Department of Environmental Protection

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

December 6, 2005

CERTIFIED MAIL NO. 7005 2570 0001 3276 9273
RETURN RECEIPT REQUESTED

Mr. Paul Guard, President
Action Craft, Inc.
2603 Andalusia Boulevard
Cape Coral, Florida 33909

Re: Title V Air Operation Permit Revision
DRAFT Permit Project No.: 0710128-004-AV
Revision to Title V Air Operation Permit No.: 0710128-003-AV
Action Craft, Inc.

Dear Mr. Guard:

One copy of the DRAFT Permit for a Title V Air Operation Permit Revision for Action Craft, Inc. located at 2603 Andalusia Boulevard, Cape Coral, Lee County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" are also included.

An electronic version of the DRAFT Permit will be posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

"http://www.dep.state.fl.us/air/eproducts/ards/default.asp"

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit revision pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Ronald D. Blackburn, District Air Program Administrator, at the above letterhead address. If you have any other questions, please contact Carter Endsley, at (239) 332-6975, ext. 127.

Sincerely,

Jon M. Iglehart
Director of
District Management

JMI/DLN/rcd
Enclosures

In the Matter of an
Application for Permit Revision by:

Action Craft, Inc.
2603 Andalusia Boulevard
Cape Coral, Florida 33909
_____/

DRAFT Permit Project No.: 0710128-004-AV
Revision to Title V Air Operation Permit No.: 0710128-003-AV
Action Craft, Inc.
Lee County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision (copy of DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below. This is a revision to Title V Air Operation Permit No. 0710128-003-AV.

The applicant, Action Craft, Inc., submitted National Emission Standards for Hazardous Air Pollutants information on June 29, 2005, to the permitting authority for a Title V Air Operation Permit Revision for their facility located at 2603 Andalusia Boulevard, Cape Coral, Lee County.

This permit revision is being issued for the purpose of opening your Title V Permit for cause and incorporating the applicable requirements of 40 CFR 63 Subpart VVVV for National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing, changing several Specific Conditions established in Title V Air Operation Permit No. 0710128-003-AV.

The permitting authority 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 62-213. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V Air Operation Permit Revision is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V Air Operation Permit Revision based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. 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 permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department of Environmental Protection, Post Office Box 2549, Fort Myers, Florida 33902-2549, (Telephone: (239) 332-6975, Fax: (239) 332-6969), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permit revision pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the attached DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit revision issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000, Telephone: (850) 245-2242, Fax: (850) 245-2303. Petitions filed by the permit revision 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), F.S., 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), F.S., however, any person who asked the permitting authority 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, F.A.C.

A petition that disputes the material facts on which the permitting authority'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 each 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;

(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 permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority'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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection 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 of Environmental Protection, 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 United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARMENT
OF ENVIRONMENTAL PROTECTION

Jon M. Iglehart
Director of
District Management
Post Office Box 2549
Fort Myers, Florida 33902-2549
(239) 332-6975

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the PUBLIC NOTICE and the DRAFT Permit package) and all copies were sent by certified mail or electronically (with Received Receipt) before the close of business on Dec 8th, 2005 to the person listed:

Paul Guard, Action Craft, Inc.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the PUBLIC NOTICE and the DRAFT Permit) were sent by U.S. mail or electronically (with Received Receipt) on the same date to the person listed or as otherwise noted:

Tom John, P.E., Tom John Engineering, Inc.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the DRAFT Permit package) were sent by U.S. mail or electronically (with Received Receipt) on the same date to the person listed:

Barbara Friday, BAR [barbara.friday@dep.state.fl.us] (for posting with Region 4 , U.S. EPA)

Clerk Stamp

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

Regina C. Dick 12/8/05
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Project No.: 0710128-004-AV
Revision to Title V Air Operation Permit No. 0710128-003-AV
Action Craft, Inc.
Lee County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Action Craft, Inc. for their facility located at 2603 Andalusia Boulevard, Cape Coral, Lee County. This is a revision to Title V Air Operation Permit No. 0710128-003-AV. The applicant's name and address are: Action Craft, Inc.; Paul Guard, 2603 Andalusia Boulevard, Cape Coral, Florida 33909.

This permit revision is being issued for the purpose of opening your Title V Permit for cause and incorporating the applicable requirements of 40 CFR 63 Subpart VVVV for National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing, changing several Specific Conditions established in Title V Air Operation Permit No. 0710128-003-AV.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION." Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at Department of Environmental Protection, Post Office Box 2549, Fort Myers, Florida 33902-2549 or facsimile (239) 332-6969. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at http://tlhora6.dep.state.fl.us/onw and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000, Telephone: (850) 245-2242, Fax: (850) 245-2303. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority 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 applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority'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; 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 petitioner's substantial rights will be affected by the agency determination;

(c) A statement of how and when the 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 state;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;

(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 permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority'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 permitting authority 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 for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

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:

<u>Permitting Authority:</u>
Florida Department of Environmental Protection
2295 Victoria Avenue, Suite 364W
Fort Myers, Florida 33901
Telephone: (239) 332-6975
Fax: (239) 332-6969

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Carter Endsley, at the above address, or call 239-332-6975, for additional information.

Action Craft, Inc.
Facility ID No.: 0710128
Lee County

Title V Air Operation Permit Revision

DRAFT Permit No.: 0710128-004-AV
Revision to Title V Air Operation Permit No.: 0710128-003-AV

Permitting Authority:
State of Florida Department of Environmental Protection
Post Office Box 2549
Fort Myers, Florida 33902-2549
Telephone: (239) 332-6975
Fax: (239) 332-6969

Title V Air Operation Permit Revision

DRAFT Permit No.: 0710128-004-AV
Revision to Title V Air Operation Permit No.: 0710128-003-AV

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Appendix I-1, List of Insignificant Emissions Units and/or Activities
APPENDIX TV-5, TITLE V CONDITIONS version dated 03/28/05
Table 1 to 40 CFR 63 Subpart VVVV - Compliance Dates for New and Existing Boat Manufacturing Facilities
Table 2 to 40 CFR 63 Subpart VVVV - Alternative HAP Content Requirements for Open Molding Resin and Gel Coat Operations
Table 3 to 40 CFR 63 Subpart VVVV - MACT Model Point Value Formulas for Open Molding Operations
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Department of Environmental Protection

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

Permittee:
Action Craft, Inc.
2603 Andalusia Boulevard
Cape Coral, Florida 33909

DRAFT Permit No.: 0710128-004-AV
Facility ID No.: 0710128
SIC No.: 3732
Project: Title V Air Operation Permit Revision to incorporate applicable requirements of 40 CFR 63 Subpart VVVV

This permit revision is being issued for the purpose of opening your Title V Permit for cause and incorporating the applicable requirements of 40 CFR 63 Subpart VVVV for National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing, changing several Specific Conditions established in Title V Air Operation Permit No. 0710128-003-AV, in accordance with Rules 62-4.080(1) and 62-213.430(4), F.A.C., and 40 CFR 70.7(f) at the existing Action Craft, Inc. This facility is located at 2603 Andalusia Boulevard, Cape Coral, Lee County; UTM Coordinates: Zone 17, 405.8 km East and 2953.7 km North; and, Latitude: 26° 42' 10" North and Longitude: 81° 57' 23" West.

This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:
Appendix I-1, List of Insignificant Emissions Units and/or Activities
APPENDIX TV-5, TITLE V CONDITIONS version dated 03/28/05
Table 1 to 40 CFR 63 Subpart VVVV - Compliance Dates for New and Existing Boat Manufacturing Facilities
Table 2 to 40 CFR 63 Subpart VVVV - Alternative HAP Content Requirements for Open Molding Resin and Gel Coat Operations
Table 3 to 40 CFR 63 Subpart VVVV - MACT Model Point Value Formulas for Open Molding Operations
Table 5 to 40 CFR 63 Subpart VVVV - Default Organic HAP Contents of Solvents and Solvent Blends
Table 6 to 40 CFR 63 Subpart VVVV - Default Organic HAP Contents of Petroleum Solvent Groups
Table 7 to 40 CFR 63 Subpart VVVV - Applicability and Timing of Notifications
Table 8 to 40 CFR 63 Subpart VVVV - Applicability of General Provisions (40 CFR Part 63, Subpart A) to Subpart VVVV

Initial Effective Date: May 23, 2001
Revision Effective Date: DRAFT
Renewal Application Due Date: November 23, 2005
Expiration Date: May 23, 2006

Jon M. Iglehart
Director of
District Management

JMI/DLN/rcd

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of a fiberglass boat manufacturing plant. There is a portion of the facility where various boat molds are coated with gel coat, and then a fiberglass resin coating is applied to build up the hull and deck parts. In another part of the facility, the boats are assembled and finished, including hardware and trim. The facility also makes the molds that are used for the boats.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the Title V Air Operation Permit Revision to incorporate the applicable requirements of National Emission Standards for Hazardous Air Pollutants information received June 29, 2005, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID No. and Brief Description.

E.U. ID No.	Brief Description
001	Boat Building Using Fiberglass

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit ID No. on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:
Table 1-1, Summary of Air Pollutant Standards and Terms
Table 2-1, Summary of Compliance Requirements
Appendix A-1: Abbreviations, Acronyms, Citations, and Identification Numbers
Appendix H-1: Permit History
Statement of Basis

These documents are on file with the permitting authority:
Initial Title V Air Operation Permit issued May 23, 2001.
Title V Air Operation Permit Revision - National Emissions Standards for Hazardous Air Pollutants information received June 29, 2005.
Request for Additional Information sent June 17, 2005.
Request for Additional Information received October 14, 2005.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-5, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-5, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}

2. General Pollutant Emission Limiting Standards. 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. and Construction Permit 0710128-002-AC dated October 4, 2000; Effective Date: DRAFT]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA).
a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:

RMP Reporting Center
Post Office Box 1515
Lanham-Seabrook, MD 20703-1515
Telephone: 301/429-5018

and,
b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.
[40 CFR 68]

5. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]

6. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.

a. The permittee shall insure that all VOC's and organic solvents are emitted through the exhaust stack and vents (i.e. ensure a high capture efficiency). The building shall be operated at a slight negative pressure. Doors and windows shall be closed whenever possible. In the event that there are complaints about objectionable odor from nearby facilities, it will be necessary to review the

permit and determine if it will be necessary to add control equipment or modify the exhaust system;

b. All equipment, pipes, hoses, lids, fittings, etc., shall be operated/maintained in such a manner as to minimize leaks, fugitive emissions, and spills of solvent materials; and,

c. To the extent it is reasonable practicable, each source of VOC emissions shall be equipped with a close fitting hood or cover. Whenever possible, the hood or cover shall be closed.

[Rule 62-296.320(1)(a), F.A.C. and 0710128-002-AC dated October 4, 2000; Effective Date: DRAFT]

7. Emissions of Unconfined Particulate Matter. Pursuant to Rules 62-296.320(4)(c)1., 3. & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following requirements (see Condition 57. of APPENDIX TV-5, TITLE V CONDITIONS):

a. Removal of particulate matter from roads and other paved areas under the control of the permittee, and from buildings or work areas to prevent particulate from becoming airborne;

b. Landscaping or planting of vegetation;

c. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter; and,

d. Confining abrasive blasting and sanding where possible.

[Rule 62-296.320(4)(c)2., F.A.C. and 0710128-002-AC dated October 4, 2000; Effective Date: DRAFT]

8. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.
[Rule 62-213.440, F.A.C.]

9. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)2., F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.
[Rules 62-213.440(3) and 62-213.900, F.A.C.]

{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-5, TITLE V CONDITIONS)}

10. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's South District office.

Department of Environmental Protection
South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549
Telephone: 239/332-6975; Fax: 239/332-6969

11. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch, Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9155, Fax: 404/562-9164

12. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.
[Rule 62-213.420(4), F.A.C.]

Section III. Emissions Unit and Conditions.

Subsection A. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
001	Boat Building Using Fiberglass

This emission unit is a portion of the facility where various boat molds are coated with gel coat, and then a fiberglass-resin coating is applied to build up the hull and deck parts. The same area can be used to fabricate fiberglass tanks for domestic and industrial use with similar pollution emissions. HAP and VOC emissions are the result of evaporation during the application stage and also the curing stage of the resins and gel coats. The boat manufacturing operations are open molding resin and gel coat operation (including pigmented gel coat, clear gel coat, production resin, tooling gel coat, and tooling resin); resin and gel coat mixing operation; resin and gel coat application equipment cleaning operation; and carpet and fabric adhesive operation.

{Permitting note: This emissions unit is regulated under: NESHAP - 40 CFR 63, Subpart VVVV National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing, adopted and incorporated by reference in Rule 62-204.800, F.A.C.}

The following specific conditions apply to the emissions unit listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. Maximum material usage [material which emits volatile organic compound/organic solvents (VOC/OS)] is approximately 500 tons of VOC content in raw materials processed per year.
[Rules 62-4.160(2), and 62-210.200(PTE), F.A.C. and Initial Title V application dated September 22, 1999; Effective Date: DRAFT]

A.2. Method of Operation. The permittee's boat manufacturing operations are as followed:

a. Open molding resin and gel coat operation (including pigmented gel coat, clear gel coat, production resin, tooling gel coat, and tooling resin).
b. Resin and gel coat mixing operation.
c. Resin and gel coat application equipment cleaning operation.
d. Carpet and fabric adhesive operation.

These operations are subject to 40 CFR 63 Subpart VVVV National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.
[40 CFR § 63.5689; Effective Date: DRAFT]

A.3. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours per year.
[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

A.4. The permittee must comply with the standards in 40 CFR 63 Subpart VVVV one year after becoming a major source as specified in Table 1 to 40 CFR 63 Subpart VVVV - Compliance Dates for New and Existing Boat Manufacturing Facilities.
[40 CFR § 63.5695; Effective Date: DRAFT]

A.5. Gel coat shall be applied using a high transfer efficiency airless spray gun.
[Rule 62-296.320(1), F.A.C. and Initial Title V permit dated May 23, 2001; Effective Date: DRAFT]

A.6. Resin shall be applied using non-atomizing application equipment (pressure-fed rollers and/or flow coaters).
[Rule 62-296.320(1), F.A.C. and Initial Title V permit dated May 23, 2001; Effective Date: DRAFT]

A.7. The resin and gel coats used at the facility are not restricted to specific products and manufacturers. The permittee may substitute resin and gel coats and adjust the amounts used as needed to comply with the conditions of this permit.
[Rule 62.4-070(3), F.A.C. and Initial Title V permit dated May 23, 2001; Effective Date: DRAFT]

Emission Limitations and Standards

{Permitting Note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.8. Volatile organic compounds (VOCs) emissions shall not exceed 40 tons in any consecutive 12-month period.
[Initial Title V permit dated May 23, 2001; Effective Date: DRAFT]

A.9. Styrene emissions shall not exceed 40 tons in any consecutive 12-month period.
[Initial Title V permit dated May 23, 2001; Effective Date: DRAFT]

A.10. Total Hazardous air pollutants (HAPs) emissions shall not exceed 40 tons in any consecutive 12-month period.
[Initial Title V permit dated May 23, 2001; Effective Date: DRAFT]

A.11. Emissions Limit for Open Molding Resin and Gel Coat Operations.

(a) The permittee must limit organic HAP emissions from the five open molding operations listed in paragraphs (a)(1) through (5) of this specific condition to the emission limit specified in paragraph (b) of this specific condition. Operations listed in paragraph (d) are exempt from this limit.

(1) Production resin.
(2) Pigmented gel coat.
(3) Clear gel coat.
(4) Tooling resin.
(5) Tooling gel coat.

(b) The permittee must limit organic HAP emissions from open molding operations to the limit specified by equation 1 of this specific condition, based on a 12-month rolling average.

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

Where:

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

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

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

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

(c) The open molding emission limit is the same for both new and existing sources.

(d) The materials specified in paragraphs (d)(1) through (3) of this specific condition are exempt from the open molding emission limit specified in paragraph (b) of this specific condition.

(1) Production resins (including skin coat resins) that must meet specifications for use in military vessels or must be approved by the U.S. Coast Guard for use in the construction of lifeboats, rescue boats, and other life-saving appliances approved under 46 CFR subchapter Q or the construction of small passenger vessels regulated by 46 CFR subchapter T. Production resins for which this exemption is used must be applied with nonatomizing (non-spray) resin application equipment. The permittee must keep a record of the resins for which the permittee is using this exemption.

(2) Pigmented, clear, and tooling gel coat used for part or mold repair and touch up. The total gel coat materials included in this exemption must not exceed 1 percent by weight of all gel coat used at your facility on a 12-month rolling-average basis. The permittee must keep a record of the amount of gel coats used per month for which the permittee is using this exemption and copies of calculations showing that the exempt amount does not exceed 1 percent of all gel coat used.

(3) Pure, 100 percent vinylester resin used for skin coats. This exemption does not apply to blends of vinylester and polyester resins used for skin coats. The total resin materials included in the exemption cannot exceed 5 percent by weight of all resin used at your facility on a 12-month rolling-average basis. The permittee must keep a record of the amount of 100 percent vinylester skin coat resin used per month that is eligible for this exemption and copies of calculations showing that the exempt amount does not exceed 5 percent of all resin used.

[40 CFR §63.5698; Effective Date: DRAFT]

A.12. Standards for Resin and Gel Coat Mixing Operations.

(a) All resin and gel coat mixing containers with a capacity equal to or greater than 208 liters, including those used for on-site mixing of putties and polyputties, must have a cover with no visible gaps in place at all times.

(b) The work practice standard in paragraph (a) of this specific condition does not apply when material is being manually added to or removed from a container, or when mixing or pumping equipment is being placed in or removed from a container.

(c) To demonstrate compliance with the work practice standard in paragraph (a) of this specific condition, the permittee must visually inspect all mixing containers subject to this standard at least once per month. The inspection should ensure that all containers have covers with no visible gaps between the cover and the container, or between the cover and equipment passing through the cover.

(d) The permittee must keep records of which mixing containers are subject to this standard and the results of the inspections, including a description of any repairs or corrective actions taken.

[40 CFR § 63.5731; Effective Date: DRAFT]

A.13. Standards for Resin and Gel Coat Application Equipment Cleaning Operations.

(a) For routine flushing of resin and gel coat application equipment (e.g., spray guns, flowcoaters, brushes, rollers, and squeegees), the permittee must use a cleaning solvent that contains no more than 5

percent organic HAP by weight. For removing cured resin or gel coat from application equipment, no organic HAP content limit applies.

(b) The permittee must store organic HAP-containing solvents used for removing cured resin or gel coat in containers with covers. The covers must have no visible gaps and must be in place at all times, except when equipment to be cleaned is placed in or removed from the container. On containers with a capacity greater than 7.6 liters, the distance from the top of the container to the solvent surface must be no less than 0.75 times the diameter of the container. Containers that store organic HAP- containing solvents used for removing cured resin or gel coat are exempt from the requirements of 40 CFR part 63, subpart T. Cured resin or gel coat means resin or gel coat that has changed from a liquid to a solid.
[40 CFR § 63.5734; Effective Date: DRAFT]

A.14. Standards for Carpet and Fabric Adhesive Operations.

(a) The permittee must use carpet and fabric adhesives that contain no more than 5 percent organic HAP by weight.

(b) To demonstrate compliance with the emission limit in paragraph (a) of this specific condition, you must determine and record the organic HAP content of the carpet and fabric adhesives using the methods in Specific Condition **A.15.**
[40 CFR § 63.5740; Effective Date: DRAFT]

Test Methods and Procedures

{Permitting Note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.15. Methods for Determining Hazardous Air Pollutant Content.

(a) *Determine the organic HAP content for each material used*. To determine the organic HAP content for each material used in the open molding resin and gel coat operations and carpet and fabric adhesive operations, the permittee must use one of the options in paragraphs (a)(1) through (6) of this specific condition.

(1) *Method 311 (appendix A to 40 CFR part 63)*. The permittee may use Method 311 for determining the mass fraction of organic HAP. Use the procedures specified in paragraphs (a)(1)(i) and (ii) of this specific condition when determining organic HAP content by Method 311.

(i) Include in the organic HAP total each organic HAP that is measured to be present at 0.1 percent by mass or more for Occupational Safety and Health Administration (OSHA)-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other compounds. For example, if toluene (not an OSHA carcinogen) is measured to be 0.5 percent of the material by mass, the permittee does not need to include it in the organic HAP total. Express the mass fraction of each organic HAP the permittee measure as a value truncated to four places after the decimal point (for example, 0.1234).

(ii) Calculate the total organic HAP content in the test material by adding up the individual organic HAP contents and truncating the result to three places after the decimal point (for example, 0.123).

(2) *[Reserved]*

(3) *ASTM D1259–85 (Standard Test Method for Nonvolatile Content of Resins)*. The permittee may use ASTM D1259–85 (available for purchase from ASTM) to measure the mass fraction of volatile matter of resins and gel coats for open molding operations and use that value as a substitute for mass fraction of organic HAP.

(4) *Alternative method*. The permittee may use an alternative test method for determining mass fraction of organic HAP if the permittee obtains prior approval by the Department. The

permittee must follow the procedure in § 63.7(f) to submit an alternative test method for approval.

(5) *Information from the supplier or manufacturer of the material*. The permittee may rely on information other than that generated by the test methods specified in paragraphs (a)(1) through (4) of this specific condition, such as manufacturer's formulation data, according to paragraphs (a)(5)(i) through (iii) of this specific condition.

(i) Include in the organic HAP total each organic HAP that is present at 0.1 percent by mass or more for OSHA-defined carcinogens as specified in 29 CFR 1910.1200(d)(4) and at 1.0 percent by mass or more for other compounds. For example, if toluene (not an OSHA carcinogen) is 0.5 percent of the material by mass, the permittee does not have to include it in the organic HAP total.

(ii) If the organic HAP content is provided by the material supplier or manufacturer as a range, then the permittee must use the upper limit of the range for determining compliance. If a separate measurement of the total organic HAP content using the methods specified in paragraphs (a)(1) through (4) of this specific condition exceeds the upper limit of the range of the total organic HAP content provided by the material supplier or manufacturer, then the permittee must use the measured organic HAP content to determine compliance.

(iii) If the organic HAP content is provided as a single value, the permittee may assume the value is a manufacturing target value and actual organic HAP content may vary from the target value. If a separate measurement of the total organic HAP content using the methods specified in paragraphs (a)(1) through (4) of this specific condition is less than 2 percentage points higher than the value for total organic HAP content provided by the material supplier or manufacturer, then the permittee may use the provided value to demonstrate compliance. If the measured total organic HAP content exceeds the provided value by 2 percentage points or more, then the permittee must use the measured organic HAP content to determine compliance.

(6) *Solvent blends*. Solvent blends may be listed as single components for some regulated materials in certifications provided by manufacturers or suppliers. Solvent blends may contain organic HAP which must be counted toward the total organic HAP content of the materials. When detailed organic HAP content data for solvent blends are not available, the permittee may use the values for organic HAP content that are listed in Table 5 to 40 CFR 63 Subpart VVVV - Default Organic HAP Contents of Solvents and Solvent Blends or Table 6 to 40 CFR 63 Subpart VVVV - Default Organic HAP Contents of Petroleum Solvent Groups. The permittee may use Table 6 to 40 CFR 63 Subpart VVVV only if the solvent blends in the materials the permittee uses do not match any of the solvent blends in Table 5 to 40 CFR 63 Subpart VVVV and the permittee knows only whether the blend is either aliphatic or aromatic. However, if test results indicate higher values than those listed in Table 5 to 40 CFR 63 Subpart VVVV or Table 6 to 40 CFR 63 Subpart VVVV, then the test results must be used for determining compliance.

(b) *[Reserved]*

(c) *[Reserved]*

[40 CFR § 63.5758; Effective Date: DRAFT]

A.16. Options of Compliance with the Open Molding Emission Limit. The permittee must use one or more of the options listed in paragraphs (a) through (c) of this specific condition to meet the emission limit in Specific Condition **A.11.** for the resins and gel coats used in open molding operations at the facility.

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

(1) Demonstrate that emissions from the open molding resin and gel coat operations that the permittee averages meet the emission limit in Specific Condition **A.11.** using the procedures described in Specific Condition **A.19.** Compliance with this option is based on a 12-month rolling average.

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

(b) *Compliant materials option.* Demonstrate compliance by using resins and gel coats that meet the organic HAP content requirements in Table 2 to 40 CFR 63 Subpart VVVV - Alternative HAP Content Requirements for Open Molding Resin and Gel Coat Operations. Compliance with this option is based on a 12-month rolling average.

(c) *[Reserved]*

[40 CFR § 63.5701; Effective Date: DRAFT]

A.17. General Requirements for Compliance with the Open Molding Emission Limit.

(a) *Emissions averaging option*. For those open molding operations and materials complying using the emissions averaging option, the permittee must demonstrate compliance by performing the steps in paragraphs (a)(1) through (5) of this specific condition.

(1) Use the methods specified in Specific Condition **A.15.** to determine the organic HAP content of resins and gel coats.

(2) Complete the calculations described in Specific Condition **A.19.** to show that the organic HAP emissions do not exceed the limit specified in Specific Condition **A.11.**

(3) Keep records as specified in paragraphs (a)(3)(i) through (iv) of this specific condition for each resin and gel coat.

(i) Hazardous air pollutant content.

(ii) Amount of material used per month.

(iii) Application method used for production resin and tooling resin. This record is not required if all production resins and tooling resins are applied with nonatomized technology.

(iv) Calculations performed to demonstrate compliance based on MACT model point values, as described in Specific Condition **A.19.**

(4) Prepare and submit the implementation plan described in Specific Condition **A.24.** to the Department and keep it up to date.

(5) Submit semiannual compliance reports to the Department as specified in Specific Condition **A.26.**

(b) *Compliant materials option*. For each open molding operation complying using the compliant materials option, the permittee must demonstrate compliance by performing the steps in paragraphs (b)(1) through (4) of this specific condition.

(1) Use the methods specified in Specific Condition **A.15.** to determine the organic HAP content of resins and gel coats.

(2) Complete the calculations described in Specific Condition **A.20.** to show that the weighted-average organic HAP content does not exceed the limit specified in Table 2 to 40 CFR 63 Subpart VVVV.

(3) Keep records as specified in paragraphs (b)(3)(i) through (iv) of this specific condition for each resin and gel coat.

(i) Hazardous air pollutant content.
(ii) Application method for production resin and tooling resin. This record is not required if all production resins and tooling resins are applied with nonatomized technology.
(iii) Amount of material used per month. This record is not required for an operation if all materials used for that operation comply with the organic HAP content requirements.
(iv) Calculations performed, if required, to demonstrate compliance based on weighted-average organic HAP content as described in Specific Condition **A.20.**

(4) Submit semiannual compliance reports to the Department as specified in **A.26.**

(c) *[Reserved]*

[40 CFR § 63.5704; Effective Date: DRAFT]

A.18. When demonstrating compliance with 40 CFR 63 Subpart VVVV, either the Emissions Averaging Option or the Compliant Materials Option may be used, but each time a compliance option is used, it must be used for a minimum of 12 consecutive months before switching to the other option.

[Rule 62-4.070(3), F.A.C., 40 CFR § 63.5710(a) and § 63.5713(a); Effective Date: DRAFT]

A.19. Compliance using Emissions Averaging.

(a) Compliance using the emissions averaging option is demonstrated on a 12-month rolling-average basis and is determined at the end of every month (12 times per year). The first 12-month rolling-average period begins on the compliance date specified in Specific Condition **A.4.**

(b) At the end of the twelfth month after the permittee's compliance date and at the end of every subsequent month, use equation 1 of this specific condition to demonstrate that the organic HAP emissions from those operations included in the average do not exceed the emission limit in Specific Condition **A.11.** calculated for the same 12-month period. (Include terms in equation 1 of Specific Condition **A.11.** and equation 1 of this specific condition for only those operations and materials included in the average.)

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

Where:

HAP emissions = Organic HAP emissions calculated using MACT model point values for each operation included in the average, kilograms.

PV_R = Weighted-average MACT model point value for production resin used in the past 12 months, kilograms per megagram.

M_R = Mass of production resin used in the past 12 months, megagrams.

PV_{PG} = Weighted-average MACT model point value for pigmented gel coat used in the past 12 months, kilograms per megagram.

M_{PG} = Mass of pigmented gel coat used in the past 12 months, megagrams.

PV_{CG} = Weighted-average MACT model point value for clear gel coat used in the past 12 months, kilograms per megagram.

M_{CG} = Mass of clear gel coat used in the past 12 months, megagrams.

PV_{TR} = Weighted-average MACT model point value for tooling resin used in the past 12 months, kilograms per megagram.

M_{TR} = Mass of tooling resin used in the past 12 months, megagrams.

PV_{TG} = Weighted-average MACT model point value for tooling gel coat used in the past 12 months, kilograms per megagram.

M_{TG} = Mass of tooling gel coat used in the past 12 months, megagrams.

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

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

Where:

PV_{OP} = weighted-average MACT model point value for each open molding operation (PV_R, PV_{PG}, PV_{CG}, PV_{TR}, and PV_{TG}) included in the average, kilograms of HAP per megagram of material applied.

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

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

PV_i = the MACT model point value for resin or gel coat i used within an operation in the past 12 months, kilograms of HAP per megagram of material applied.

(d) The permittee must use the equations in Table 3 to 40 CFR 63 Subpart VVVV - MACT Model Point Value Formulas for Open Molding Operations to calculate the MACT model point value (PV_i) for each resin and gel coat used in each operation in the past 12 months.

(e) If the organic HAP emissions, as calculated in paragraph (b) of this specific condition, are less than the organic HAP limit calculated in Specific Condition **A.11.**(b) for the same 12-month period, then the permittee is in compliance with the emission limit in Specific Condition **A.11.** for those operations and materials included in the average.

[40 CFR § 63.5710; Effective Date: DRAFT]

A.20. Compliance using Compliant Materials.

(a) Compliance using the organic HAP content requirements listed in Table 2 to 40 CFR 63 Subpart VVVV is based on a 12-month rolling average that is calculated at the end of every month. The first 12-month rolling-average period begins on the compliance date specified in Specific Condition **A.4.** If the permittee is using filled material (production resin or tooling resin), the permittee must comply according to the procedure described in Specific Condition **A.21.**

(b) At the end of the twelfth month after the permittee's compliance date and at the end of every subsequent month, review the organic HAP contents of the resins and gel coats used in the past 12 months in each operation. If all resins and gel coats used in an operation have organic HAP contents no greater than the applicable organic HAP content limits in Table 2 to 40 CFR 63 Subpart VVVV, then the permittee is in compliance with the emission limit specified in Specific Condition **A.11.** for that 12-month period for that operation. In addition, the permittee does not need to complete the weighted-average organic HAP content calculation contained in paragraph (c) of this specific condition for that operation.

(c) At the end of every month, the permittee must use equation 1 of this specific condition to calculate the weighted-average organic HAP content for all resins and gel coats used in each operation in the past 12 months.

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

Where:
M_i = mass of open molding resin or gel coat i used in the past 12 months in an operation, megagrams.
HAP_i = Organic HAP content, by weight percent, of open molding resin or gel coat i used in the past 12 months in an operation. Use the methods in Specific Condition **A.15.** to determine organic HAP content.
n = number of different open molding resins or gel coats used in the past 12 months in an operation.

(d) If the weighted-average organic HAP content does not exceed the applicable organic HAP content limit specified in Table 2 to 40 CFR 63 Subpart VVVV, then the permittee is in compliance with the emission limit specified in Specific Condition **A.11.**
[40 CFR § 63.5713; Effective Date: DRAFT]

A.21. Compliance for Usage of Filled Resins.
(a) If the permittee is using a filled production resin or filled tooling resin, the permittee must demonstrate compliance for the filled material on an as-applied basis using equation 1 of this specific condition.

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

Where:
PV_F = The as-applied MACT model point value for a filled production resin or tooling resin, kilograms organic HAP per megagram of filled material.
PV_u = The MACT model point value for the neat (unfilled) resin, before filler is added, as calculated using the formulas in Table 3 to Subpart VVVV-MACT Model Point Value Formulas for Open Molding Operations.
% Filler = The weight-percent of filler in the as-applied filled resin system.

(b) If the filled resin is used as a production resin and the value of PV_F calculated by equation 1 of this specific condition does not exceed 46 kilograms of organic HAP per megagram of filled resin applied, then the filled resin is in compliance.
(c) If the filled resin is used as a tooling resin and the value of PV_F calculated by equation 1 of this specific condition does not exceed 54 kilograms of organic HAP per megagram of filled resin applied, then the filled resin is in compliance.
(d) If the permittee is including a filled resin in the emissions averaging procedure described in Specific Condition **A.19.**, then use the value of PV_F calculated using equation 1 of this specific condition for the value of PV_i in equation 2 of Specific Condition **A.19.**
[40 CFR § 63.5714; Effective Date: DRAFT]

A.22. Compliance with the Resin and Gel Coat Application Equipment Cleaning Standards.

(a) Determine and record the organic HAP content of the cleaning solvents subject to the standards specified in Specific Condition **A.13.** using the methods specified in Specific Condition **A.15.**

(b) If the permittee recycle cleaning solvents on site, the permittee may use documentation from the solvent manufacturer or supplier or a measurement of the organic HAP content of the cleaning solvent as originally obtained from the solvent supplier for demonstrating compliance, subject to the conditions in Specific Condition **A.15.** for demonstrating compliance with organic HAP content limits.

(c) At least once per month, the permittee must visually inspect any containers holding organic HAP-containing solvents used for removing cured resin and gel coat to ensure that the containers have covers with no visible gaps. Keep records of the monthly inspections and any repairs made to the covers.
[40 CFR § 63.5737; Effective Date: DRAFT]

A.23. The permittee must comply with the requirements of the General Provisions in 40 CFR part 63, subpart A, as specified in Table 8 to 40 CFR 63 Subpart VVVV - Applicability of General Provisions (40 CFR Part 63, Subpart A) to Subpart VVVV.
[40 CFR § 63.5773; Effective Date: DRAFT]

Recordkeeping and Reporting Requirements

A.24. Implementation Plan for Open Molding Operations.

(a) The permittee must prepare an implementation plan for all open molding operations for which the permittee complies by using the emissions averaging option described in Specific Condition **A.17.**(a).

(b) The implementation plan must describe the steps the permittee will take to bring the open molding operations covered by this subpart into compliance. For each operation included in the emissions average, the permittee's implementation plan must include the elements listed in paragraphs (b)(1) through (3) of this specific condition.

(1) A description of each operation included in the average.

(2) The maximum organic HAP content of the materials used, the application method used (if any atomized resin application methods are used in the average), and any other methods used to control emissions.

(3) Calculations showing that the operations covered by the plan will comply with the open molding emission limit specified in Specific Condition **A.11.**

(c) The permittee must submit the implementation plan to the Department with the notification of compliance status specified in Specific Condition **A.25.**

(d) The permittee must keep the implementation plan on site and provide it to the Department when asked.

(e) If the permittee revises the implementation plan, the permittee must submit the revised plan with the next semiannual compliance report specified in Specific Condition **A.26.**
[40 CFR § 63.5707; Effective Date: DRAFT]

A.25. Notifications.

(a) The permittee must submit all of the notifications in Table 7 to 40 CFR 63 Subpart VVVV - Applicability and Timing of Notifications that apply to the permittee by the dates in the table. The notifications are described more fully in 40 CFR part 63, subpart A, General Provisions, referenced in Table 8 to 40 CFR 63 Subpart VVVV - Applicability of General Provisions (40 CFR Part 63, Subpart A) to Subpart VVVV.

(b) If the permittee changes any information submitted in any notification, the permittee must submit the changes in writing to the Department within 15 calendar days after the change.
[40 CFR § 63.5761; Effective Date: DRAFT]

A.26. Reports.

(a) The permittee must submit the applicable reports specified in paragraphs (b) through (e) of this specific condition. To the extent possible, the permittee must organize each report according to the operations covered by 40 CFR 63 Subpart VVVV and the compliance procedure followed for that operation.

(b) Unless the Department has approved a different schedule for submission of reports under § 63.10(a), the permittee must submit each report by the dates in paragraphs (b)(1) through (5) of this specific condition.

(1) If the facility is not controlled by an add-on control device (i.e., the permittee is complying with organic HAP content limits, application equipment requirements, or MACT model point value averaging provisions), the first compliance report must cover the period beginning 12 months after the compliance date specified for the facility in Specific Condition **A.4.** and ending on June 30 or December 31, whichever date is the first date following the end of the first 12-month period after the compliance date that is specified for the facility in Specific Condition **A.4.** If the facility is controlled by an add-on control device, the first compliance report must cover the period beginning on the compliance date specified for the facility in Specific Condition **A.4.** and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for the facility in Specific Condition **A.4.**

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

(3) Each subsequent compliance report must cover the applicable semiannual reporting period from January 1 through June 30 or from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or delivered no later than 60 calendar days after the end of the semiannual reporting period.

(5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), the permittee may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this specific condition.

(c) The compliance report must include the information specified in paragraphs (c)(1) through (7) of this specific condition.

(1) Company name and address.

(2) A statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the report.

(3) The date of the report and the beginning and ending dates of the reporting period.

(4) A description of any changes in the manufacturing process since the last compliance report.

(5) A statement or table showing, for each regulated operation, the applicable organic HAP content limit, application equipment requirement, or MACT model point value averaging provision with which the permittee is complying. The statement or table must also show the actual weighted-average organic HAP content or weighted-average MACT model point value (if applicable) for each operation during each of the rolling 12-month averaging periods that end during the reporting period.

(6) If the permittee was in compliance with the emission limits and work practice standards during the reporting period, the permittee must include a statement to that effect.

(7) If the permittee deviated from an emission limit or work practice standard during the reporting period, the permittee must also include the information listed in paragraphs (c)(7)(i) through (iv) of this specific condition in the semiannual compliance report.

(i) A description of the operation involved in the deviation.

(ii) The quantity, organic HAP content, and application method (if relevant) of the materials involved in the deviation.

(iii) A description of any corrective action the permittee took to minimize the deviation and actions the permittee has taken to prevent it from happening again.

(iv) A statement of whether or not the facility was in compliance for the 12-month averaging period that ended at the end of the reporting period.

(d) *[Reserved]*

(e) *[Reserved]*

[40 CFR § 63.5764; Effective Date: DRAFT]

A.27. The permittee must keep the records specified in paragraphs (a) through (d) of this specific condition in addition to records specified in individual sections of 40 CFR 63 Subpart VVVV.

(a) The permittee must keep a copy of each notification and report that the permittee submitted to comply with 40 CFR 63 Subpart VVVV.

(b) The permittee must keep all documentation supporting any notification or report that the permittee submitted.

(c) If the facility is not controlled by an add-on control device (i.e., the permittee is complying with organic HAP content limits, application equipment requirements, or MACT model point value averaging provisions), the permittee must keep the records specified in paragraph (c)(1) through (3) of this specific condition.

(1) The total amounts of open molding production resin, pigmented gel coat, clear gel coat, tooling resin, and tooling gel coat used per month and the weighted-average organic HAP contents for each operation, expressed as weight-percent. For open molding production resin and tooling resin, the permittee must also record the amounts of each applied by atomized and nonatomized methods.

(2) *[Reserved]*

(3) *[Reserved]*

(d) *[Reserved]*

[40 CFR § 63.5767; Effective Date: DRAFT]

A.28. <u>Record Format.</u>

(a) The permittee's records must be readily available and in a form so they can be easily inspected and reviewed.

(b) The permittee must keep each record for 5 years following the date that each record is generated.

(c) The permittee must keep each record on site for at least 2 years after the date that each record is generated. The permittee can keep the records offsite for the remaining 3 years.

(d) The permittee can keep the records on paper or an alternative media, such as microfilm, computer, computer disks, magnetic tapes, or on microfiche.

[40 CFR § 63.5770, Effective Date: DRAFT]

Table 1 to Subpart VVVV - Compliance Dates for New and Existing Boat Manufacturing Facilities

As specified in Specific Condition **A.4.**, you must comply by the dates in the following table:

If your facility is—	And—	Then you must comply by this date—
1. An existing source	Is a major source on or before August 22, 2001[1].	August 23, 2004.
2. An existing or new area source	Becomes a major source after August 22, 2001[1] .	1 year after becoming a major source or August 22, 2002, whichever is later.
3. A new source	Is a major source at startup[1] .	Upon startup or August 22, 2001, whichever is later.

[1]Your facility is a major source if it is a stationary source or group of stationary sources located within a contiguous area and under common control that emits or can potentially emit, considering controls, in the aggregate, 9.1 megagrams or more per year of a single hazardous air pollutant or 22.7 megagrams or more per year of a combination of hazardous air pollutants.

Table 2 to Subpart VVVV - Alternative Organic HAP Content Requirements for Open Molding Resin and Gel Coat Operations

As specified in Specific Condition **A.16.**(b), Specific Condition **A.17.**(b)(2), and Specific Condition **A.20.**(a), (b), and (d), you must comply with the requirements in the following table:

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

Table 3 to Subpart VVVV-MACT Model Point Value Formulas for Open Molding Operations [1]

As specified in Specific Condition **A.19.**(d) and Specific Condition **A.21.**(a), you must calculate point values using the formulas in the following table:

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

[1]Equations calculate MACT model point value in kilograms of organic HAP per megagrams of resin or gel coat applied. The equations for vacuum bagging with roll-out are applicable when a facility rolls out the applied resin and fabric prior to applying the vacuum bagging materials. The equations for vacuum bagging without roll-out are applicable when a facility applies the vacuum bagging materials immediately after resin application without rolling out the resin and fabric.

HAP% = organic HAP content as supplied, expressed as a weight-percent value between 0 and 100 percent.

Table 5 To Subpart VVVV - Default Organic Hap Contents Of Solvents And Solvent Blends

As specified in Specific Condition **A.15.**(a)(6), when detailed organic HAP content data for solvent blends are not available, you may use the values in the following table:

Solvent/solvent blend	CAS No.	Average organic HAP content, percent by mass	Typical organic HAP, percent by mass
1. Toluene	108–88–3	100	Toluene.
2. Xylene(s)	1330–20–7	100	Xylenes, ethylbenzene.
3. Hexane .....….	110–54–3	50	n-hexane.
4. n-hexane	110–54–3	100	n-hexane.
5. Ethylbenzene	100–41–4	100	Ethylbenzene.
6. Aliphatic 140 ....…….	.....	0	None.
7. Aromatic 100	.....	2	1% xylene, 1% cumene.
8. Aromatic 150……..	.....	9	Naphthalene.
9. Aromatic naptha	64742–95–6	2	1% xylene, 1% cumene.
10. Aromatic solvent	64742–94–5	10	Naphthalene.
11. Exempt mineral spirits	8032–32–4	0	None.
12. Ligroines (VM & P)	8032–32–4	0	None.
13. Lactol spirits……	64742–89–6	15	Toluene.
14. Low aromatic white spirit	64742–82–1	0	None.
15. Mineral spirits	64742–88–7	1	Xylenes.
16. Hydrotreated naphtha	64742–48–9	0	None.
17. Hydrotreated light distillate	64742–47–8	0.1	Toluene.
18. Stoddard solvent	8052–41–3	1	Xylenes.
19. Super high-flash naphtha	64742–95–6	5	Xylenes.
20. Varol solvent.....	8052–49–3	1	0.5% xylenes, 0.5% ethyl benzene.
21. VM & P naphtha	64742–89–8	6	3% toluene, 3% xylene.
22. Petroleum distillate mixture	68477–31–6	8	4% naphthalene, 4% biphenyl.

Table 6 to Subpart VVVV - Default Organic HAP Contents of Petroleum Solvent Groups

As specified in Specific Condition **A.20.**(a)(6), when detailed organic HAP content data for solvent blends are not available, you may use the values in the following table:

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

Table 7 to Subpart VVVV—Applicability and Timing of Notifications

As specified in Specific Condition **A.25.**(a), you must submit notifications according to the following table:

1. Is an existing source subject to this subpart ….	An initial notification containing the information specified in § 63.9(b)(2).	No later than the dates specified in § 63.9(b)(2).
2. Is a new source subject to this subpart	The notifications specified in § 63.9(b) (3) to (5).	No later than the dates specified § 63.9(b)(4) and (5).
3. Qualifies for a compliance extension as specified in § 63.9(c).	A request for a compliance extension as specified in § 63.9(c).	No later than the dates specified in § 63.6(i).
4. Is complying with organic HAP content limits, application equipment requirements; or MACT model point value averaging provisions.	A notification of compliance status as specified in § 63.9(h).	No later than 30 calendar days after the end of the first 12-month averaging period after your facility's compliance date.
5. Is complying by using an add-on control device.	a. notification of intent to conduct a performance test as specified in § 63.9(e).	No later than the date specified in § 63.9(e).
	b. A notification of the date for the continuous monitoring system performance evaluation as specified in § 63.9(g).	With the notification of intent to conduct a performance test.
	c. A notification of compliance status as specified in § 63.9(h).	No later than 60 calendar days after the completion of the add-on control device performance test and continuous monitoring system performance evaluation.

Table 8 General Provisions (40 CFR 63 Subpart A) applicable to Boat Manufacturing [for Open Molding Resin and Gel Coat Operations using Emissions Averaging Option and/or Compliant Materials Option]

§ 63.1 Applicability.

(a) *General.*

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

(2) [Reserved.]

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

(4) – (9) [Reserved.]

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

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

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

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

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

(b) - (e) [Reserved.]

§ 63.2 Definitions. [Additional definitions are found in § 63.5779.]

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

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

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

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

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

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

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

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

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

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

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

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

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means the maximum achievable control technology emission limitation (MACT emission limitation) for hazardous air pollutants that the Administrator (or a State with an approved permit program) determines on a case-by-case basis, pursuant to section 112(g) or section 112(j) of the Act, to be equivalent to the emission standard that would apply to an affected source if such standard had been promulgated by the Administrator under this part pursuant to section 112(d) or section 112(h) of the Act.

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

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

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

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

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

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and

(2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act.

Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Relevant standard means:

(1) An emission standard;

(2) An alternative emission standard;

(3) An alternative emission limitation; or

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

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

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

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

§ 63.3 Units and abbreviations.

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

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

g = gram

kg = kilogram

Mg = megagram = 10^6 gram = metric ton

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

(b) [Reserved.]

(c) *Miscellaneous:*

% = percent

§ 63.4 Prohibited activities and circumvention.

(a) *Prohibited activities*.

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

(i) An extension of compliance granted by the Administrator under this part; or

(ii) An extension of compliance granted under this part by a State with an approved permit program; or

(iii) An exemption from compliance granted by the President under section 112(i)(4) of the Act.

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

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

(4) [Reserved]

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

in the applicable subpart(s) of this part (including this subpart) regardless of whether - (i) A title V permit has been issued to that source; or

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

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

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

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

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

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

§ 63.6 Compliance with standards and maintenance requirements.

(a) *Applicability.*

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

(i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or

(ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.

(b) - (e) [Reserved]

(f) Compliance with nonopacity emission standards –

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

(2) Methods for determining compliance.

(i) - (iii) [Reserved.]

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

(v) [Reserved.]

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

(g) Use of an alternative nonopacity emission standard.

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

notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.

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

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

§ 63.9 Notification requirements.

(a) *Applicability and general information*.

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

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

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

(4) (i) [Reserved.]

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

(b) – (g) [Reserved.]

(h) *Notification of compliance status.*

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

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

(A) The methods that were used to determine compliance;

(B) [Reserved.]

(C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

(D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;

(E) An analysis demonstrating whether the affected source is a major source or an area source (using the emissions data generated for this notification);

(F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

(G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

(ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

(5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in § 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of § 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

(6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) *Adjustment to time periods or postmark deadlines for submittal and review of required communications.*

(1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

(j) *Change in information already provided*. Any change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

§ 63.10 Recordkeeping and reporting requirements.

(a) *Applicability and general information*.

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

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

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

(4) (i) [Reserved]

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

(5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in § 63.9(i).

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

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

source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in § 63.9(i).

(b) *General recordkeeping requirements*.

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche. **[§§63.567 and 63.5770** (Specific Condition A.35) **specify additional recordkeeping requirements.]**

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

(i) – (xi) [Reserved.]

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

(xiii) [Reserved.]

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

(3) [Reserved.]

(c) [Reserved.]

(d) *General reporting requirements*.

(1) Not-withstanding the requirements in this paragraph or paragraph (e) of this section, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s). **[§ 63.5764** (Specific Condition A.32) **specifies additional reporting requirements.]**

(2) - (5) [Reserved.]

(e) [Reserved.]

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

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

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

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

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

(i) Approves or denies an extension of compliance; or

(ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

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

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

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

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

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

(2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or

(3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.

(b) (1) Section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.

(2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.

(c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain Federal or State reporting requirement. The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to the EPA and the State agency.

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

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

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

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

(c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator

may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

§ 63.14 Incorporations by reference.
(a) The materials listed in this section are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses noted below, and all are available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC, at the Air and Radiation Docket and Information Center, U.S. EPA, 401 M Street, SW., Washington, DC, and at the EPA Library (MD–35), U.S. EPA, Research Triangle Park, North Carolina.
(b) The materials listed below are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania 19103; or University Microfilms International, 300 North Zeeb Road, Ann Arbor, Michigan 48106.

(1) – (8) [Reserved.]

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

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

(11) [Reserved.]

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

(13) – (14) [Reserved.]

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

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

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

§ 63.15 Availability of information and confidentiality.
(a) *Availability of information*.

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

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

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

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

Appendix I-1: List of Insignificant Emissions Units and/or Activities.

Action Craft, Inc. **DRAFT Permit No.:** 0710128-004-AV
Action Craft, Inc. **Facility ID No.:** 0710128

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

1. Manually operated equipment used for buffing, polishing, carving, cutting, drilling, routing, sanding, sawing, trimming, machining, surface grinding or turning.
2. Polishing and buffing operations, including rubbing compound
3. Vehicle service and maintenance equipment, and related materials
4. Welding Equipment including acetylene torch and related materials
5. Fire and Safety Equipment
6. Space Heaters
7. Office Activities
8. Maintenance of grounds and equipment
9. Forklift operations
10. Acetone usage
11. Soldering activities

Appendix H-1: Permit History

Action Craft, Inc.

DRAFT Permit No.: 0710128-004-AV
Facility ID No.: 0710128

E.U. ID No.	Description	Permit No.	Effective Date	Expiration Date	Project Type [1]
All	Facility	0710128-003-AV	05/23/2001	05/23/2006	Initial
All	Facility	0710128-004-AV	Pending[2]	Pending	Revision

[1] Project Type (select one): Title V: Initial, Revision, Renewal, or Admin. Correction; Construction (new or mod.); or, Extension (AC only).
[2] Change to an actual date, which is day 55 from the date of posting the PROPOSED Permit for EPA review (see confirmation e-mail from Tallahassee) or the date that EPA confirms resolvement of any objections.

Table 1-1, Summary of Air Pollutant Standards and Terms

Action Craft, Inc.

Permit No.: 0710128-004-AV
Facility ID No.: 0710128

This table summarizes information for convenience purposes only. This table does not supersede any of the terms of conditions of this permit.

E.U. ID No.	**Brief Description**:
001	Boat Building using Fiberglass

			Allowable Emissions			Equivalent Emissions			
Pollutant Name	Fuel	Hours per Year	Standard(s)	lbs/hour	TPY	lbs/hour	TPY	Regulatory Citation(s)	See Permit Conditions
VOC		8760					40	62-4.160(2) and 62-210.200 (PTE)	**A.9.**
Styrene		8760					40	62-4.160(2) and 62-210.200 (PTE)	**A.10.**
Total HAPS		8760					40	62-4.160(2) and 62-210.200 (PTE)	**A.11. – A.12.**

Notes:
* The "Equivalent Emissions" listed are for informational purpose only.

Table 2-1, Summary of Compliance Requirements

Action Craft, Inc.
Cape Coral, Florida

Permit No.: 0710128-003-AV
Facility ID No.: 0710128

This table summarizes information for convenience purposes only. This table does not supersede any of the terms of conditions of this permit.

E.U. ID No.	**Brief Description**:
001	Boat Building using Fiberglass

Pollutant Name or Parameter	Fuels	Compliance Method	Testing Time Frequency	Frequency Base Date*	Min. Compliance Test Duration	CMS**	See Permit Condition(s)
VOC		Record Keeping	Annual				**A. – A.**
Styrene		Record Keeping	Annual				**A. – A.**
Total HAPs		Emissions calculations	Monthly		Summation over 12 month period		**A. – A.**

Notes:
* The frequency base date is established for planning only; see Rule 62-297.310, F.A.C.
** CMS [=] continuous monitoring system