



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

September 18, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Dennis Wilson, VP/General Manager
Sea Ray Boats, Inc.
350 Sea Ray Drive
Merritt Island, Florida 32953

Re: DRAFT Permit Amendment (0090093-003-AC/PSD-FL-274)
Cape Canaveral Plant

Dear Mr. Wilson:

Enclosed is one copy of the Draft Air Construction Permit Amendment for rescheduling ambient monitoring for the Cape Canaveral Plant in Brevard County. The Department's Intent to Issue Air Construction Permit Amendment and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT" are also included.

The "PUBLIC NOTICE" must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section, at the above letterhead address. If you have any questions, please contact J. M. Reynolds at 850/921-9530.

Sincerely,

C. H. Fancy, P.E., Chief,
Bureau of Air Regulation

CHF/JR

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>Ms. Sue Carlson, Chair Brevard County Board of County Commissioners 2725 Judge Fran Jamieson Way, Bldg. C Viera, FL 32940</p>		<p>C. Signature</p> <p>X <i>Donna Cole</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p> <p>7000 0600 0026 4129 8023</p>			
PS Form 3811, July 1999		Domestic Return Receipt 102595-99-M-1789	

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
<p>Postage \$</p> <p>Certified Fee</p> <p>Return Receipt Fee (Endorsement Required)</p> <p>Restricted Delivery Fee (Endorsement Required)</p> <p>Total Postage & Fees \$</p>	
<p>Postmark Here</p>	
<p>Recipient's Name (Please Print Clearly) (to be completed by mailer)</p> <p>Dennis Wilson, V.P./General Manager</p> <p>Street, Apt. No., or PO Box No.</p> <p>350 Sea Ray Drive</p> <p>City, State, ZIP+4</p> <p>Merritt Island, FL 32953</p>	
<p>PS Form 3800, February 2000 See Reverse for Instructions</p>	

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
<p>Postage \$</p> <p>Certified Fee</p> <p>Return Receipt Fee (Endorsement Required)</p> <p>Restricted Delivery Fee (Endorsement Required)</p> <p>Total Postage & Fees \$</p>	
<p>Postmark Here</p>	
<p>Recipient's Name (Please Print Clearly) (to be completed by mailer)</p> <p>Sue Carlson, Chair</p> <p>Street, Apt. No., or PO Box No.</p> <p>2725 Judge Fran Jamieson Way, Bldg. C</p> <p>City, State, ZIP+4</p> <p>Viera, FL 32940</p>	
<p>PS Form 3800, February 2000 See Reverse for Instructions</p>	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p> <p>L. Price 9.24.99</p>	
<p>1. Article Addressed to:</p> <p>Mr. Dennis Wilson, VP/General Mgr. Sea Ray Boats, Inc. 350 Sea Ray Drive Merritt Island, FL 32953</p>		<p>C. Signature</p> <p>X <i>L. Price</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Copy from service label)</p> <p>7000 0600 0026 4129 9006</p>			
PS Form 3811, July 1999		Domestic Return Receipt 102595-99-M-1789	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Kevin Thompson
 Director of Environmental Management
 Sea Ray Boats, Inc.
 2600 Sea Ray Blvd.
 Knoxville, TN 37914

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Cindy Williams 9-21

C. Signature

Cindy Williams

Agent

Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7000 0600 0026 4129 8993

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

7000 0600 0026 4129 8993

[Redacted area]

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Recipient's Name (Please Print Clearly) (to be completed by mailer)

Mr. Kevin Thompson

Street, Apt. No., or PO Box No.

2600 Sea Ray Blvd.

City, State, ZIP+4

Knoxville, TN 37914

PS Form 3800, February 2000

See Reverse for Instructions

In the Matter of an
Application for Permit Amendment by:

Mr. Dennis Wilson, VP/General Manager
Sea Ray Boats, Inc.
350 Sea Ray Drive
Merritt Island, Florida 32953

DEP File No. 0090093-003-AC (PSD-FL-274)
Cape Canaveral Plant
Brevard County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment (copy of DRAFT amendment attached) for the project detailed in the permit specified above, for the reasons stated below.

The applicant, Sea Ray Boats, Inc., applied on July 3, 2001 (complete on August 16, 2001) to the Department for an amendment to its air construction permit that would suspend ambient monitoring in view of unanticipated delays in startup of lamination processing for the Cape Canaveral Plant in Brevard County. The original construction permit for a boat manufacturing facility at the Cape Canaveral site (issued on May 11, 2000) included a requirement for ambient monitoring to begin prior to commencement of lamination processing and continue for a total monitoring period of at least 30 months. The ambient monitoring schedule did not anticipate a delay in startup of lamination operations. Sea Ray Boats has notified the Department that the facility has been constructed but there is currently no anticipated date to begin lamination. Approximately twelve months of background monitoring have been obtained thus far. In response to Sea Ray's application for this permit amendment, the local neighborhood representative has requested that the Department require at least 24 months of ambient monitoring following commencement of lamination. Therefore, the Department intends to amend the permit to suspend background monitoring until lamination begins, at which time monitoring will be resumed and continued for at least 24 months. As before, cessation of ambient monitoring after the 24-month period shall require Department approval.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of this facility will not adversely impact air quality, and the facility will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

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 Amendment. 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 Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). 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 amendment as proposed unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit amendment action for a period of 30 (thirty) days from the date of publication of the enclosed Public Notice. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-

2400. Any written comments filed shall be made available for public inspection. If comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit amendment and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

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 the 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 Tallahassee, Florida.



C. H. Fancy, P.E., Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Air Construction Permit Amendment (including the Public Notice and the DRAFT permit amendment) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 9/20/01 to the person(s) listed:

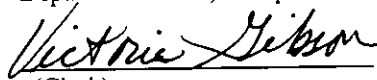
Dennis Wilson, SRBI* ✓
Kevin Thompson, SRBI* ✓
Gregg Worley, EPA ✓
John Bunyak, NPS ✓
Len Kozlov, DEP CD ✓
Leesa Souto, Brevard County ONRM ✓

John R ✓
AK ✓
Cleve ✓

Ken Kosky, P.E., Golden ✓
Pete Cantelou, P.E., CHPI ✓
Angela Morrison, Esq. HGSS ✓
Chair, Brevard County BCC* ✓
Clarence Rowe ✓

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) 9/20/01
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0090093-003-AC (PSD-FL-274)

Sea Ray Boats, Inc.
Cape Canaveral Plant
Brevard County

The Department of Environmental Protection (Department) gives notice of its intent to issue an amendment to the referenced air construction permit issued under the requirements for the Prevention of Significant Deterioration (PSD) of Air Quality to Sea Ray Boats, Inc. The permit amendment applies to Sea Ray's facility at 1200 Sea Ray Drive in Merritt Island. The permittee's corporate address is Sea Ray Boats, Inc., 350 Sea Ray Drive, Merritt Island, Florida 32953.

Sea Ray was issued an air construction permit on May 11, 2000, for a new fiberglass boat manufacturing plant called the Cape Canaveral Plant. The permit required a Best Available Control Technology (BACT) determination for volatile organic compounds (VOC) and a maximum achievable control technology (MACT) determination for hazardous air pollutants (HAP) pursuant to Rules 62-212.400 and 62-204.800, F.A.C., respectively. A condition of the permit required weekly ambient monitoring of styrene concentrations in the vicinity of nearby residences downwind from the plant. The proposed amendment would temporarily suspend ambient monitoring in view of unanticipated delays in startup of lamination processing for the Cape Canaveral Plant.

The construction permit required that ambient monitoring begin within 30 days after issuance of the permit and continue for a total monitoring period of at least 30 months. The ambient monitoring schedule did not anticipate a delay in startup of lamination operations. Sea Ray Boats has notified the Department that the facility has been constructed but there is currently no anticipated date to begin lamination. Approximately twelve months of background monitoring have been obtained thus far. In response to Sea Ray's application for this permit amendment, the local neighborhood representative has requested that the Department require at least 24 months of ambient monitoring following commencement of lamination. Therefore, the Department intends to amend the permit to suspend ambient monitoring until lamination begins, at which time monitoring will be resumed and continued for at least 24 months. As before, cessation of ambient monitoring after the 24-month period shall require Department approval.

The Department will issue the FINAL Permit Amendment, in accordance with the conditions of the DRAFT Permit Amendment, unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit Amendment. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If 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 amendment with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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.

Notice for Newspaper

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/922-6979	Dept. of Environmental Protection Central District Office 3319 Maguire Boulevard, Suite 232 Orlando, Florida 32803-3767 Telephone: 407/894-7555 Fax: 407/897-5963	Brevard County Office of Natural Resource Management/Bldg. A 2725 Judge Fran Jamison Way Melbourne (Viera), Florida 32940 Telephone: 407/633-2016 Fax: 407/633-2029
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The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. The draft permit, technical evaluation and preliminary BACT determination can be accessed at <http://www8.myflorida.com/licensingpermitting/learn/environment/air/airpermit.html>

DRAFT

September XX, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Dennis Wilson, VP/General Manager
Sea Ray Boats, Inc.
350 Sea Ray Drive
Merritt Island, Florida 32953

RE: DEP File No. 0090093-003-AC (PSD-FL-274)
Cape Canaveral Plant – Permit Amendment

Dear Mr. Wilson:

This is in response to your July 3, 2001 request and the additional information subsequently submitted to amend the ambient monitoring requirements of the referenced construction permit. The permit is hereby modified as shown below:

SPECIFIC CONDITION 15

Ambient Monitoring/Odor Testing Required: Prior to the commencement of lamination processing, the permittee shall conduct ambient monitoring to detect and record styrene emissions. Ambient monitoring shall be conducted once a week during the operation of the Lamination/Assembly Building. The monitoring shall be done on the first day of the business week that the wind blows in the direction of the Island Crossing and Riverwalk neighborhoods between the hours of 6:00 a.m. and 8:00 a.m.; otherwise, the monitoring shall be conducted on Thursday regardless of the wind direction. The monitoring shall be conducted for at least ~~30~~ 24 months starting ~~within 30 days after issuance of this permit upon commencement of lamination processing.~~ Cessation of the ambient monitoring requirement after the ~~30~~ 24-month period shall require Department approval and shall depend upon the monitoring results as well as the number and nature of complaints registered by neighbors over the ~~30~~ 24-month period. The ambient monitoring shall be conducted using EPA Method TO14. The ambient monitoring location shall be selected jointly by the Department and representatives of the local residential community. The ambient monitoring data shall be made available for inspection by the Department and/or authorized representatives of the local residential community as reasonably requested. "Authorized representatives of the local residential community" means any member of a single board or council established by local homeowners for this purpose. [Rules 62-296.320(1)(a)&(2) and 62-210.200(203), F.A.C.]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental

Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Dennis Wilson, SRBI*
Kevin Thompson, SRBI*
Gregg Worley, EPA
John Bunyak, NPS
Len Kozlov, DEP CD
Leesa Souto, Brevard County ONRM
Ken Kosky, P.E., Golder

Pete Cantelou, P.E., CHPI
Angela Morrison, Esq. HGSS
Chair, Brevard County BCC*
Clarence Rowe

Clerk Stamp

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52,
Florida Statutes, with the designated
Department Clerk, receipt of which is hereby
acknowledged.

(Clerk)

(Date)