

Southern Environmental Sciences, Inc.

1204 North Wheeler Street □ Plant City, Florida 33563-2354 □ (813) 752-5014, Fax (813) 752-2475.

May 9, 2005

Mr. Jason Waters
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
Southwest District Air Section
3804 Coconut Palm Drive
Tampa, Florida 33619



Re: Hydro Spa – Ocala Facility
Notice of Intent
DEP File No.: 0830151-002-AV

Dear Mr. Waters:

Please find enclosed the proof of publication of the Notice of Intent to Issue an Initial Air Pollution Title V Air Operation Permit to Hydro Spa, Ocala Facility. The Notice of Intent was published in the legal ad section of The Riverland News on May 5, 2005.

If you have any questions, please do not hesitate to call.

Very truly yours,

SOUTHERN ENVIRONMENTAL
SCIENCES, INC.



Iris D. Luckey
Engineering Technician

cc: Mr. Ken Sorah, Hydro Spa, Inc.

Enclosure

Proof of Publication

from the
RIVERLAND NEWS
Dunnellon, Marion County, Florida
PUBLISHED WEEKLY

STATE OF FLORIDA
COUNTY OF MARION

Before the undersigned authority personally appeared

Kathleen Niehaus

Of the Riverland News, a newspaper published weekly at Dunnellon, in Marion County, Florida, that the attached copy of advertisement being a public notice in the matter of the

205-0505 RIV PUBLIC NOTICE OF INTENT TO ISSUE AN INITIAL AIR POLLUTION TITLE V AIR OPERATION PERMIT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SOUTHWEST DISTRICT DRAFT Initial Air Pollution Title V Air Operation Permit Project No.: 0830151-002-AV

Court, was published in said newspaper in the issues of May 5th, 2005,

Affiant further says that the Riverland News is a Newspaper published at Dunnellon in said Marion County, Florida, and that the said newspaper has heretofore been continuously published in Marion County, Florida, each week and has been entered as second class mail matter at the post office in Dunnellon in said Marion County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kathleen Niehaus

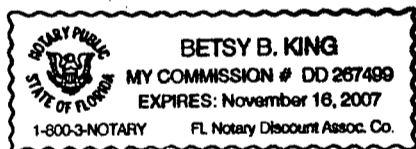
The forgoing instrument was acknowledged before me

This 5th day of May, 2005

By: Kathleen Niehaus

who is personally known to me and who did take an oath.

B & B. S.
Notary Public



205-0505 RIV
PUBLIC NOTICE
OF INTENT TO ISSUE AN INITIAL AIR POLLUTION TITLE V AIR
OPERATION PERMIT

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHWEST DISTRICT

DRAFT Initial Air Pollution Title V Air Operation Permit
Project No.: 0830151-002-AV

HYDRO SPA, Ocala Facility
Marion County

The Florida Department of Environmental Protection, Southwest District (permitting authority) gives notice of its intent to issue an Initial Air Pollution Title V Air Operation Permit (copy of DRAFT attached) to Hydro Spa, Ocala facility. The applicant's name and address are: HYDRO SPA, 13055 49th Street, North, Clearwater, FL 33762. Attention: Mr. Charles Wiley, Production Supervisor.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Title V Permit unless response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the draft Title V permit for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, FL 33619. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Sections 120.569 and 120.57 of the Florida Statutes (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, FL 32399-3000. Telephone: (850) 488-9730. Fax: (850) 487-4938. 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 the 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 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- The name and address of each agency affected and each agency's file or identification number, if known;
- 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;
- A statement of how and when petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- 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 permitting authority's final action may be different from the position taken by it in these two permits. 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 is not available in this proceeding.

Regarding only the Draft Title V Permit: Pursuant to 42 United States Code (U.S.C.) Section 7661(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provision of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file 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:

PERMITTING AUTHORITY:
Florida Department of Environmental Protections
8407 Laurel Fair Circle
Tampa, FL 33610
Telephone: 813/744-6100
Fax: 813/744-6458

The complete project file includes the DRAFT Permit, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Mr. Jason Waters, P.E., at the above address, or call Mr. Qaid Noor at (813) 744-6100, ext. 112, for additional information.

Published one (1) time in the Riverland News, May 5, 2005.