



Barbara File

# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

August 18, 1998

Mr. Lee Schumde  
Vice President, Legal  
Walt Disney World Co.  
P.O. Box 10,000  
Lake Buena Vista, Florida 32830-1000

Re: Walt Disney World Resort  
Conditional Exemption for Two Paint Spray Booths  
North Service Area Central Shops Building: Character Heads Paint Spray Booth #2 (NSA-17)  
Cirque du Soleil Building: Paint Spray Booth #1 (CDS-1)

Dear Mr. Schumde:

The Department has evaluated the submittal regarding the above referenced proposed new emission activities, in which one (NSA-17) will be co-located with other existing support and maintenance activities located within the North Service Area Central Shops Building (NSACSB) that have volatile organic compounds (VOC) emissions and the other one (CDS-1) being located at a new attraction in the Downtown Disney area (formerly known as Pleasure Island/Disney Village Marketplace).

The NSA-17 operations will be for new fabrication and, as needed, touch-up requirements; also, the operations will be intermittent or batch type (potential/estimated gallons per year usage of paints and solvents are 2050). The increase of potential VOC emissions from the new booth is 4.8 tons per year (TPY) and raises the total aggregate VOC emissions from the NSACSB to 31.0 TPY.

The CDS-1 operations will be used to finish props for the circus-style shows. The props are mainly wood panels and small wood, plastic and metal items. The operations will be intermittent or batch type (potential/estimated gallons per year usage of paints and solvents are 595). The increase of potential VOC emissions from the new booth is 1.5 TPY.

The existing facility is a "major source of air pollution" or "Title V Source" for criteria pollutants and hazardous air pollutant emissions pursuant to Rule 62-210.200, Florida Administrative Code (F.A.C.), Definitions, and received its initial Title V operation permit on December 31, 1997, and became effective on January 1, 1998. Since the proposed contemporaneous VOC emissions increase is much less than the significant emissions rate of 40 TPY contained in Table 212.400-2, F.A.C., the proposal is not subject to PSD new source review pursuant to Rule 62-212.400(5), F.A.C.; also, for PSD review consideration pursuant to Rule 62-212.400(6)(b), F.A.C., it is determined that the proposal is not considered as part of a phase project. Finally, there are no specific emission limiting standards pursuant to Rule 62-204.800 and Chapter 62-296, F.A.C.

Based on the above findings, the Department is granting a conditional exemption from the air permitting requirements of the Florida Department of Environmental Protection for the subject two paint spray booths. The exemption is based on the premise that any air pollutants emitted from the proposed paint spray booths will not be in significant quantities to contribute to air pollution problems in the state pursuant to Rule 62-4.040(1)(b), F.A.C.

The conditions of this exemption are:

- A. North Service Area Central Shops Building: Character Heads Paint Spray Booth #2 (NSA-17)
  1. The total material usage of the paint spray booth operations is 2050 gallons per calendar year.
  2. The owner or operator(s) will account for the materials used using a materials balance scheme, which employs the following:
    - a. a beginning inventory of materials in stock (on or about 1/1/yr);
    - b. adding any materials received during the year;
    - c. subtracting any materials recycled during the year; and,
    - d. subtracting any ending inventory of materials in stock (on or about 12/31/yr), with the net result assumed to have been used and emitted.

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

Walt Disney World Resort

Conditional Exemption for Two Paint Spray Booths

North Service Area Central Shops Building: Character Heads Paint Spray Booth #2 (NSA-17)

Cirque du Soleil Building: Paint Spray Booth #1 (CDS-1)

August 18, 1998

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3. Any records kept will be retained for a five year period and made available for Department inspection upon request.
4. The operation of this activity shall not cause or contribute to an objectionable odor.
5. If the conditions on which this exemption are based change, the operator shall notify the Department's Bureau of Air Regulation of the changes and request the exemption be amended.
6. Upon the next opening of the facility's Title V operation permit, which is scheduled for late summer of this year, this paint spray booth will be identified/designated as an "unregulated" emissions unit/activity and placed in Appendix U-1, Unregulated Emissions Units/Activities, for future inventory purposes on an every 5-year basis, starting in year 2000.

**B. Cirque du Soleil Building: Paint Spray Booth #1 (CDS-1)**

1. The total material usage of the paint spray booth operations is 595 gallons per calendar year.
2. The owner or operator(s) will account for the materials used using a materials balance scheme, which employs the following:
  - a. a beginning inventory of materials in stock (on or about 1/1/yr);
  - b. adding any materials received during the year;
  - c. subtracting any materials recycled during the year; and,
  - d. subtracting any ending inventory of materials in stock (on or about 12/31/yr), with the net result assumed to have been used and emitted.

3. Any records kept will be retained for a five year period and made available for Department inspection upon request.
4. The operation of this activity shall not cause or contribute to an objectionable odor.
5. If the conditions on which this exemption are based change, the operator shall notify the Department's Bureau of Air Regulation of the changes and request the exemption be amended.
6. Upon the next opening of the facility's Title V operation permit, which is scheduled for late summer of this year, this paint spray booth will be identified/designated as an "unregulated" emissions unit/activity and placed in Appendix U-1, Unregulated Emissions Units/Activities, for future inventory purposes on an every 5-year basis, starting in year 2000.

This conditional exemption will take effect 21 days from the clerking date unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed agency action 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 applicant or any of the parties listed below must be filed within twenty-one 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 twenty-one days of publication of the public notice or within twenty-one days of receipt of this notice, 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 twenty-one 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, as well as the rules and statutes which entitle the petitioner to relief; and, (f) A demand for relief.

Walt Disney World Resort  
Conditional Exemption for Two Paint Spray Booths  
North Service Area Central Shops Building: Character Heads Paint Spray Booth #2 (NSA-17)  
Cirque du Soleil Building: Paint Spray Booth #1 (CDS-1)  
August 18, 1998  
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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. Persons whose substantial interests will be affected by any such final decision of the Department on the request for conditional exemption 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.


#### NOTICE OF APPEAL RIGHTS

Any party to this conditional exemption 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 thirty days after this conditional exemption is filed with the Clerk of the Department.

A copy of the conditional exemption and accompanying materials related to the proposed agency action are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Division of Air Resources Management, Suite 23, Magnolia Courtyard, 111 South Magnolia Drive, Tallahassee, Florida 32301, and at the Department's Central Florida District Office, 3319 Maguire Blvd., Suite 232, Orlando, Florida 32803-3767.

Executed in Tallahassee, Florida.

#### STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

*for*   
Howard L. Rhodes, Director  
Division of Air Resources  
Management  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
(850)488-0114



Enclosure

Available Upon Request



# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

## FAX TRANSMITTAL SHEET

TO: Rich Bumar

DATE: August 19, 1998      PHONE: (407) 827-2774

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 6

FROM: Clair Fancy  
DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PHONE: (850) 923-9198 / Sandy Knight

FAX NUMBER: 904/922-6979

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- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

**Mr. Lee Schumde  
Vice President, Legal  
Walt Disney World Co.  
P. O. Box 10,000  
Lake Buena Vista, FL 32830-1000**

4a. Article Number

Z 392 940 908

4b. Service Type

- Registered  Insured  
 Certified  COD

Express Mail  Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid) 1998

5. Signature (Addressee)

6. Signature (Agent)

FULFILLMENT & MAIL SERVICES

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PS Form 3811, December 1991

\*U.S. GPO: 1992-323-402

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**Mr. Lee Schumde  
Vice President, Legal  
Walt Disney World Co.  
P.O. Box 10,000  
Lake Buena Vista, FL 32830-1000**

PS Form	Certified Fee	
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	TOTAL Postage & Fees	\$
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WALT DISNEY World Co.

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APR 15 1999

BUREAU OF  
AIR REGULATION

April 8, 1999

Mr. Claire Fancy, P.E.  
Chief, Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Rd, MS 5505  
Tallahassee, Florida 32399-2400

By Certified Mail

RE: Proposed Title V permit change  
Removal of Compost Facility Solid Waste Dryers  
Walt Disney World, Co., Permit No. 0950111-005-AV

Dear Mr. Fancy:

The Reedy Creek Improvement District (RCID) is currently involved in the process of negotiating a contract to sell the Lundell System at the RCID Compost Facility to Reclamation and Restoration, Inc. (RRI), and the sale of the Lundell System is imminent. A component of the Lundell System is the Compost Facility Lundell Solid Waste Dryer, which is an emissions unit covered under the Walt Disney World, Co. (WDW) Title V permit.

RRI will accept, process and dispose of solid waste for RCID. RCID will pay RRI a tipping fee for handling the waste and will have no further contact with the waste stream, including recyclable materials, once RRI accepts the waste. Furthermore, once RRI receives and processes the waste, the waste will be removed from the WDW Resort property.

Consequently, since RRI will not be under the control or authority of WDW, it is requested that the Compost Facility Lundell Solid Waste Dryer be removed from the WDW Title V permit. RRI will independently seek an air operating permit for the Solid Waste Dryer.

If you have any questions or need any further information, please call me at (407) 828-1723 or contact Rich Bumar at (407) 827-4524.

Sincerely,

Lee Schudde  
Vice President  
Walt Disney World Co. Title V Responsible Official

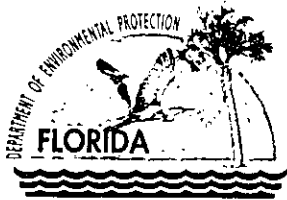
cc: Mike Morrow  
Bruce Mitchell  
Armando Rodriguez

4/19/99 cc: Bruce Mitchell

P.O. Box 10000 / Lake Buena Vista, Florida 32830-1000

Part of the Magic of The WALT DISNEY Company





Barbara / file

# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

May 27, 1998

Mr. Lee Schmutde  
Vice President, Legal  
Walt Disney World Co.  
P.O. Box 10,000  
Lake Buena Vista, Florida 32830-1000

Re: Walt Disney World Resort  
Conditional Exemption of Urethane Adhesive Lay-up Workstations (4)  
North Service Area Central Shops Building

Dear Mr. Schmutde:

The Department has evaluated the submittal regarding the above referenced proposed new emission activities, which will be co-located with other existing support and maintenance activities located within the North Service Area Central Shops Building that have volatile organic compounds/hazardous air pollutant (VOC/HAP) emissions. Four existing particulate matter emitting work-stations with exhaust systems are being altered to change the method of operations and the pollutant emitted, which will be VOC/HAP emissions. The operations will be for new fabrication and, as needed, touch-up requirements; also, the operations will be intermittent or batch type (estimated hours of operation per station per year are 100). Based on a proposed total material usage of 4,000 gallons per year, 400 hours per year operation and emissions factor of 2.76 lbs VOC/HAP per gallon of material used, the total potential VOC/HAP emissions are 5.52 tons per year (TPY) and, per work-station, 1.38 TPY.

The existing facility is a "major source of air pollution" or "Title V Source" for criteria pollutants and HAP emissions pursuant to Rule 62-210.200, Florida Administrative Code (F.A.C.), Definitions, and received its initial Title V operation permit on December 31, 1997, and became effective on January 1, 1998. Since the proposed contemporaneous VOC emissions increase is much less than the significant emissions rate of 40 TPY contained in Table 212.400-2, F.A.C., the proposal is not subject to PSD new source review pursuant to Rule 62-212.400(5), F.A.C.; also, for PSD review consideration pursuant to Rule 62-212.400(6)(b), F.A.C., it is determined that the proposal is not considered as part of a phase project. Finally, there are no specific emission limiting standards pursuant to Rule 62-204.800 and Chapter 62-296, F.A.C.

Based on the above findings, the Department is granting a conditional exemption from the air permitting requirements of the Florida Department of Environmental Protection for the subject four urethane adhesive lay-up workstations. The exemption is based on the premise that any air pollutants emitted from the workstations will not be in significant quantities to contribute to air pollution problems in the state pursuant to Rule 62-4.040(1)(b), F.A.C.

The conditions of this exemption are:

1. The total material usage of the four urethane adhesive lay-up workstations is 4000 gallons per calendar year.
2. The owner or operator(s) will account for the materials used using a materials balance scheme, which employs the following:
  - a. a beginning inventory of materials in stock (on or about 1/1/yr);
  - b. adding any materials received during the year;
  - c. subtracting any materials recycled during the year; and,
  - d. subtracting any ending inventory of materials in stock (on or about 12/31/yr), with the net result assumed to have been used and emitted.
3. Any records kept will be retained for a five year period and made available for Department inspection upon request.
4. The operation of this activity shall not cause or contribute to an objectionable odor.
5. If the conditions on which this exemption are based change, the operator shall notify the Department's Bureau of Air Regulation of the changes and request the exemption be amended.

6. Upon the next opening of the facility's Title V operation permit, which is scheduled for early summer of this year, these four workstations will be identified/designated as "unregulated" emissions units/activities and placed in Appendix U-1, Unregulated Emissions Units/Activities, for future inventory purposes on an every 5-year basis, starting in year 2000.

The conditional exemption will take effect 21 days from the clerking date unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions must be filed within 21 (twenty-one) days of receipt of the notice of permit exemption. A petitioner must 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 applicable 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 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of permit exemption.

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 notice of permit exemption. 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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection 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 permit exemption.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 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 the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any party to this order (permit exemption) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the permitting authority in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**




Howard L. Rhodes, Director  
Division of Air Resources  
Management  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
(850)488-0114



# Memorandum

# Florida Department of Environmental Protection

TO: Howard Rhodes

FROM: Clair Fancy 

DATE: May 27, 1998

SUBJECT: Approval of Conditional Exemption  
Walt Disney World Company  
Urethane Adhesive Lay-up Workstations (4)

The attached document is a conditional exemption that will allow Walt Disney World Company to make workstation (4) process changes without the imposition of a construction permitting process and to designate the proposed emissions units/activities as "unregulated". The total potential increase in VOC emissions is 5.5 TPY. The existing booths that will be renovated were particulate matter operations (sanding and grinding). The tentative permitting schedule for opening the initial Title V permit to incorporate these emissions units/activities and other unregulated emissions units/activities is June of this year (application is in progress).

There are no specific emission limiting standards in Rule 62-204.800 and Chapter 62-296, F.A.C. The potential VOC emissions are just above the level (5 tons) for qualifying as "insignificant" pursuant to Rule 62-213.430(6), F.A.C. Based on these facts, I recommend approval and signature of the conditional exemption.

HLR/CHF/bm

Enclosure

cc: Scott Sheplak 

Enclosure

(Available Upon Request)

Z 392 940 893



**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
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**Mr. Lee Schaudde**  
**Vice President, Legal**  
**Walt Disney World Company**  
**Post Office Box 10,000**  
**Lake Buena Vista, FL 32830-1000**

PS Form

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