



# Florida Department of Environmental Protection

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2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

*Sent by Electronic Mail – Received Receipt Requested*

Ms. Sarah J. Hibbs, P.E., Senior Environmental Affairs Representative  
Walt Disney Parks and Resorts U.S., Inc.  
P.O. Box 10,000  
Lake Buena Vista, FL 32830-1000

Re: Conditional Exemption from the Requirement to Obtain an Air Construction Permit  
Walt Disney Parks and Resorts U.S., Inc., Walt Disney World (WDW) Resort Complex  
Project No. 0950111-042-AC  
Air Construction Permit Exemption for Laundry Roller Ironers and Temporary Water Heaters

Dear Ms. Hibbs:

On September 13, 2017, Walt Disney Parks and Resorts U.S., Inc. submitted a request for an exemption from the requirement to obtain an air construction permit for the installation and operation of four oil-filled roller ironers to support onsite laundry services and an after-the-fact exemption for two newly discovered temporary propane-fired water heaters at the Walt Disney World Resort Complex located in Orange and Osceola Counties at 1375 Buena Vista Drive, Lake Buena Vista, Florida.

WDW plans to install four Chicago Powerhouse 5200-III-16, natural gas-fired, oil-filled roller ironers, each with a maximum rated capacity of 1.36 million British thermal units per hour (MMBtu/hr), at the Administrative Area (AA) Textile Services Laundry (TSA). Potential emissions from the four roller ironers were calculated based on using manufacturer's emissions data and U.S. Environmental Protection Agency (EPA) AP-42 emissions factors. Additionally, it was conservatively assumed for annual emissions calculations that all four roller ironers would be operated for 8,760 hours per year. The potential air emissions from the four roller ironers are summarized in the following table:

| Pollutant                              | Potential Emissions<br>(Four Roller Ironers - Total) |               |
|--|--|---------------|
|  | Pounds per Hour                                      | Tons per Year |
| NO <sub>x</sub>                        | 0.32   | 1.4           |
| CO                                     | 0.34   | 1.5           |
| VOC                                    | 0.04   | 0.12          |
| SO <sub>2</sub>                        | 0.00   | 0.01          |
| PM/PM <sub>10</sub> /PM <sub>2.5</sub> | 0.04   | 0.17          |
| CO <sub>2</sub>                        | 620  | 2,723         |
| HAPs                                   | 0.01   | 0.04          |

Note: CO = carbon monoxide.  
CO<sub>2</sub> = carbon dioxide.  
HAPs = hazardous air pollutants.  
VOC = volatile organic compound.  
NO<sub>x</sub> = nitrogen oxides.  
PM = particulate matter.

PM<sub>10</sub> = particulate matter less than or equal to 10 micrometers.  
PM<sub>2.5</sub> = particulate matter less than or equal to 2.5 micrometers.  
SO<sub>2</sub> = sulfur dioxide.

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In addition, WDW environmental staff recently discovered that two temporary propane-fired hot water heaters were installed by Caribbean Beach Resort staff and/or renovation contractors in May of 2017 to provide domestic/potable heated water supply to the temporary kitchen facilities installed at the Caribbean Beach Resort. These temporary hot water heaters are replacing the functionality of two previously existing boilers (CBR-29 and CBR-112, identified as unregulated emissions units for purposes of the Title V air operation permit), which have been removed as part of building renovation activities. These temporary hot water heaters, each with a maximum rated capacity of 0.199 million British thermal units per hour (MMBtu/hr), will be replaced with permanent natural gas-fired hot water heaters that have been included in an air construction permit application (Florida Electronic Permit Submittal and Processing [EPSAP] application No. 5018-1) submitted on August 22, 2017, and assigned project No. 0950111-041-AC. These permanent hot water heaters are scheduled to commence construction in the fall of 2017 upon issuance of the air construction permit. Upon installation and commencement of operation of the new hot water heaters, these temporary propane-fired hot water heaters will be removed. Potential emissions from the two temporary hot water heaters were calculated based on using manufacturer's emissions data and U.S. Environmental Protection Agency (EPA) AP-42 emissions factors. Additionally, it was conservatively assumed for annual emissions calculations that both hot water heaters would be operated for 8,760 hours per year. The potential air emissions from these temporary propane-fired hot water heaters are summarized in the following table:

| Pollutant                              | Potential Emissions<br>(Four Roller Ironers - Total) |               |
|--|--|---------------|
|  | Pounds per Hour                                      | Tons per Year |
| NO <sub>x</sub>                        | 0.06   | 0.4           |
| CO                                     | 0.04   | 0.2           |
| VOC                                    | 0.00   | 0.03          |
| SO <sub>2</sub>                        | 0.00   | 0.01          |
| PM/PM <sub>10</sub> /PM <sub>2.5</sub> | 0.00   | 0.02          |
| CO <sub>2</sub>                        | 55   | 241           |
| HAPs                                   | 0.00   | 0.00          |

The two temporary hot water heaters are identified as directly supplying the domestic/potable hot water supply system. As defined in 40 CFR 63.7575 and subsequently clarified by EPA, a Hot Water Heater is a closed vessel with a capacity of no more than 120 U.S. gallons in which water is heated and withdrawn for use external to the vessel, or which is heated by a combustion source that has a heat input capacity of less than 1.6 MMBtu/hr. Based on the definition, these 0.199 MMBtu/hr units are defined as "Hot Water Heaters" due to their heat input capacity less than 1.6 MMBtu/hr. Per 40 CFR 63.7491(d), hot water heaters are not subject to the requirements of 40 CFR 63, Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.

Based on the relatively insignificant potential emissions from the four roller ironers and the two temporary hot water heaters, WDW requests Florida Department of Environmental Protection's (FDEP's) concurrence that a permit exemption is appropriate under Chapter 62-4, F.A.C., and that WDW can proceed with construction and operation of the four roller ironers and continued operation of the temporary hot water heaters.

**Determination:** Pursuant to Rule 62.4.040(1)(b), F.A.C., based on the information presented above and subject to the conditions listed below, the Office of Permitting and Compliance determines that the described activity will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified". Therefore, the project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be

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materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212, F.A.C. The Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 2600 Blair Stone Road, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000 and email address is: [DARM\\_Permitting@dep.state.fl.us](mailto:DARM_Permitting@dep.state.fl.us).

**Petitions:** 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 with (received by) the agency clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us). Petitions must be filed within 21 days of receipt of this exemption from air permitting requirements. 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 (in a proceeding initiated by another party) 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, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile 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 when and how each petitioner received notice of the agency action or proposed decision; (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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 permitting action. 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:** Mediation is not available in this proceeding.

**Effective Date:** This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to

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Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

*for:*

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Syed Arif, P.E., Program Administrator  
Division of Air Resource Management

SA/dlr/jh

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Air Permit Exemption was sent by electronic mail, or a link to this document made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following persons.

Ms. Sarah Hibbs, P.E., Walt Disney Parks and Resorts U.S., Inc.: [sarah.j.hibbs@disney.com](mailto:sarah.j.hibbs@disney.com)  
Ms. Joyce Bowers, Vice President, Walt Disney Parks and Resorts U.S., Inc.: [joyce.m.bowers@disney.com](mailto:joyce.m.bowers@disney.com)  
Mr. Armando Rodriguez, Walt Disney Parks and Resorts U.S., Inc.: [armando.rodriguez@disney.com](mailto:armando.rodriguez@disney.com)  
Mr. Jose Garrido, Walt Disney Parks and Resorts U.S., Inc.: [jose.r.garrido@disney.com](mailto:jose.r.garrido@disney.com)  
DEP - Central District Compliance Office: [DEP\\_CD@dep.state.fl.us](mailto:DEP_CD@dep.state.fl.us)  
Mr. Aaron Watkins, DEP - CD: [aaron.watkins@dep.state.fl.us](mailto:aaron.watkins@dep.state.fl.us)  
Ms. Sirena Davila, DEP - CD: [sirena.davila@dep.state.fl.us](mailto:sirena.davila@dep.state.fl.us)  
Mr. Daniel Hall, DEP - CD: [Daniel.k.hall@dep.state.fl.us](mailto:Daniel.k.hall@dep.state.fl.us)  
Ms. Lynn Scarce, DEP - OPC: [lynn.scarce@dep.state.fl.us](mailto:lynn.scarce@dep.state.fl.us)

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.

## CONDITIONS OF EXEMPTION

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Subject to the following conditions, WDW is exempted from the requirements contained in Rule 62-210.300(1)(a), F.A.C., to obtain an air construction permit for the installation of four new oil-filled roller ironers to be located at the Administrative Area Textile Services Laundry and two temporary hot water heaters located in use at the Caribbean Beach Resort, as described above:

1. This exemption is valid only for the four oil-filled roller ironers and two temporary hot water heaters described above.
2. If equipment selection changes, WDW shall submit the pertinent information to the Department of Environmental Protection's Office of Permitting and Compliance within the Division of Air Resource Management by electronic mail and request a new exemption, if applicable. The email address for the Office of Permitting and Compliance is: [DARM\\_Permitting@dep.state.fl.us](mailto:DARM_Permitting@dep.state.fl.us). If it is determined that an exemption for the alternately selected equipment is not applicable, WDW shall apply for and receive an air construction permit prior to commencing construction of that equipment.
3. WDW shall notify the Department's Central District Compliance Office by electronic mail prior to starting up the four new roller ironers. The email address for the Central District's Compliance Office is: [DEP\\_CD@dep.state.fl.us](mailto:DEP_CD@dep.state.fl.us).
4. Because the Walt Disney World Resort Complex is currently part of a larger facility which is collectively identified as a major source of hazardous air pollutants, the above described roller ironers are potentially subject to regulation as process heaters pursuant to 40 CFR 63, Subpart DDDDD - National Emissions Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (NESHAP DDDDD), and shall comply with all applicable (if any) requirements of NESHAP DDDDD upon startup.
5. WDW shall include the above described roller ironers, along with a detailed NESHAP DDDD rule applicability analysis (if applicable), as part of the pending supplemental information submission related to the Title V air operation permit renewal application (project No. 0950111-039-AV), originally submitted on May 18, 2017.
6. The two temporary boilers shall be removed from service upon startup of the new permanent replacement boilers. WDW shall notify the Department's Central District Compliance Office by electronic mail of the date of removal of the two temporary boilers. The email address for the Central District's Compliance Office is: [DEP\\_CD@dep.state.fl.us](mailto:DEP_CD@dep.state.fl.us).
7. Prior to future replacements or additions of any air pollutant emitting equipment, WDW shall submit to the Office of Permitting and Compliance either a claim of exemption from the requirement to obtain an air construction permit pursuant to Rule 62-210.300(3), F.A.C., or a properly prepared application for an air construction permit pursuant to Rule 62-210.300(1), F.A.C.
8. WDW shall continue to work with the Department's Central District Compliance Office to develop and implement new internal operating procedures designed to help assure that individual WDW operating entities do not commence construction/installation of new equipment without first obtaining any necessary permitting authorizations.