not considered solvent cleaning machines. Halogenated HAP solvents are: methylene chloride, perchloroethylene, trichloroethylene, 1,1,1,-trichloroethane, carbon tetrachloride, and chloroform.
[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

1.7 If the facility uses bottom coatings and any other exterior coatings (except for wood parts), these coatings shall be in compliance with 40 CFR Subpart II – NESHAPs for Shipbuilding and Ship Repair (Surface Coating).

[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

1.8 Non-atomizing Equipment Required: The owner or operator shall only use non-atomizing application equipment for production resins. Dakota Yachts shall submit an operation and maintenance plan and operator training plan including but not limited to equipment calibration methods to achieve maximum HAP reduction;
[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

1.9 No Controls Required: The owner or operator is not required to control emission of HAP from mold sealing, releasing, stripping and repair materials. The owner or operator is not required to control emission of HAPs from coating processes for exterior wood parts.
[Rules 62-4.070(3) and 62-204.800(10)(d)2., F.A.C., and MACT dated August 15, 2000]

2.0 Compliance Monitoring and Testing Requirements

2.1 Visible Emission Test Required: The owner or operator shall test the referenced emission unit(s) for visible emission by EPA Method 9 at EP Nos. 1, 2, and 3. Visible emission tests shall be thirty minutes in duration. Testing is required in the year prior to the expiration of this permit.
[Rules 62-4.070(3) and 62-297, F.A.C.; 0850131-001-AC]

2.2 VOC Content: The owner or operator shall determine the VOC content of all materials, coatings, solvents, and shall monitor the usage of such materials at the referenced emission unit(s) (see specific condition 3.1).
[Rule 62-4.070(3), F.A.C.]

2.3 HAP Content: The owner or operator shall determine the total and individual HAP contents of all materials, coatings, solvents, and shall monitor the usage of such materials at the referenced emission unit(s) (see specific condition 3.1).
[Rule 62-4.070(3), F.A.C]

2.4 Material Usage: The owner or operator shall monitor the usage of all material (i.e., resin, gelcoat, catalyst, putty, filler, etc.) at the referenced emission unit(s).
[Rule 62-4.070(3), F.A.C.]

3.0 Reporting and Record Keeping Requirements

3.1 Records of Emission Required: The permittee shall continuously keep and maintain a five-year ongoing compilation of the following records to demonstrate compliance with the VOC and HAP emission limitations of Specific Condition No. 1.2 of this section. Records shall be completed no later than five working days after the end of each month.

- Amounts in pounds of each material used each month that contains VOC and/or HAP.
- Weight percentage of HAP in materials using the highest value listed on Manufacturer's Safety Data (MSD) Sheets. For non-HAP VOC the mid-point value may be used.
- Amount in pounds of VOC/HAP emitted each month from each material used during the month, calculated by multiplying the amount of each material used by its VOC/HAP content and then by the appropriate emission factor.
- Total amount in pounds of VOC/HAP emitted each month, calculated as the sum of VOC/HAP emitted from each material used during the month as determined above.
- Rolling 12-month total amount in pounds and tons of VOC/HAP emitted in the most recent consecutive 12-month period, calculated as the sum of VOC/HAP emitted for the current month and the preceding eleven months.

[Rules 62-4.070(3) and 62-212.400, F.A.C., MACT dated August 15, 2000]

3.2 Within 60 days following the end of each 6-month period after startup, shall submit a semiannual compliance report.
[MACT dated August 15, 2000]

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

DRAFT

Isidore Goldman, P.E. Date
District Air Program Administrator
Southeast District

IG/la
cc: Scott Sheplack, P.E., Administrator, Bureau of Air Regulation, DEP
Gracy Danois, Operating, Source Section, U.S. EPA, Region 4
Tom John, P.E., TJE

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

DRAFT

Clerk Date

DETERMINATION OF

MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT)

Dakota Yachts Industries, Inc.

1985 Airport Road
Stuart

Martin County

Facility ID No. 0850131

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation

August 14, 2000

RECEIVED
AUG 17 2000
DEPT OF ENV PROTECTION
WEST PALM BEACH

DETERMINATION OF MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT)
DAKOTA YACHTS INDUSTRIES, INC.

On March 10, 1999, Dakota Yachts Industries (DYI) applied to construct a boat manufacturing facility with emissions of 18 tons per year (TPY) of hazardous air pollutants (HAPs). The facility is located at 1985 Airport Road, Stuart, Martin County. Being a new facility, with HAP emissions above the 12/25 TPY major source threshold, a MACT Determination was required. Subsequently, DYI decided to synthetically limit its operations below the 12/25 TPY threshold. The air construction permit, which synthetically limited the facility, was received by DYI on June 24, 1999.

On November 1, 1999, DYI applied to increase the permitted limit of styrene emissions above the 12/25 TPY major source threshold. However, that application did not clarify how it was possible for DYI to increase the HAP emission from 18 TPY to 48 without any physical construction.

MACT DETERMINATION PROCEDURE:

The U.S. Environmental Protection Agency (USEPA) proposed NESHAP MACT standards for the boat manufacturing industry on July 14, 2000. The final standards are expected to be promulgated sometime in 2001. Until a NESHAP is promulgated, the Department is required by its rules to develop a case-by-case determination of Maximum Achievable Control Technology (MACT) for new major sources of HAPs.

The provisions of 40 CFR 63, Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections, Sections 112(g) and 112(j), were adopted as Rule 62-204.800(10)(d)2, F.A.C. Section 112(g) requires the case-by-case MACT determination mentioned above. Following is the definition of case-by-case MACT pursuant to Section 112(g) for new sources of hazardous air pollutants:

> *Maximum Achievable Control Technology (MACT) emission limitation for new sources means* "the emission limitation which is not less stringent than the emission limitation achieved by the best controlled similar source, and which reflects the maximum degree of reduction in emissions that the permitting authority, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by the constructed source."
>
> *Similar source* means "a stationary source or process that has comparable emissions and is structurally similar in design and capacity to a constructed or reconstructed source such that the source could be controlled using the same control technology."

The regulations state that in making the MACT Determination, the Department should give consideration to:

(a) Any Environmental Protection Agency proposed relevant emission standard pursuant to section 112(d) or section 112(h) of the Act or an adopted presumptive MACT determination for the source category which includes the constructed or reconstructed major source.

(b) Available information as defined in 40 CFR 63.41. *Available information* means, for purposes of identifying control technology options for the affected source, information contained in the following information sources as of the date of the approval of the MACT determination by the permitting authority:

(1) A relevant proposed regulation, including all supporting information;

(2) Background information documents for a draft or proposed regulation;

(3) Data and information available for the Control Technology Center developed pursuant to Section 113 of the Act;

(4) Data and information contained in the Aerometric Informational Retrieval System including information in the MACT data base;

(5) Any additional information that can be expeditiously provided by the Administrator; and

(6) For the purpose of determinations by the permitting authority, any additional information considered available by the permitting authority.

MACT DAKOTA YACHTS INDUSTRIES, INC.:

DYI proposed MACT on January 27, 2000.

PROBABLE MACT DETERMINATION BY EPA:

The USEPA proposed MACT standards for boat manufacturing sources on July 14, 2000. One of the options in the proposed standards includes the following limits:

1. The use of production resins that contain a maximum weighted average of 35% total HAP content, based on Manufacturer's Safety Data Sheets (MSDS), with compliance determined on a 3-month rolling average;
2. The use of non-atomizing application equipment for production resins;
3. The use of base gel coats and pigmented gel coats that contain a maximum weighted average of 33% total HAP content, based on MSDS, with compliance determined on a 3-month rolling average;
4. The use of clear gel coats that contain a maximum weighted average of 48% total HAP content, based on MSDS, with compliance determined on a 3-month rolling average;
5. The use of sprayed tooling resins, used for repair of molds, that contain a maximum weighted average of 30% total HAP content, based on MSDS, with compliance determined on a 3-month rolling average;

6. The use of non-atomized tooling resins, used for making and repair of molds, that contain a maximum weighted average of 39% total HAP content based on MSDS, with compliance determined on a 3-month rolling average;
7. The use of tooling gel coats, used for making and repair of molds, that contain a maximum weighted average of 40% total HAP content, based on MSDS, with compliance determined on a 3-month rolling average;
8. No control of hazardous air pollutants emitted from mold sealing, releasing, stripping, and repair materials;
9. No control of hazardous air pollutants emitted from wood coating;
10. The use of resin and gel coat cleaning solvents that contain no HAP;
11. The use of carpet and fabric adhesives that contain no HAP;
12. The use of the highest styrene content in calculations when MSDS ranges are used.

MACT DETERMINATION:

Background information documents posted on the United Air Toxics Website include Draft Data Summary Tables. The Production Resin Draft Summary Table lists Bombardier Motor Corp. of America as the best controlled fiberglass boat manufacturing facility. Bombardier uses a thermal oxidizer to control emissions from atomized spray application of resin. The table notes that Bombardier uses a resin with a weighted average of 42.0 % HAP in "neat resin plus", and notes that for the thermal oxidizer, 100% capture and 95% control are assumed. "Neat resin plus" is defined as the neat resin plus and HAP that is added to the resin at the facility (fillers not included). The question arises as to whether DYI is similar to Bombardier because Bombardier makes personal watercraft instead of boats.

The Production Resin Draft Summary Table lists Corsair Marine as the second best controlled fiberglass boat manufacturing facility. Corsair Marine located in Chula Vista, California, uses low styrene content materials and vacuum bagging to manufacture trimarans, 3-part catamarans. Vacuum bagging reduces HAP emissions by 45 percent.

The HAP limits for ship marine coatings as listed in Subpart II can be reasonably applied to boat marine coatings, such as bottom coatings, on the basis of the similar source definition applicable to 112(g) case-by-case MACT determinations. Marine coatings for ships have emissions comparable to emissions from marine coatings for boats. Ships and boats are structurally similar in design and capacity such that the source could be controlled using the same control technology, i.e., low-HAP marine coatings. The Antifoulant Coatings Draft Summary Table found on the United Air Toxics Website, indicates that the ship antifoulant coating HAP limits contained in Subpart II can be met by boat manufacturers as well.

After reviewing the applicant's proposed MACT, information from EPA, information concerning facilities permitted in other states, and existing NESHAP standards, the Department has made the determination that Maximum Achievable Control Technology (MACT) for this facility shall be:

1. the use of production resins that contain a maximum weighted average of 35% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average;
2. the use of non-atomizing application equipment for production resins; DYI shall submit an operation and maintenance plan and operator training plan including but not limited to equipment calibration methods to achieve maximum HAP reduction;
3. the use of base gel coats and pigmented gel coats that contain a maximum weighted average of 33% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average;
4. the use of clear gel coats that contain a maximum weighted average of 48% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average;
5. the use of sprayed tooling resins, used for making and repairing molds, that contain a maximum weighted average of 30% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average;
6. the use of non-atomized tooling resins, used for making and repair of molds, that contain a maximum weighted average of 39% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average;
7. the use of tooling gel coats, used for making and repair of molds, that contain a maximum weighted average of 40% total HAP content, based on Manufacturer's Safety Data (MSD) Sheets, with compliance determined on a 3-month rolling average;
8. no control of hazardous air pollutants emitted from mold sealing, releasing, stripping, and repair materials;
9. no control of hazardous air pollutants emitted from coating processes for exterior wood parts.
10. the use of bottom coatings and any other exterior coatings (except for wood parts) that are compliant with 40 CFR 63 Subpart II - NESHAPs for Shipbuilding and Ship Repair (Surface Coating);
11. the use of resin and gel coat cleaning solvents that contain no HAPs. An exception is the use of solvent cleaning machines which comply with the requirements of 40 CFR 63 Subpart T- Halogenated Solvent Cleaning;
13. the use of the highest styrene content in calculations when Manufacturer's Safety Data (MSD) Sheets with styrene content ranges are used.

Recordkeeping and Reporting Requirements:

14. DYI shall compile records on a monthly basis and maintain those records for a minimum of 5 years. At a minimum, these records shall include:
    a. the identification of all coatings used (resins, gel coats, marine coatings, adhesives, etc.),
    b. certification of the as-supplied HAP/VOC content of each batch of coating,
    c. the volume of each coating applied,
    d. amount of thinner used, and
    e. determination of compliance with the appropriate HAP limit.

15. Within 60 days following the end of each 6-month period after startup, shall submit a semi-annual compliance report.

PROVISION FOR FUTURE USEPA SECTION 112(D) MACT DETERMINATION

At such time as the USEPA promulgates final regulations in 40CFR63 establishing standards for the Boat Manufacturing Industry, and the Department adopts such standards into its rules, the permittee may provide reasonable assurances of its ability to comply with the "new source" standards and may then, for purposes of MACT compliance, comply with any less restrictive specific provision of the promulgated MACT for "new" sources rather than the more restrictive specific provisions of the case-by-case MACT.

DETAILS OF THE ANALYSIS MAY BE OBTAINED BY CONTACTING:

Cindy L. Phillips, P.E.
Air Toxics/Title III Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400
850/921-9534
Cindy.Phillips@dep.state.fl.us

Recommended by:

Cindy L. Phillips, P.E. — 8/15/00 Date
Air Toxics/Title III Section
Bureau of Air Regulation

Approved by:

Howard L. Rhodes, Director — 8/15/00 Date
Division of Air Resources Management

C. H. Fancy, P.E. — 8/15/00 Date
Chief
Bureau of Air Regulation

APPENDIX --A

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any 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 of 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.

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.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

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.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

   (a) Have access to and copy any 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.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:

   (a) A description of and cause of noncompliance; and

GENERAL CONDITIONS CONTINUED:

(b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, Florida Administrative Code (F.A.C.), as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. 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 for 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:

the date, exact place, and time of sampling or measurements;
the person responsible for performing the sampling or measurements;
the date(s) analyses were performed;
the person responsible for performing the analyses;
the analytical techniques or methods used; and
the results of such analyses.

14. 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 the 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 submitted or corrected promptly.