

Department of Environmental Protection

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

David B. Struhs Secretary

January 13, 2003

Mr. Randy Blanton Touch of Class Cleaners 6402 U.S. Highway 41 North Apollo Beach, Florida 33572

Re: Facility No.: 0571202-002

Dear Mr. Blanton:

The Department has received the Title V General Permit Notification Form for the dry cleaning facility that you submitted on December 11, 2002.

Please note that in January of each year the Department will be mailing fee notices to those facilities using the Title V general permit. This annual operation fee is \$50 and it is due and payable between January 15 and March 1 of each year the facility is in operation and is subject to the requirements of the Title V general permit.

If you have or expect to have any changes in your mailing address, location address, responsible official, or phone number, please notify the Department at the following address:

Title V General Permits Office
Bureau of Air Monitoring and Mobile Sources MS 5510
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

If there are any changes in the facility status, including change of operating parameters or equipment, or if you have any additional questions regarding the Title V General Permit Program, please contact the district or local air program compliance inspector in your area.

Sincerely,

Joe Kahn, Chief

Bureau of Air Monitoring and Mobile Sources

JK/jw

cc: Mr. Thomas Shelton, Hillsborough County

"More Protection, Less Process"

New Owner



PERCHLOROETHYLENE DRY CLEANER
AIR GENERAL PERMIT NOTIFICATION FORM

Part III. Notification of Intent to Use General Permit

Prior to filling out this form, please read the instructions provided at the end of the form. Send completed form to the address listed in the instructions and keep a copy of the form for your files. completed form to the address listed in the instructions and keep a copy of the form for your files.

1. Facility Owner/Company Name (Name of corporation, agency, or individual owner):

	Touch of Class Cleaners Randy Blan	ton		
2.	2. Site Name (For example, plant name or number):			
	Touch of Class Cleaners			
3.	Hazardous Waste Generator Identification Number:			
	FLD 982109837			
4.	Facility Location: Street Address: 6402 US Hwy 41 N			
	Facility Location: Street Address: 6402 US Hwy 41 N City: Apollo Beach County: Hillsborough	Zip Code:	33572_	
155	Facility Identification:Number (DEP USE ONLY = do not fill in)			
	ponsible Official			
	Name and Title of Responsible Official:	,		
Nar	ne: Randy Blanton Title: Own	10 reate		
	Responsible Official Mailing Address:			
	Organization/Firm: Street Address: 6402 US Hwy 41N			
	City: Apollo Beach County: Hillsborough	Zip Code:	33572	
8.	Responsible Official Telephone Number: Telephone: (813) 645-7997 Fax: (813)) 649-12	237	
		·		
	ility Contact (If different from Responsible Official)			
9.	Name and Title of Facility Contact (For example, plant manager):			
	Same			
10.	Facility Contact Address:			
	Street Address:			
	City: County:	Zip Code:		
11.	Facility Contact Telephone Number:	· · · · · · · · · · · · · · · · · · ·		
	Telephone: () - Fax: () -		

DEP Form No. 62-213.900(2)

Facility Name and Location

Effective: 2/24/99

Facility Information			
1.(a) DRY-TO-DRY MA)	
How many dry-to-dry mad	chines do you hav	ve on-site?]
For each dry-to-dry mach	ine on-site, pleas	e provide the following info	ormation:
Date Initially Purchased From Manufacturer	Status (circle one)	Control Device Requi (circle one)	red* Date Control Device Installed (if already included at time of purchase, write "SAME")
9-98	Existing Ne	ROCA/None required	i <u>Same</u>
	Existing/Ne	ew RC/CA/None required	
	Existing/Ne	ew RC/CA/None required	
*CONTROL DEVICE KI	EY: $RC = r$	efrigerated condenser	CA = carbon adsorber
1.(b) TRANSFER MAC	DINES ONI V		
• •		r 1	
How many washers do yo		اـــــــــــا د م	
How many dryers/reclaim	ers do you have o	on-site? []	
unit. If the transfer maching 1993, it is a NEW unit (n	ne was purchased o units purchased	I from the manufacturer be	or on December 9, 1991, it is an EXISTING tween December 9, 1991 and September 22, are allowed to operate under this general ving information:
Date Initially Purchased From Manufacturer	Status (circle one)	Control Device Required (circle one)	* Date Control Device Installed (if already included at time of purchase, write "SAME")
	Existing/New	RC/CA/None required	
	Existing/New	RC/CA/None required	
	Existing/New	RC/CA/None required	
			,
*CONTROL DEVICE KI	EY: $RC = r$	efrigerated condenser	CA = carbon adsorber
	roethylene (perc) ns (You must fill	have you used within the latthis in)	ast 12 months?

DEP Form No. 62-213.900(2)

(b) If less than 12 months, how many? [___] months

Effective: 2/24/99

New store: [____] New machine [____]

Unopened store [____] (date of expected opening _____

Check why it is less than 12 months: New owner: [____] Did not keep records: [____]

3. What is the facility's source classification based on the Indicate with an "X". Select one classification on	• •		
Small Area Source [X]			
Transfer only on-site (used less than 140 gallons of perc per year) used less than 200 gallons of perc per year) used less than 140 gallons of perc per year)		
Large Area Source []			
Transfer only on-site (used 140 - 2,100 gallons of perc per year) used 200 - 1,800 gallons of perc per year) used 140 - 1,800 gallons of perc per year)		
4. What control technology is required on machines pursuant to section (5) of Part II of this notification form? (Indicate with an "X".)			
Existing machines at small area source (NONE REQUIRED) []	New machines at small area source Refrigerated condenser [X]		
Existing machines at large area source Carbon adsorber [] Refrigerated condenser []	New machines at large area source Refrigerated condenser []		
5. A facility which contains non-exempt emissions units shall not be eligible to use the general permit pursuant to Rule 62-213.300, F.A.C. Verify that all steam and hot water generating units on-site meet the following exemption criteria or that no such units exist on-site (see attached memo for the criteria).			
All steam and hot water generating units exempt No such units on-site] OR]		
How many boilers do you have on-site? [1]			
For each boiler, indicate its horsepower (HP) rating: [15] []			
What type of fuel do you use? [] propane [] No. 2 fuel oil [] No. 4 fuel oil [] Other (please list)			
6. Equipment Monitoring and Recordkeeping Information	tion .		
Check all logs which are required to be kept on-site in	accordance with the requirements of this general permit:		
(a) Purchase receipts and solvent purchases/solvent add	dition log [X]		
(b) Leak detection inspection and repair	[<u>X</u>]		
(c) Refrigerated condenser temperature monitoring [X]			
(d) Carbon adsorber exhaust perc concentration monitoring []			
(e) Startup, shutdown, malfunction plan			

DEP Form No. 62-213.900(2) Effective: 2/24/99

7. Surrender	of Existing DEP Air Permit(s)			
Please indica	Please indicate with an "X" the appropriate selection:			
[]	I hereby surrender all existing DEP air permits authorizing operation of the facility indicated in this notification form; the permit number(s) are			
[_X_]	No DEP air permits currently exist for the operation of the facility indicated in this notification form.			
Responsible	Official Certification			
this notij statemen maintain comply v I will pro	dersigned, am the responsible official, as defined in Part II of this form, of the facility addressed in fication. I hereby certify, based on information and belief formed after reasonable inquiry, that the its made in this notification are true, accurate and complete. Further, I agree to operate and the air pollutant emissions units and air pollution control equipment described above so as to with all terms and conditions of this general permit as set forth in Part II of this notification form. Somptly notify the Department of any changes to the information contained in this notification. Let Market Let Let Let Let Let Let Let Let Let L			

COMMISSION

DOTTIE BERGER
JOE CHILLURA
CHRIS HART
JIM NORMAN
JAN PLATT
THOMAS SCOTT
ED TURANCHIK

EXECUTIVE DIRECTOR

ROGER P. STEWART



ADMINISTRATIVE OFFICES, LEGAL & WATER MANAGEMENT DIVISION 1900 - 9TH AVENUE TAMPA, FLORIDA 33605 TELEPHONE (813) 272-5960 FAX (813) 272-5157

AIR MANAGEMENT DIVISION TELEPHONE (813) 272-5530

WASTE MANAGEMENT DIVISION TELEPHONE (813) 272-5788

WETLANDS MANAGEMENT DIVISION PHONE (813) 272-7104

JUL 22 1997

SOUTHWEST DISTRICT
TAMPA
CASE # 97-0409506 E | V E D

JUL 2 8 1997

July 17, 1997 CERTIFIED MAIL # Z 286 203 795

Touch of Class Dry Cleaners Marcia Bartell 6412 U.S. Highway 41, South Apollo Beach, FL 33572

NOTICE OF INTENT TO INITIATE ENFORCEMENT Sureau of Air Monitoring & Mobile Sources

Dear Ms. Bartell,

SUBJECT: Facility located at 6412 U.S. Highway 41, South, Apollo Beach (S22 T31 R19)

The Environmental Protection Act of Hillsborough County, Chapter 84-446, Laws of Florida (Act), and Chapter 403, Florida Statutes, authorize and empower the Environmental Protection Commission of Hillsborough County (Commission) to enforce rules and regulations to protect, control, abate, and prohibit pollution in Hillsborough County. In this regard, you are hereby informed of the following:

Commission staff inspected Touch of Class Dry Cleaners (TOC) on December 26, 1996, and found that TOC had not submitted Notification of Intent to use a Title V Air General Permit (Permit) for its operation, as required by Rule 62-213.300 Staff provided TOC with a Perchloroethylene (2)(b), F.A.C. Dry Cleaner Air General Permit Notification. Form at the time of this inspection. On April 10, 1997, Warning Notice No. 15242 was issued to TOC for failure to submit notification. On May 6, 1997, TOC requested and was provided another notification form. EPC contacted TOC several times concerning this matter without success. Rule 62-4.030, F.A.C., and Rule 62-210.300, F.A.C., and Section 1-3.21, Rules of the Commission, prohibit operation of an air pollution source without the appropriate permit.

You are here advised the Commission staff believes that the above facts demonstrate violations of the Act and the Florida Administrative Code, and we are therefore obligated to pursue enforcement for correction.

Touch of Class Dry Cleaners July 17, 1997 Page 2 of 2

Show cause: Should you believe that the above information is incorrect or incomplete, you are requested to immediately show cause by providing us with any additional relevant information that may indicate that the above is not a violation.

In addition to correction, potential penalties for such violations include imposition of damages and civil penalties of up to \$10,000 per violation. Each day in which the above violations continue or recur constitutes a separate violation subject to enforcement.

Settlement without litigation: Should you wish to settle this matter amicably, the Executive Director may be able to enter into a Consent Order containing mutually agreeable terms. Such an order normally contains conditions necessary to correct the violation and a settlement to the Pollution Recovery Fund. In return, the Executive Director will waive the right to proceed in court against you.

In the hope that an amicable resolution of this matter can be reached, we request that you respond in writing within 10 days of receipt of this Notice to explain the cause(s) of the above circumstances. Please include the steps you have taken or propose to take to prevent a recurrence so that we can better determine what corrections need to be undertaken. If you would like to meet with staff to discuss any issue or the requirements for settlement, please contact Teresa Berkulis at 272-5530.

Please mail or deliver your response or any questions you have to the Air Management Division, 1410 North 21st Street, Tampa, Florida 33605, to the attention of Teresa Berkulis. We anticipate that this matter can be resolved through settlement and appreciate your cooperation in addressing this expeditiously.

Sincerely,

Iwan Choronenko, Director Air Management Division

cc: Sara M. Fotopulos, Chief Counsel Bill Thomas, DEP-SW *0571202

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR HILLSBOROUGH COUNTY

ENVIRONMENTAL	PROTECTION	COMMISSION
of Hillsborough County	1.	

Plaintiff,

Division:

Case No.: 01-98-1564

APOLLO BEACH CLEANERS, INC.,

and MARCIA A. BARTELL,

VS.

Defendants.

PLAINTIFF, ENVIRONMENTAL PROTECTION COMMISSION of Hillsborough County (Commission), sues DEFENDANTS, APOLLO BEACH CLEANERS, INC., and MARCIA A. BARTELL, and alleges:

JURISDICTION

This court has jurisdiction over this action seeking injunctive relief; civil penalties in excess of fifteen thousand dollars (\$15,000) exclusive of interest and costs; and the costs associated with investigation and enforcement of violations of environmental regulations in Hillsborough County, Florida.

ALLEGATIONS AS TO ALL COUNTS

- Commission is a regulatory agency authorized by the State of Florida, to enforce Chapter 403, Florida Statutes and the rules promulgated thereunder, specifically Title 62, Florida Administrative Code, as well as authority pursuant to the Hillsborough County Environmental Protection Act, Chapter 84-446, Laws of Florida (Act) and Chapter 1-3, Rules of the Commission, in Hillsborough County, Florida. Commission has authority over the matters set out herein.
- Defendant, Apollo Beach Cleaners, Inc., is a Florida corporation doing business as Touch of Class Cleaners in Hillsborough County, specifically at 6412 US Highway 41 South, Apollo Beach, Florida 33570 (S22 T31 R19).
- At all times relevant to this action, and since at least September 1, 1996, Defendant, Apollo Beach Cleaners, Inc., has been the owner and responsible for the operation of a dry cleaning facility utilizing perchloroethylene at the address referred to in Paragraph 3, hereinafter, "the facility".

- 5. The facility is of the type required to be permitted under Title V, of the federal Clean Air Act, 42 U.S.C. 7401 *et seq.*; pursuant to 62-210, F.A.C.; and 1-3.21, Rules of the Commission.
- 6. The Commission has incurred reasonable costs and expenses in the investigation and enforcement of these matters.

COUNT I AGAINST DEFENDANT, BARTELL FOR FAILURE TO SUBMIT PROPER NOTICE TO DEPARTMENT OF ENVIRONMENTAL PROTECTION

- 7. The Plaintiff reaffirms and alleges paragraphs 1 through 6 above.
- 8. At all times relevant to this action, Defendant, Marcia A. Bartell, has been the facility's manager and "responsible official", as defined in 62-210.200 (247), F.A.C.
- 9. Florida Administrative Code §62-213.300 authorizes the operation of facilities such as Defendant's under a Title V Air General Permit and requires the responsible official for the facility submit to the Florida Department of Environmental Protection a notification (utilizing correct form) of the intent to use one of the air general permits listed in the rule at least 30 days prior to beginning operation or by September 1, 1996, whichever is later.
- 10. Defendant, Marcia A. Bartell has failed to complete and submit the appropriate Perchloroethylene Dry Cleaner Air General Permit Notification Form to give notice to the Florida Department of Environmental Protection of the intent to use such permit.
- 11. Defendant, Marcia A. Bartell's failure to complete and submit the appropriate notification form is a violation of 403.161, Florida Statutes.

COUNT II AGAINST DEFENDANT, APOLLO BEACH CLEANERS, INC., FOR OPERATING WITHOUT PROPER PERMIT

- 12. The Plaintiff reaffirms and alleges paragraphs 1 through 6 and paragraph 9 above.
- 13. The subject facility has operated since at least September, 1996 without the appropriate Title V Air General Permit.
 - 14. F.A.C. 62-210.200 (148) defines perchloroethylene as a hazardous air pollutant.
- 15. F.A.C. 62-4.030 and 62-210.300 prohibit any operation of any emissions unit which emits or can reasonably be expected to emit any air pollutant in the State of Florida without an appropriate permit. Rules of the Commission §1-3.21 prohibits operation of an air pollution source in Hillsborough County without a permit, when such permit is required by the F.A.C. Defendant, **Apollo Beach Cleaners, Inc.'s** failure to obtain the required permit is a violation of 403.161, Florida Statutes and Section 17, Hillsborough County Environmental Protection Act.

WHEREFORE, PLAINTIFF requests the following relief:

- A. Judgment against all defendants for civil penalties pursuant to §403.141, Florida Statutes, in an amount that reflects the spirit of the legislative intent expressed in §403.161, Florida Statutes.
- B. Judgment against all defendants for the Commission's investigative and enforcement costs and expenses pertaining to this matter pursuant to §19(1) of the Hillsborough County Environmental Protection Act, and Chapter 1-6, Rules of the Commission.
- C. Entry of a mandatory injunction pursuant to 403.131 Florida Statutes and section 18 of the Hillsborough County Environmental Protection Act, requiring the defendant corporation through their responsible official to submit the required notification form and fee to DEP.
- D. Entry of a permanent injunction pursuant to 403.131 Florida Statutes, and section 18 of the Hillsborough County Environmental Protection Act prohibiting the operation of the subject facility unless and until defendants submit the required notification of intent to use the necessary Title V Air General Permit.

E. Any other relief that the court may deem proper.

Vernon R. Wagner, Esquire

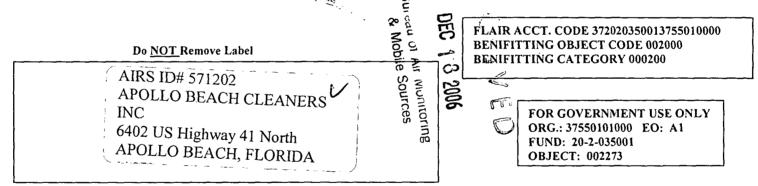
Environmental Protection Commission

of Hillsborough County 1900 Ninth Avenue Tampa, Florida 33605 (813) 272-5960 Florida Bar #0826261

THIS PORTION MUST BE ATTACHED TO REMITTANCE FOR PROPER HANDLING 456077 DEC15 206

Please include your AIRS ID# on your check or money order. This number is located on the mailing label.

TOTAL AMOUNT DUE: \$50.00



Printed on recycled paper.



Department of Environmental Protection

Jeb Bush Governor Division of Air Resource Management 2600 Blair Stone Road, MS 5510 Tallahassee, Florida 32399-2400

Colleen M. Castille Secretary

TO: Holder of Title V Air General Permit

EDEE COMPINEMENT

Our records indicate that, as the owner or operator of an eligible facility, you have claimed entitlement to the use of a Title V Air General Permit under Rule 62-213.300, Florida Administrative Code (F.A.C.).

For your facility to maintain its eligibility for the Title V Air General Permit, Rule 62-213,300(3)(b), F.A.C. states "...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 between January 15 and March 1 of each year for which the facility is in operation and subject to the requirements of this rule and the general permit." This invoice constitutes the Department's written notice, as required under the general permit rule.

Please make your check or money order payable to the Department of Environmental Protection and staple it to the detachable portion of this invoice below. To maintain your facility's eligibility for the general permit, the fee must be received by the Department not later than March 1. Your check and the detachable portion of this invoice below should be mailed to:

Title V Air General Permits
Receipts
Post Office Box 3070
Tallahassee, FL 32315-3070

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Department of Environmental Protection

Jeb Bush Governor Division of Air Resource Management 2600 Blair Stone Road, MS 5510 Tallahassee, Florida 32399-2400

Colleen M. Castille Secretary

TO: Holder of Title V Air General Permit

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For your facility to maintain its eligibility for the Title V Air General Permit, Rule 62-213,300(3)(b), F.A.C. states "...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 between January 15 and March 1 of each year for which the facility is in operation and subject to the requirements of this rule and the general permit." This invoice constitutes the Department's written notice, as required under the general permit rule.

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Title V Air General Permits
Receipts
Post Office Box 3070
Tallahassee, FL 32315-3070

(CUT HERE)

THIS PORTION MUST BE ATTACHED TO REMITTANCE FOR PROPER HANDLING

Please include your AIRS ID# on your check or money order. This number is located on the mailing label.

TOTAL AMOUNT DUE: \$75.00

Do NOT Remove Label

AIRS ID# 571202 TOUCH OF CLASS DRY CLEANERS 6402 US Highway 41 North APOLLO BEACH, FL 33572 FLAIR ACCT. CODE 372020350013755010000 BENIFITTING OBJECT CODE 002000 BENIFITTING CATEGORY 000200

FOR GOVERNMENT USE ONLY ORG.: 37550101000 EO: A1

FUND: 20-2-035001 OBJECT: 002273



Department of 15 2006 Environmental Protection

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

Colleen M. Castille Secretary

March 8, 2006

THIRD NOTICE OF ANNUAL EMISSIONS FEE

TO: User of Title V Air General Permits

Records in the Division of Air Resource Management indicate that during calendar year **2005** you owned or operated a facility which is a source of air pollution. You have also claimed eligibility for this facility to operate under a Title V Air General Permit pursuant to Chapter 62-213, Florida Administrative Code (F.A.C.).

As a source of air pollution subject to Title V of the federal Clean Air Act, your facility is required under Section 403.0872, Florida Statutes (F.S.), to pay an annual emissions fee as established by the Department in Rule 62-213.205, F.A.C. You are also required, under Rule 62-213.300(2)(c)2, F.A.C., to notify the Department in writing of any change in facility status.

Your annual emissions fee is \$50 for calendar year 2005. A notice of your obligation to pay the annual emissions fee was sent to you by U.S. mail, along with an invoice form and instructions.

This notice (with the enclosed replacement invoice) is being sent in accordance with Rule 62-213.205(1)(g), F.A.C., as a reminder that any annual emissions fee not paid by March 1, 2006, may be subject to a 50% penalty, plus interest computed in accordance with Section 220.807, F.S. In addition, under Rule 62-213(1)(g), F.A.C., failure to timely pay any required annual emissions fee, penalty, or interest constitutes grounds for revocation of the Title V Air General Permit. We have not received your air emissions fee payment. Therefore, you are being assessed a 50% penalty plus the invoice amount.

To submit your \$75 fee payment, please follow the directions on the enclosed invoice form. If you have any questions, you may call Bruce Thomas at 850/921-7744 or Sandra Bowman at 850/921-9583. Thank you for your prompt at ention to this matter.

Sincerely,

Joseph Kahn/Chief Bureau of Air Monitoring

and Mobile Sources

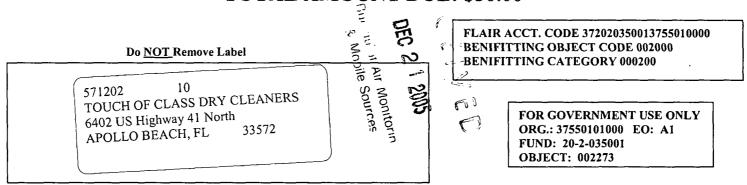
Enclosure: Invoice Form

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THIS PORTION MUST BE ATTACHED TO REMITTANCE FOR PROPER HANDLING

456977 DEC19 2005 Please include your AIRS ID# on your check or money order. This number is located on the mailing label.

TOTAL AMOUNT DUE: \$50.00



Printed on recycled paper.

THIS PORTION MUST BE ATTACHED TO REMITTANCE FOR PROPER HANDLING

Please include your AIRS ID# on your check or money order. This number is located on the mailing label.

TOTAL AMOUNT DUE: \$50.00

Do NOT Remove Label

RS ID# 571202 10

DUCH OF CLASS DRY CLEANERS

AIRS ID# 571202 TOUCH OF CLASS DRY CLEANERS 6402 US Highway 41 North APOLLO BEACH, FL 33572

FOR GOVERNMENT USE ONLY ORG.: 37550101000 EO: A1

FUND: 20-2-035001

OBJECT: 002273

Printed on recycled paper.

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1 Article Addressed to: 10 AJRS ID # 057120 DAVID A. MCNULTY APOLLO BEACH CLI 121 WEST FORSYTH JACKSONVILLE FL	Y EANERS INC STREET, SUITE 200	☐ Insured Mail ☐ C.O.D.	ot for Merchandise
(Transfer from service label)		

First-Class Mail Postage & Fees Paid USPS Permit No. G-10 • Sender: Please print your name, address, and AIP+4 in this box • BUR. OF AIR MONITORING & MOBILE SOURCES DEPT. OF ENVIRONMENTAL PROTECTION MAIL STATION 5510 2600 BLAIR STONE ROAD

TALLAHASSEE, FLORIDA 32399-2400

UNITED STATES POSTAL SERVICE



THIS PORTION MUST BE ATTACHED TO REMITTANCE FOR PROPER HANDLING

434171 DEC122803

Please include your AIRS ID# on your check or money order. This number can be found below on your mailing label.

TOTAL AMOUNT DUE: \$50.00

Do NOT Remove Label

571202 RANDY BLANTON TOUCH OF CLASS DRY CLEANERS 6402 US HWY 41 N APOLLO BEACH FL 33572

FOR GOVERNMENT USE ONLY Org.: 37550101000 · EO; A1 Fund: 20-2-035001

Obj.: 002273