



Jeb Bush
Governor

Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

CERTIFIED LETTER

7099 3400 0010 0525 1787

WARNING LETTER

OWL-AP-04-612

Keith L. Houston, Vice President
Master Cleaners
1242 Dixon Boulevard
Cocoa, FL 32780

Brevard County - AP
Failure to Submit Notification Form for a General Air Permit

Dear Mr. Houston:

The purpose of this letter is to advise you of possible noncompliance of the laws for which you may be responsible, and to seek your cooperation in resolving the matter. A file review of your facility located at 2490 South Hopkins Avenue, Titusville, Brevard County, Florida indicates that noncompliance of Florida Statutes and Rules may exist at the above-described facility:

The Company has failed to submit its notification form for re-entitlement of a Title V General Air Permit to operate. The facility has been operating without entitlement since August 31, 2003.

Section 403.161(1)(b), Florida Statutes, provides that it shall be a violation of this chapter, and it shall be prohibited for any person to fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the Department pursuant to its lawful authority.

Florida Administrative Code Rule 62-213.300 (1) Title V Air General Permits provides: Applicability. The following facilities are eligible to operate under the terms of a Title V air general permit issued pursuant to the procedures and conditions of this rule.

(a) Perchloroethylene dry cleaning facilities, provided the responsible official submits a completed Perchloroethylene Dry Cleaner Air General Permit Notification Form (DEP Form No. 62-213.900(2)) to the Department at least 30 days prior to beginning operation under this general permit and, throughout the term of the general permit, all of the conditions are met.

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(b) Notification. For each facility intending to operate under the provisions of a Title V air general permit, the responsible official must submit the correct notification form for the specific general permit to be utilized, as set forth in Rule 62-213.900, F.A.C. to give notice to the Department of intent to use one of the air general permits listed in this rule.

Florida Administrative Code Rule 62-213.300 (3) Title V Air General Permits provides:

(a) The duration of the general permit is five years. No later than 30 days prior to the fifth anniversary of the filing of intent to use the general permit, the responsible official shall submit a new notice of intent which shall contain all current information regarding the facility. The general permit is not transferable and does not follow a change in ownership of the facility. Prior to any sale, other change of ownership, or permanent shutdown of the facility, the responsible official shall notify the Department.

(b) The owner or operator of the facility must, upon written notice from the Department, submit payment of an annual operation fee in the amount of \$50.00. This fee is due and payable annually between January 15 and March 1 for the preceding year during which the facility was in operation and subject to the requirements of this rule and the general permit.

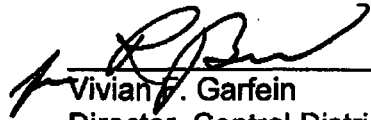
Within 15 days receipt of this letter, please submit the completed notification form to our Tallahassee Office at General Permits Section, Bureau of Air Monitoring and Mobile Sources, MS 5510, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400 and a copy to the Central District Air Management Section Department of Environmental Protections, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Forms can be found on the Department's website address at [http://www.dep.state.fl.us/air/forms/titlevgp/dep62_213_900\(2\).doc](http://www.dep.state.fl.us/air/forms/titlevgp/dep62_213_900(2).doc).

The activities described in this letter, and any other activities at your facility that may be contributing to violations of the above described statutes or rules should be ceased. You are requested to contact Caroline Shine at 407-893-3336 or at the above address within fifteen (15) days receipt of this Warning Letter to arrange a meeting to discuss the matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve the matter.

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Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Vivian F. Garfein
Director, Central District

Date 2/20/04


VFG/LTK/cs/jl
CC: Brevard County, Debbie Coles