

**STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
NOTICE OF INTENT
TO ISSUE PERMIT**

The Department of Environmental Protection gives notice of its intent issue an air pollution permit to SPX Air Treatment for its facility in Ocala, FL. Permit #0830084-005-AC will permit the replacement of one of the facility's spray paint booths. The proposed permit will contain federally enforceable specific limitations to ensure facility emissions will be below all threshold levels that would cause it to be defined as a major source of emissions under Title V provisions of the Clean Air Act. (MAILING ADDRESS - SPX Air Treatment, 4647 S.W. 40th Avenue, Ocala, FL 34474, to the attention of Tom Brady).

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, F.S. before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3) F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. 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 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 Department'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, and telephone number of the petitioner, the name, address, and telephone 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 how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputes

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 action; and
- (f) A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and

- (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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 Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 8407 Laurel Fair Circle, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 0830084-005-AC. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

No. - 677783 - February 22, 2005.

MEMORANDUM

TO: Jason Waters
Air Program Permitting Supervisor

DATE: 03/08/2005

FROM: Lew Snyder
Permit Engineer

SUBJECT: Company: SPX Air Treatment
Permits: 0830084-005-AC Final Issuance
County: Marion
Project: Replacement of Spray Booth

The Intent to Issue Public Notice for the above permit was published on 02/22/05 and received by this office on 02/25/2005. I have reviewed the proof of publication and verified that the correct notice was published.

I recommend issuance of this final permit, which is identical to the draft permit approved by this office as part of the Notice of Intent package.



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

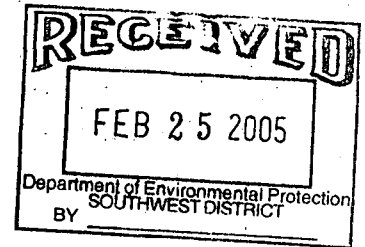
Colleen M. Castille
Secretary

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

DEP File No.: 0830084-005-AC
County: Marion

Mr. Tom Brady
SPX Air Treatment
4647 S.W. 40th Avenue
Ocala, FL 34474-5722



INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, SPX Air Treatment, applied on January 4, 2005, to the Department of Environmental Protection for a permit to replace an existing spray booth.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). The project is not exempt from permitting procedures. The Department has determined that a construction permit (AC) is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 & 62-4.

Pursuant to Section 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice will be published one time only within 30 days of receipt of this Intent to Issue, in the legal ad section of a newspaper of general circulation in the area affected. For the purposes of this rule "publication in a newspaper of general circulation in the affected area" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed above. The applicant shall provide proof of publication to the Department, at 3804 Coconut Palm Drive, Tampa Florida 33619 within 7 days of publication. Failure to publish the notice

and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. 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 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 Department'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, and telephone number of the petitioner, the name, address, and telephone 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 how and when petitioner received notice of the agency action or proposed action;
- (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 action; and
- (f) A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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 Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

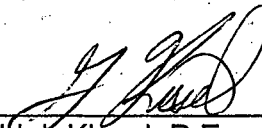
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by

the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program:

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the Department that are relevant to the permit decision. In addition any person may send written comments on the proposed permitting action. All requests and comments should be sent to this office at the address referenced above to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 0830084-005-AC. All comments received within 14 days of receipt of this Intent to Issue will be considered in the Department's final determination.

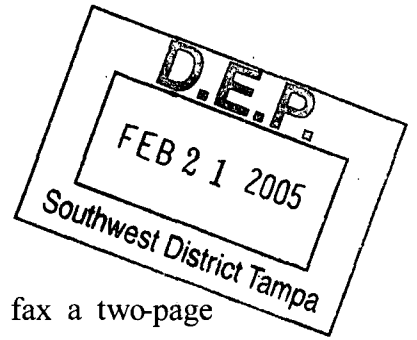
Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Gerald J. Kissel, P.E.
District Air Program Administrator

attachment



I, Joyce A Snyder, at the request of Thomas Brady, did submit via fax a two-page document entitled:

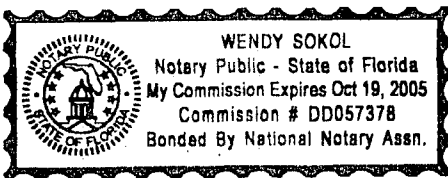
State of Florida
Department of Environmental Protection
Notice of Intent to Issue Permit

To the Star Banner for a single publication on Thursday, February 17, 2005. The Star Banner forecasts this will be published in the Legal Ads Section of their newspaper on Tuesday, February 22 or Wednesday, February 23, 2005.

Joyce A Snyder 02/18/05
Joyce A Snyder Date

State of: Florida
County of: Marion

Signed and sworn to (or affirmed) before me this 18 February, 2005, by Joyce A Snyder



Wendy Sokol
Signature of Notary Public, State of Florida
WENDY SOKOL
Print, Type or Stamp Commissioned Name

Personally Known
 Produced Identification
Type of Identification: _____

Best Available Copy

ax

Star-Banner

your source for your community

P.O. Box 490
2121 S.W. 19th Ave. Rd.
Ocala, FL 34474

352-867-4010
www.starbanner.com
www.ocala.com



Date 2/17

To Joyce Snyder

Fax Number 873-5727

Phone Number _____

From Carrie Haugabrook

Fax Number 352-867-0330

Phone Number 352-867-4073

Number of pages being sent including cover page 4

Comments The legal ad would cost \$328.50 to be published & it requires prepayment.

▶ Your Multi-Media source for your community now includes three neighborhood newspapers, The Leader on 200, Reporter in the Villages, FreePress in Belleview & Summerfield.

- ▲ Also available are two major web sites; StarBanner.com, and Ocala.com.
- ▲ Ocala Life is the magazine of Ocala.com and is published quarterly.
- ▲ Event Marketing conducts three major shows per year for face to face direct marketing.
- ▲ Expand your reach by including direct mail in your marketing plan by using North Florida Direct.

▶ Your newspaper is committed to enhancing our community by involvement in over 100 charities, clubs, and organizations.

Multi-Media Solutions

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
NOTICE OF INTENT
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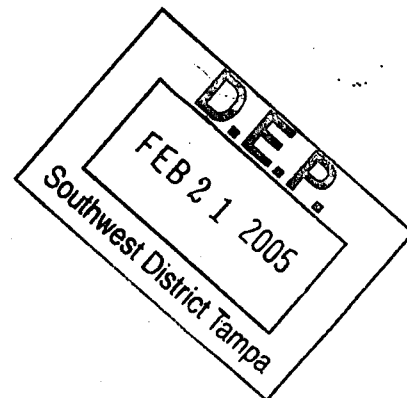
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- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If



There are none, the petition must so indicate;

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Mediation is not available in this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 8407 Laurel Fair Circle, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 083089-005-AC. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall review the proposed permit and require, if applicable, another Public Notice.

No. _____
2005.

Ocala Star-Banner FAX PROOF

Customer:

Contact:

Phone:
Ad Number: 0
Start-End Dates: ~~02/19/2005~~ - ~~02/19/2005~~
Net Price: 328.50
Section: CL
Class: 0001-0001
Size: 1 x 219.00

Signature of Approval: Jay Snyder Date: 02/17/05

HP Officejet 6100 Series 6110
Personal Printer/Fax/Copier/Scanner

Log for
SPX AT CORP
3528735722
Feb 17 2005 3:00pm

Last Transaction

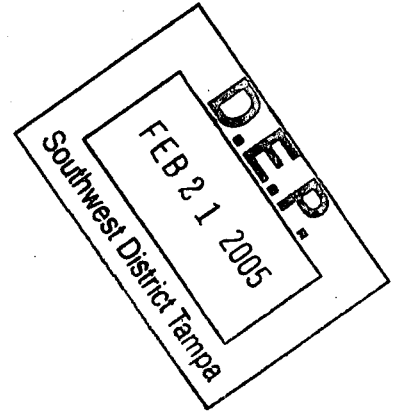
<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Feb 17	2:59pm	Fax Sent	98670330	0:47	4	OK

Best Available Copy

Ocala Star-Banner

**Customer: SPX AIR TREATMENT(CN)
3528735103**

Contact: Joyce



Date: 2-18-05

DATE 67-3020001502 TIME
02/17/05 0000000000 16:39

OCALA STAR BANNER
2121 SW 19TH AVENUE
OCALA, FL 34478
352-867-4838

TRANS # AUTH
172 063525

SALE

ACCT. NUMBER EXP
0130 8706

TOTAL \$326.50

SIGNATURE

THANK YOU

MERCHANT COPY

FAX TRANSMISSION

SPX **Air Treatment**

4647 S.W. 40th Avenue
Ocala, FL 34474
Phone 352-873-5103
Fax 352-873-5722
Joyce.Snyder@airtreatment.spx.com

To:	Kerry / Ocala Star Banner	From:	Joyce Snyder
Fax:	867-0330	Pages:	3
Phone:	867-4010	Date:	2/16/2005
Re:	Advertisement	CC:	

Urgent For Review Please Comment Please Reply Please Recycle

Kerry,

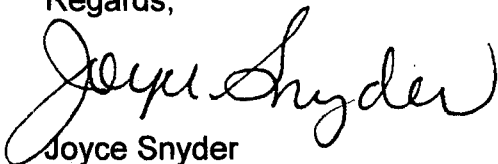
Following is the copy I need published in the "Legal Ads" section of the Ocala Star Banner, according to the instructions we need to publish this one time, therefore as soon as possible I would like to run it once.

Please revert to me with costs, etc., and when it will appear in the paper.

You can call me at 352 873 5103, or email me at joyce.snyder@airtreatment.spx.com.

Thank you,

Regards,



Joyce Snyder
Executive Administrator

Owner/Authorized Representative

1. Name and Title of Owner/Authorized Representative: <i>Tom Brady, Senior Environmental Manager</i>
2. Owner/Authorized Representative Mailing Address: Organization/Firm: <i>Flair Manufacturing</i> Street Address: <i>4647 S.W. 40th Avenue</i> City: <i>Ocala</i> State: <i>Florida</i> Zip Code: <i>34474-5722</i>
3. Owner/Authorized Representative Telephone Numbers: Telephone: <i>(352) 873-5706</i> Fax: <i>(352) 873-5755</i>
4. Owner/Authorized Representative Statement: <i>I, the undersigned, am the owner or authorized representative* of the facility addressed in this application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i> <i>Tom Brady</i> _____ <i>1/28/05</i> _____ Signature Date

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

1. Professional Engineer Name: <i>Johmie Ho</i> Registration Number: <i>52985</i>
2. Professional Engineer Mailing Address: Organization/Firm: <i>Delta Environmental Consultants, Inc.</i> Street Address: <i>8008 Corporate Center Drive, Suite 100</i> City: <i>Charlotte</i> State: <i>NC</i> Zip Code: <i>28226</i>
3. Professional Engineer Telephone Numbers: Telephone: <i>(704) 543-3908</i> Fax: <i>(704) 543-4035</i>

Snyder, Lewis

From: Waters, Jason
Sent: Monday, January 10, 2005 10:27 AM
To: Snyder, Lewis; Bradley, Christopher; Soich, Robert; Cox, Joe
Cc: Smolen, Joel
Subject: SPX Ait Treatment/FlairCorporation

Project Number: 0830084-005-AC
Receipt Date: 1/4/2005
Response Due Date: 1/21/2005
Existing Permit No.: 0830084-004-AF

Assigned Inspector: Bob Soich

Last Facility Inspection (ARMS): 5/25/04 (Joe Cox)

Permit Engineer: Lew Snyder

We have 2 copy(ies) of the application.

Joe, Bob, & Chris, please let the Permit Engineer know by 1/21/05 if you have any changes for the permit, items to add to a potential incomplection letter, or any other concerns you may have with this project.

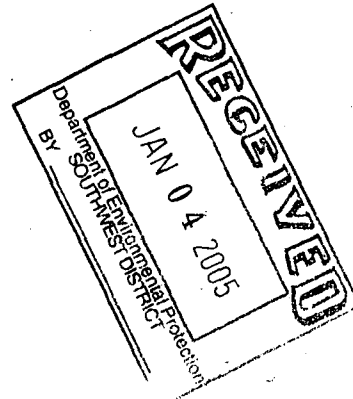
Thanks

Jason Waters
Air Permitting Supervisor
FDEP Southwest District
813-744-6100 x107

1/27/2005

December 30.2004

To: Whom it May Concern
Florida Department of Environmental Protection
Southwest District
Air Quality Section
3804 Coconut Palm Drive
Tampa, FL 33619



Subject: Air Construction Permit Application
SPX Air Treatment (formerly Flair Corporation)
Ocala, Florida
Permit No. 0830084-004-AF

Enclosed are one copy and one original of the air construction permit application for the SPX Air Treatment (SPX) facility, formerly the Flair Corporation, located in Ocala, Marion County, Florida. An air construction application fee in the amount of \$1,000.00 is also enclosed.

This application is being submitted for the construction of a Sinks SpraCure Model AARC-50-630 spray paint booth. Volatile Organic Chemical (VOC) and Hazardous Air Pollutant (HAP) emissions will not increase above the current permitted limits of 37.1 tons VOC per year or <5.0 tons HAPs per year as a result of this addition; therefore, SPX is requesting this source be added to E.U.001 (Large Spray Painting Area) in Permit No. 0830084-004-AF.

Please contact me at (352) 873-5706, or Tony Russo, Delta Environmental Consultants, Inc. at (704) 543-3930 if you have any questions.

Sincerely,

SPX AIR TREATMENT

A handwritten signature in cursive script that reads "Tom Brady".

Tom Brady
Safety & Environmental Manager

enclosures