

Dibble, Dickson

From: Dibble, Dickson
Sent: Wednesday, January 28, 2009 11:57 AM
To: 'howard.eastbay@verizon.net'
Cc: Bowman, Sandy
Subject: AIRS ID# 1030320, East Bay Dry Cleaner Inc d.b.a. East Bay Dry Cleaner, 9023 Park Blvd, Seminole, FL 33777
Attachments: 1030320-004-AG;EastBayDryCleanerInc.pdf

Tracking:

Recipient	Delivery
'howard.eastbay@verizon.net'	
Bowman, Sandy	Delivered: 1/28/2009 11:57 AM

Dear Mr. Howard Wolfson,

It was a pleasure to speak with you today. As I mentioned I was in the process of writing this correspondence when you called, so I will provide this as a follow-up to our conversation.

I am in receipt of your Perchloroethylene Dry Cleaner Air General Permit Notification Form (received 01/27/2009) and your cover letter dated January 23, 2009, in which you are sharing your concerns regarding ownership changes and your query regarding question #7 on the application form. I have scanned all that you have submitted and attached it as a .pdf file in the event you did not save a copy for your files.

1) Please allow me to address the application issues first and then your concerns as voiced in your letter.

By rule, the receipt date of an Air General Permit application triggers a thirty (30) day review process clock which allows a time frame to review & process the application for correctness and applicability.

In order that your application can be considered complete the following three (3) items should be corrected.

A) A cursory review of your application indicates that your application is a xerographic copy of the original. One of the considerations for permit application completeness is that the submitted application should be the original. However, it would be acceptable if you would be so kind to submit the original signature page (page 17) of the form which I will append to the form you have previously submitted.

B) Page 16, question number 5, the first item has been left unanswered. See the cut-n-paste from the form below. Please check one of those boxes on your form.

All steam and hot water generating units exempt **OR**
 No such units on-site

To answer the above question you will need to know several things.

1. You have indicated that you have two (2) boilers at your facility which would eliminate one of the choices above.
2. You have indicated that the type of fuel used in your boilers is Natural Gas (NG). In order for your boiler to be exempt from permitting when burning NG your collective boiler horsepower (hp) rating must be less than 347 hp.

C) Immediately below the above item on your form you have indicated that you have two (2) boilers on site and you have placed a five (5) in the center box of the three boxes and a zero (0) in the third box. Are your two boilers a total of 50 hp or are they 50 hp each or does one have a five (5) hp rating and the second one have no hp rating? Please indicate in each box on your form the individual hp rating of each boiler. In this case you have two boilers so place the hp rating of each individual boiler in a separate box.

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For each boiler, indicate its horsepower (HP) rating: [XX] [XX] []

2) Finally, let me address the questions and concerns which you have shared in your letter.

A) The following rule references and addresses the change in ownership of air general permitted facilities. The following excerpt is from the current State rules governing Perchloroethylene dry cleaning facilities. Even though the Federal Title V rules have changed, and Perch dry cleaners have been removed from Title V requirements, State rules have not yet. New rules are being written as we speak, but may not be promulgated until later this year. Rules regarding ownership changes will most likely not change.

Rule 26-213.300(3)(a), F.A.C. Title V Air General Permits, General Conditions

(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. Eligibility to use 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 is encouraged to notify the Department of the pending action. The owner shall remain liable for corrective actions that may be required as a result of any violations occurring in the time after the sale or legal transfer of the facility, but before a new owner is entitled to use an air general permit.

B) With regard to the \$100.00 fee that you paid in December, it was most likely associated with the DEP Waste Division's Dry Cleaner Clean-up Registration Program, since there are **no** fees currently associated with our Perchloroethylene Dry Cleaner Air General Permit Program.

C) Last, but not least, don't worry about question #7 on the form since that applies to larger major source facilities that have previously held Air Operating (AO), Air Construction (AC) Title V Air (AV), FESOP Air (AF), etc. permits and are eligible to migrate to the Air General (AG) permit.

I hope this helps and if you should have any other questions or concerns, please e-mail or call.

Have a great day!

Sincerely,

Dickson E. Dibble

Dickson E. Dibble, ES III

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Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure

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