

**Northwest Clean Air Agency (NWCAA) hereby issues**

**REGULATORY ORDER 31c**

**Project Summary:** Dakota Creek Industries, Inc., operates a boat manufacturing and repair facility in Anacortes. The facility uses materials that emit hazardous air pollutants. This order establishes federally enforceable limits upon the potential of the facility to emit hazardous air pollutants. Compliance with these limits, which were requested by the facility, protects the facility from major source status. Dakota Creek Industries is determined to be a Synthetic Minor source as defined in Section 200 of the Northwest Clean Air Agency (NWCAA) Regulation.

<b>Owner/Operator</b>	<b>Facility Name and Location</b>
Dakota Creek Industries, Inc. 820 Fourth Street P.O. Box 218 Anacortes, WA 98221 Owner: Dick Nelson	Dakota Creek Industries, Inc. 820 Fourth Street Anacortes, WA 98221  Contact: Marie Piper

**Permit History**

- Upon issuance, this Order supersedes Regulatory Orders #31a and 31b.

**As authorized by Northwest Clean Air Agency Regulation Section 121, this Order is issued subject to the following restrictions and conditions<sup>1</sup>:**

1. Dakota Creek Industries, Inc. (Dakota Creek) shall emit less than 9.99 tons of any single hazardous air pollutant (HAP), or less than 24.99 tons of a combination of HAP during any 12-month rolling period.
2. Each calendar month Dakota Creek shall track all materials that contain HAP by maintaining a rolling total record of the quantity in gallons, the amount of HAP in each material and the amount of HAP emitted. The records shall show the rolling total amount of each HAP separately and the combined amount of all HAP, in pounds. Each calendar month, Dakota Creek shall summarize all HAP emitted from all materials used for the previous 12-month rolling period. These calculations shall be done within 30 days after the end of each month. These records shall include, at a minimum:
  - (A) Date of receipt and/or use of each material.

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<sup>1</sup> Nothing in this order is intended to, or shall, alter or waive any applicable law [including but not limited to defenses, entitlements, challenges or clarifications related to the Credible Evidence Rule, 62 FR 8315 (Feb. 27, 1997)] concerning the use of data for any purpose under the Act, generated by the reference method specified herein or otherwise.

Pursuant to Section 300.10 of the NWCAA Regulation and ch 43.21B RCW, this Order may be appealed to the Pollution Control Hearings Board (PCHB). To appeal to the PCHB, a written notice of appeal must be filed with the PCHB and a copy served upon the NWCAA within 30 days of the date the applicant receives this Order. Additional information regarding appeal procedures can be found at [www.eho.wa.gov](http://www.eho.wa.gov) under PCHB.

(B) Product information including HAP content.

3. If Dakota Creek determines that emissions are more than 90% of the limits in Condition 1, they shall submit a written notification to the NWCAA within 30 days of the discovery.
4. If Dakota Creek determines that the limits in Condition 1 have been exceeded, either by calculation, measurement or otherwise, they shall submit a written notification to the NWCAA within 7 days of the discovery.
5. Purchase and usage records, including MSDS sheets, for all materials used on site and HAP records specified in Condition 2 shall be kept on-site for at least five years and made readily available to the NWCAA upon request.

Attest and Concurrence:

Company Representative	Title	Date
Mark Buford	NWCAA Executive Director	Date

- Revision a: Changed reporting requirements from monthly to quarterly.
- Revision b: Increase of allowable emission limits and change frequency of reporting.
- Revision c: Clarify permit language and align emission reporting deadline and certification requirements with NWCAA's current rules and business processes.