

Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

DEP File No.: 0830151-001-AC
County: Marion

Mr. Charles Wiley, Production Supervisor
HYDRO SPA
13055 49th Street, North
Clearwater, Florida 33762

INTENT TO ISSUE

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, Hydro Spa, applied on 2/12/2003 to the Department of Environmental Protection for a permit to construct a reinforced plastic composite production facility at 5401 NW 44th Avenue, Ocala, Marion County, Florida.

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 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.

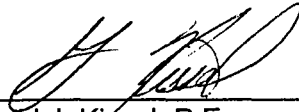
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will 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. Eric Peterson, P.E., (phone no. 813-744-6100 ext. 107) referencing Permit File No. 0830151-001-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.
Air Program Administrator
Southwest District

GJK/qn

Attachment

cc: Darrel J. Graziani, P.E., Southern Environmental Sciences, Inc.


CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on OCT 21 2003 to the listed persons, unless otherwise noted.

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

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U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com ®	
OFFICIAL USE	
Postage \$	
Mr. Charles Wiley Production Supervisor	
(Enc)	HYDRO SPA
Re:	13055 49th Street, North
(End)	Clearwater, FL 33762
To:	0830151-001-AC 10/21/2003
Sent	
Street or PO Box No.	
City, State, ZIP+4	
PS Form 3800, June 2002	
See Reverse for Instructions	

 OCT 21 2003
Clerk Date

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

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (Permit File No. 0830151-001-AC) to Hydro Spa for the construction of a reinforced plastic composite production facility at 5401 NW 44th Avenue, Ocala, Marion County, Florida. MAILING ADDRESS – 13055 49th Street, North, Clearwater, Florida 33762 to the attention of Mr. Charles Wiley, Production Supervisor.

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 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 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.

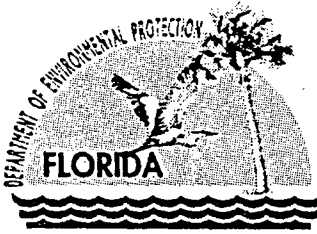
A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 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. Eric Peterson (phone no. 813-744-6100 ext. 107) referencing Permit File No. 0830151-001-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.



Department of Environmental Protection

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Tampa, Florida 33619

David B. Struhs
Secretary

PERMITTEE:

HYDRO SPA
13055 49TH Street, North
Clearwater, FL 33762

DRAFT

Permit No: 0830151-001-AC
County: Marion
Effective Date:
Expiration Date: 12/31/2005
Project: Reinforced Plastic
Composite Spa Production

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-204, 62-210, 62-212, 62-213, 62-296, 62-297, and Chapter 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the Florida Department of Environmental Protection:

This after-the-fact construction permit authorizes the modification of a former conversion van manufacturing facility for reinforced plastic composites production operation. The operation involves the production of pool spas and include the preparation and repair of molds, the application of resin and fiberglass to molds, product assembly, touchup, equipment cleanup, and fugitive emissions from the lamination building. The building ventilation system is used to improve the dispersion of styrene emissions into the atmosphere to avoid and/or minimize odor impacts off site.

The air emission sources at this facility are as described below:

Rule Applicability Notes

- (1) This facility is a major source under the HAP and Title V Programs based on HAP emissions (Styrene >10 & 25 tons per year) and a minor source under the PSD program based on VOC emissions (<250 tons per year) in accordance with Rule 62-210.200, F.A.C., (definitions), and therefore the facility will be subject to the requirement of Rule 62-213, F.A.C.
- (2) This facility including the use of molds and the application of resin is subject to the MACT standards of 40 CFR Part 63, Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, promulgated by the U.S. EPA on April 21, 2003 for new facilities. The new MACT requirements are incorporated in this construction permit.
- (3) Total HAP emissions from this facility will be capped below the 100 tons per year threshold by using low HAP content resins to avoid the need for add-on controls. VOC emissions will be capped below the 250 tons threshold to avoid being a PSD major. VOC and HAP emissions are all emitted fugitively and will be tracked through record-keeping in this permit.

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Spa Production

Exempt / Insignificant Emission Units and/or Activities

1. Manually operated equipment used for buffing, polishing, carving, cutting, drilling, outing, sanding, sawing, trimming, machining, surface grinding or turning.
2. Polishing and buffing operations, including rubbing compound
3. Vehicle service and maintenance equipment, and related materials
4. Welding Equipment including acetylene torch and related materials
5. Fire and Safety Equipment
6. Space Heaters
7. Office Activities
8. Maintenance of grounds and equipment
9. Forklift operations
10. Brazing and Soldering activities
11. Silicone Sealant

Facility Information Summary

Location: Former Mark III Conversion Van Property
5401 44th Avenue, NW, Ocala, Marion County, FL 34482

UTM Coordinates: Zone 17 – 384.08 East 3234.56 North

Latitude: 29.236 North **Longitude:** 82.193 West

Facility ID No.: 0830151

Emission Unit (EU) ID Nos. and Descriptions:
001 – Reinforced Plastic Composites Production Facility and Associated Activities.

Note: Please reference Permit No. and Emission Unit ID No. in all correspondence, test report submittals, applications, etc.

Permit History

Replaces Permit No.: *N/A - This is the first air pollution permit for this existing facility.*

Attachment: An amended version of 40 CFR 63, Subpart WWWW: National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.0

Specific Conditions

The following conditions apply facility-wide:

1. General Conditions - A part of this permit is the attached 15 General Conditions. [Rule 62-4.160, F.A.C.]

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Spa Production

2. Other Requirements - Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, or any other requirements under federal, state or local law. [Rule 62-210.300, F.A.C.]

Operation and Emission Limitations

3. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited - No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. The doors and windows shall be closed whenever feasible to ensure that materials which emit VOC emissions from the materials containing VOC's are captured and exhausted through the stacks with adequate dispersion to prevent objectionable odors. If the Department receive a valid odor complaint, the Department reserves the right to require additional odor control measures/work practices be implemented. [Rules 62-296.320(2), 62-210.200(181), F.A.C.]

4. Unconfined Emissions of Particulate Matter - All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter resulting from buffing, polishing, carving, cutting, drilling, routing, sanding, sawing, trimming, machining, surface grinding, or turning at this facility. Reasonable precaution to be taken include the following:

- A. Paved parking and trafficked areas shall be maintained and kept free of particulate matter build-up.
- B. Proper disposal of wastes (e.g., saw dust, pipe cutting etc.) in an industrial dumpster.
- C. Sprinkling with water shall be used as necessary on paved and unpaved areas and in the dumpster.
- D. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particular matter.

[Rules 62-296.320(4)(c), and 62-4.070(3) F.A.C.]

5. General Pollutant Emission Limiting Standards. Volatile Organic Compounds or Organic Solvent Emissions - The permittee shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvent (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. The facility shall comply with the following operating procedure and work practice relating to VOC/OS use and emissions:

- A. Fans and ventilation systems, as described below, located in the reinforced plastic composite production building shall be operating whenever usage of material containing VOC/OS occurs and shall remain operating for at least 1 hour after the usage has been completed. The production building has six exhaust stacks with diameters varying from 24 inches to 30 inches. The air flow through the stacks vary from approximately 10,084 acfm to 13,630 acfm.

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- B. All materials containing VOC/OS's shall be stored in closed containers and/or in small automatic closing safety cans.
- C. Clean-up solvent washings shall be directed into containers that prevent evaporation into the atmosphere.
- D. All equipment, pipes, hoses, lids, fittings, etc., shall be operated/maintained in such a manner as to minimize leaks, fugitive emissions, and spills of materials containing VOC/OS's.
- E. Immediately attend to all spills of materials containing VOC/OS's as appropriate.

[Rules 62-4.070(3) & 62-296.320(1)(a), F.A.C.]

{Permitting Note: Additional work practices are included in Table 4 of the attached 40 CFR 63, subpart WWWW.}

6. General Particulates Emission Limiting Standard. General Visible Emissions Standard – Except for emission units that are subject to particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20% opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)(1), and 4., F.A.C.]

7. Special Compliance Tests - When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.
[Rule 62-297.310(7)(b), F.A.C.]

8. MACT Applicability – As a major source of HAP emissions, the source will be subject to the emission limiting standards and work practice requirements contained in Tables 3 and 4 of the promulgated MACT Standard for 40 CFR Part 63, Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production, and shall comply with these standards and requirements upon startup. An amended version of the 40 CFR Part 63, Subpart WWWW applicable to this facility is attached as a part of this permit.
[Rule 62-213.440(1), F.A.C.]

9. Time Specific Requirement - When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.
[Rule 62-213.440, F.A.C.]

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Permit No.: 0830151-001-AC
Project No.: Reinforced Plastic Composite
Spa Production

10. Notification Requirement - The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office:

Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6458

Essential Potential to Emit (PTE) Parameters

11. Hours of Operation – Emission Unit No. 001 is allowed to operate continuously, i.e., 8,760 hours/year.

[As requested by permittee in construction permit application dated February 12, 2003, Rule 62-210.200, F.A.C. – Definitions (PTE)]

12. Hazardous Air Pollutant (HAP) – Total HAP emissions from this facility shall not exceed 98.0 tons in any consecutive 12-month period.

[As requested by permittee in construction permit application dated February 12, 2003, Rule 62-210.200, F.A.C. – Definitions (PTE)]

13. Total Volatile Organic Compound (VOC) – Total VOC emissions from this facility including styrene and other HAPs that are VOCs, shall not exceed 245.0 tons in any consecutive 12-month period.

[As requested by permittee in construction permit application dated February 12, 2003, Rule 62-210.200, F.A.C. – Definitions (PTE)]

14. Recordkeeping and Reporting Requirements - The permittee shall keep monthly logs for the facility to document compliance with the limitations of Condition Nos. 12 and 13. The logs may be based on the beginning and ending inventories, deliveries, shipments, etc. "At the option of the permittee, "purchases" may be used instead of "usage" in determining VOC/HAP emissions, provided that no materials are used which are not purchased. Once implemented, the chosen option shall not change without prior written approval of the Department. Implementation of the monthly logs (recordkeeping system) shall begin upon startup of the facility. Note, if any month results in total HAPs, and/or total VOCs emissions being within 10% of its associated allowable emission limit for the prior consecutive 12-month period, the monthly log required below shall be then kept daily. The daily logs shall include a cumulative total to demonstrate compliance with Specific Condition Nos. 12 and 13. The logs shall be retained on file at the facility for at least 2 years. The monthly logs shall include at least the following information:

- a. Facility Name, Emission Unit ID No. (E.U. 0830151 001) and Description
- b. Month, year, and method used for records (use or purchase)

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Ocala, Marion County

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- c. The monthly logs shall be completed by 30th of the following month. Daily logs (if required) shall be completed within 3 business days. Supporting documentation (MSD sheets, purchase orders, emission factors, etc.) shall be kept for each material which includes sufficient information to determine HAP emissions and VOC emissions. These records shall be made available to the Department upon request.
- d. Record the monthly quantity, in tons, of each material used that contains HAP/VOC for each category (Polyester Resin, Catalyst, Foam, non-HAP cleaning solvents, and miscellaneous materials, etc.) per each application method.
- e. Calculate and record the most recent consecutive 12-month period cumulative material usage rate (in tons per 12 consecutive month period) for each category (Polyester Resin, Catalyst, Foam, non-HAP cleaning solvents, and miscellaneous materials, etc.)
- f. For each material/product used that contains HAP/VOC, record the percentage (%) by weight of HAP along with the percentage (%) by weight of VOC.
- g. Record the monthly and the most recent consecutive 12-month total quantity, in tons, for HAPs emissions per application method and material. Record the HAP emissions to units of pounds per ton of resin applied for each method of operation.
- h. Record the monthly and the most recent consecutive 12-month total quantity, in tons, for HAPs emissions, as shown in Condition No. 12.
- i. Record the monthly and the most recent consecutive 12-month total quantity, in tons, for VOC emissions per application method and material.
- j. Record the monthly and the most recent consecutive 12-month total quantity, in tons, for VOC emissions, as shown in Condition No. 13.
- k. Documentation of the HAP emission calculation shall be determined by using the emission factors in the Table 1 of 40 CFR Part 63, Subpart WWWW. The current calculation shall use the formula:

$$\text{Emissions}_{\text{styrene}} \text{ tons} = ((\chi \text{ tons of resin or gel coat}) \times (\text{EF} \times \text{lb/ton})) / 2000 \text{ lbs/ton}$$

*EF = the appropriate emission factor from 40 CFR 63, Subpart WWWW, Table 1 (See Attachment). All applicable terms, conditions, and definitions, in regards to Table 1 apply, such as:

Atomized mechanical application means application of resin or gel coat with spray equipment that separates the liquid into a fine mist. This fine mist may be created by forcing the liquid under high pressure through an elliptical orifice, bombarding a liquid stream with directed air jets, or a combination of these techniques.

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Nonatomized mechanical application means the use of application tools other than brushes to apply resin and gel coat where the application tool has documentation provided by its manufacturer or user that this design of the application tool has been organic HAP emissions tested, and the test results showed that use of this application tool results in organic HAP emissions that are no greater than the organic HAP emissions predicted by the applicable nonatomized application equation(s) in Table 1 to this subpart. In addition, the device must be operated according to the manufacturer's directions, including instructions to prevent the operation of the device at excessive spray pressures. Examples of nonatomized application include flow coaters, pressure fed rollers, and fluid impingement spray guns.

Documentation of the VOC used shall be determined by a mass balance method, or appropriate emission factors.

- i. Each log shall have the appropriate footnotes listing emission factors used in calculation.
- m. Each log, where applicable, shall have attached the documentation for all chemicals removed from the facility if the permittee seeks emission credits for the wastes.
- n. The emission factors used to calculate HAP and VOC emissions for the logs shall be updated upon receiving more accurate emission data, such as updates to AP-42, or other references or methods approved by the Department.

[Rule 62-4.070(3), F.A.C.]

15. Within 90 days of the effective date of this permit (see page 1), the permittee shall submit to the Air Compliance Section of the Department's Southwest District a copy of the recent month of log as required by Specific Condition No. 14.

[Rule 62-4.070(3), F.A.C.]

16. Statement of Compliance – The "Statement of Compliance" is required to be submitted to the Air Compliance Section of Southwest District Office of the Department and U.S. EPA **semiannually** on or before July 31 and January 31, for the semiannual reporting period from January 1 through June 30 and from July 1 through December 31 respectively.

[40CFR 63.5910, Rules 62-213.440(3), 62-213.420(4), and 62-4.070(3), F.A.C.]

Permittee:
Hydro Spa
Ocala, Marion County

DRAFT

Permit No.: 0830151-U01-AC
Project No.: Reinforced Plastic Composite
Spa Production

Title V Operation Permit Application

17. Applications in quadruplicate for a Title V operating permit for the facility shall be submitted to the Air Permitting Section of the Southwest District Office of the Department in conjunction with your initial Compliance Status notification as required in 40 CFR 63.9(h) at least 180 days prior to the expiration date of this permit. At a minimum be sure at least one recent month of logs documenting compliance with the emission limitations are attached to the application. To properly apply for an operation permit, the applicant shall submit the following:

- a. the appropriate application form (DEP Form No. 62-210.900(1) Effective 06/16/2003 Application for Air Permit – Title V Source) noting any deviations from the construction permit application;
- b. a copy of log, including VOC/HAP records (*Specific Condition No. 14*) for the most recent month.

[Rules 62-4.070(3), 62-210.900, 62-213.420(1)(a) and 62-297.310(7)(a)1., F.A.C.]

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

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

GJK\qn

DRAFT

ATTACHMENT - GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. Not applicable to Air Permits.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;

DRAFT

GENERAL CONDITIONS:

- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

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GENERAL CONDITIONS:

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.

Appendix WWWW
Draft Construction Permit No. 0830151-001-AC

STANDARDIZED PERMIT CONDITIONS
40 CFR 63

**Subpart WWWW--National Emission Standards for Styrene and non-Styrene HAP
Emissions from the Manufacturing of Reinforced Plastic Composite Spa Production**

Department of Environmental Protection
Bureau of Air Regulation
Updated 6/12/2003

Department of Environmental Protection
Air Permitting Section - Southwest District
Amended 9/10/2003

NOTE: The full requirements of 40 CFR Part 63 Subpart WWWW have been edited in this appendix. The requirements which are not pertinent to this facility are not included and are represented by the symbol "⊕".



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

P.E. Certification Statement

Permittee: Hydro Spa (Ocala)

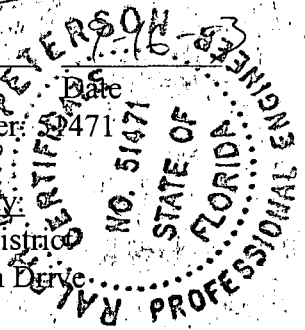
Project type: Initial (after-the-fact) Construction Permit for spa mfg facility

Permit No.: 0830151-001-AC

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

R.E. Peterson, P.E. Date
Registration Number: 51471

Permitting Authority:
FDEP Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619
813/744-6100 Ext 107
Fax: 813/744-6458



MEMORANDUM

TO: Jerry Kissel, District Air Program Administrator, SWD

THRU: Eric Peterson, Air Permitting Supervisor, SWD *EP*

FROM: Quaid Noor, Air Permit Engineer *QN*

DATE: September 9, 2003

SUBJECT: HYDRO SPA
Draft Construction Permit
Project: After-the-Fact Construction of Reinforced Plastic Composites
Production Facility
County: Marion
Permit No.: 0830151-001-AC
Day 90: 10/29/2003

*NOTE: THIS FACILITY CURRENTLY
UNDER ENFORCEMENT FOR
OP'G WITHOUT PERMIT.
JK 9/18/03*

The attached draft permit is for the construction of a reinforced plastic composites production facility (40 CFR Part 63, Subpart WWWW, promulgated April 21, 2003) for the manufacture of portable spas at Ocala, Marion County. The facility will be classified as a new facility (Constructed after August 2, 2002) under Subpart WWWW.

Process Description

The facility will manufacture portable spas using polyester resins. The operation includes preparation of mold, the application of resin and fiberglass to the molds, product assembly, and touch up. The resin application process involves both mechanical (non-atomized) and manual application techniques. Miscellaneous activities include spray foam application, cleanup using non-HAP VOC-containing solvents, use of primers/glues, wood working activities, and the use of water-based stains. The building ventilation system consisting of 6 exhaust fans is used to disperse emissions into the atmosphere to avoid and/or minimize odor impacts off site.

Pollution Control Equipment

Particulate matter is generated from buffing, polishing, carving, cutting, drilling, routing, sanding, sawing, trimming, machining, surface grinding, or turning in the facility. Hoods, fans, and filters are used to capture and/or vent particulate matter. All VOC and HAPs generated are emitted fugitively.

Applicable Rules & Regulations

- (1) The facility is a major source under the HAP and Title V Programs based on HAP emissions (Styrene >10 & 25 tons per year) and a minor source under the PSD program based on VOC emissions (<250 tons per year) in accordance with Rule 62-210.200, F.A.C., (definitions), and therefore the facility will be subject to the requirement of Rule 62-213, F.A.C.
- (2) The facility is subject to 40 CFR Part 63, Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.

- (3) Total HAP emissions from the facility will be capped below the 100 tons per year threshold by using low HAP content resins to avoid the need for add-on controls. VOC emissions will be capped below the 250 tons threshold to avoid being a PSD major. VOC and HAP emissions are all emitted fugitively and will be tracked through record-keeping in this permit.
- (4) An amended version of 40 CFR Part 63, Subpart WWWW: National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites, specific to this facility is attached as a part of the permit.

Compliance Monitoring. Recordkeeping and reporting requirements included in the permit.

Compliance/Enforcement History. Facility has already commenced operation without permit. This facility has been issued warning letter for construction and operation without permit and the enforcement process is running concurrently with the permitting process.

Fee Summary. This project is an AC1B (\$5000) to construct a source emitting 100 tpy or more of pollutant and not a PSD facility.

Title V Operation Permit Application: Application for Title V operating permit for the facility shall be submitted to the Department at least 90 days before the expiration of this construction permit, but no later than 180 days after the commencement of operation.

I recommend the issuance of the draft construction permit based on the information provided above. This draft permit will become final on issuance should there be no further change in it.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION
FOR
Hydro Spa
Ocala
Marion County

Construction Permit Application Number
0830151-001-AC

Florida Department of Environmental Protection

Southwest District

Tampa, FL

September 9, 2003

Prepared by: Quaid Noor

Pat:

*Please do not
mail.*

I. Project Description:**A. Applicant: (Authorized Representative)**

Mr. Charles Wiley, Production Supervisor
Hydro Spa
13055 49th Street
Clearwater, FL 33762

B. Engineer:

Mr. Darrel J. Graziani, P.E.
Southern Environmental Sciences, Inc.
1204 North Wheeler Street
Plant City, FL 33563-2354

C. Project and Location:

The modification of a former conversion van manufacturing facility for the manufacture of portable spa using reinforced plastic composite and Open Mold processing.

Location: 5401 NW 44th Avenue, Ocala, Marion County, Florida
SIC No.: 3088 Plastic Plumbing Fixtures
UTM Coordinates: Zone 17, 384.08 km East and 3234.56 km North
Latitude: 29.236 North **Longitude:** 82.193 West

D. Process and Controls:

The source being permitted is used for the manufacture of portable spa pools using reinforced plastic composite and Open Mold processing. The primary source of emissions is the resin application process using both mechanical (non-atomized) and manual application techniques. This operation includes preparation of mold, the application of resin and fiberglass to the molds, product assembly, and touch up. Miscellaneous activities include spray foam application, cleanup activities using non-HAP, VOC-containing solvents, use of piping primers/glues, wood working activities, and the use of water-based stains. VOC and HAP emissions from the resin application, touch up and cleaning solvents are emitted fugitively. The building ventilation system is used to disperse emissions into the atmosphere to avoid and/or minimize odor impacts off-site.

Emission Unit ID & Description

001 – Reinforced plastic composite spa production facility and associated activities

E. Application Information:

Received on: Feb 12, 2003

Complete on: August 18, 2003

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes and Chapters 62-204 through 62-297, Florida Administrative Code (F.A.C.), as indicated below.

Subject to:	Y/N
Rule 62-212.300, Sources Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C. ¹	Y
Rule 62-212.400, Prevention of Significant Deterioration, F.A.C. ²	N
Rule 62-296.320, General Particulate Emission Limiting Standards, F.A.C. ³	Y
Rule 62-296.320, General Pollutant Emission Limiting Standards, F.A.C. ⁴	Y
Rule 62-296.401-417, Stationary Source Emission Standards, F.A.C. ⁵	N
Rule 62-296.500-570, Reasonably Available Control Technology (VOC), F.A.C. ⁶	N
Rule 62-296.700-712, Reasonably Available Control Technology (PM), F.A.C. ⁷	N
Rule 62-204.800, Standards of Performance for New Stationary Sources, F.A.C. ⁸ (NSPS)	N
Rule 62-204.800, National Emission Standard for Hazardous Air Pollutants, F.A.C. ⁹ (Part 61 & 63 NESHAPS)	Y
Chapter 62-213, Operation Permits for Major Sources of Air Pollution, F.A.C. ¹⁰	Y
Rule 62-207.310, General Compliance Test Requirements, F.A.C. ¹¹	N
Chapter 62-297, Stationary Sources – Emissions Monitoring, F.A.C. ¹²	N

1. not exempt from general permitting requirements
2. facility is PSD minor
3. the facility could be a source of unconfined particulate matter emissions
4. resin application operations are a source of VOC and odors
5. resin application is not a covered source category
6. resin application is not a covered source category
7. not a covered PM source
8. resin application is not a covered source category
9. resin application is a covered source category
10. facility is a Title V source
11. testing not required
12. emission monitoring not required.

Rule Applicability Notes

- (1) The facility is a major source under the HAP and Title V Programs based on HAP emissions (Styrene >10 & 25 tons per year) and a minor source under the PSD program based on VOC emissions (<250 tons per year) in accordance with Rule 62-210.200, F.A.C., (definitions), and therefore the facility will be subject to the requirement of Rule 62-213, F.A.C.
- (2) The facility is subject to 40 CFR Part 63, Subpart WWWW – National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.
- (3) Total HAP emissions from the facility will be capped below the 100 tons per year threshold by using low HAP content resins to avoid the need for add-on controls. VOC emissions will be capped below the 250 tons threshold to avoid being a PSD major. VOC and HAP emissions are all emitted fugitively and will be tracked through record-keeping in this permit.

III. Summary of Emissions

The facility-wide emissions of the following pollutants shall not exceed the limitations listed below:

Maximum Allowable Emission Rates:
Tons per any 12 consecutive month period

VOC	245.0
Total HAP	98.0

To ensure compliance with these limits, monthly recordkeeping for the resin application operations is required. Records include material usage, VOC content, HAP content, and consecutive 12-month period VOC and HAP emissions.

IV. Conclusions

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204 through 297, F.A.C.

The general and Specific Conditions listed in the draft permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204 through 62-297, F.A.C.

V. Proposed Agency Action

Pursuant to Section 403.087, Florida Statutes and Section 62-4.070, Florida Administrative Code, the Department hereby gives notice of its intent to issue a permit to construct the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).