

Bahtic, Nedin

From: Bahtic, Nedin
Sent: Monday, December 06, 2010 9:18 AM
To: Tom Burns (tburns@strategicmaterials.com)
Cc: Gilbert Humphrey (GHumphrey@strategicmaterials.com); Henry, Danielle D.; Falandysz, Cynthia; Zell, David
Subject: Field Warning Notice
Attachments: Field Warning Notice.pdf

Mr. Burns,

Please find attached a field warning notice that is being issued to your facility for construction without permit. It is based on Department staff observation during inspection conducted on 12/02/10 as well as the air construction permit application submitted to the Department on 11/19/10.

If you have any questions, please feel free to contact me.

Regards,

Nedin Bahtic
Environmental Engineering Specialist III
Florida Department of Environmental Protection
Division of Air Resources, Southwest District
13051 North Telecom Parkway
Temple Terrace, FL 33637
phone: 813-632-7600 x126
fax: 813-632-7668



Florida Department of Environmental Protection

Southwest District Office

FIELD WARNING NOTICE

Name / Owner / Operator: Strategic Materials

Address: 6420 19th St. E, Sarasota, FL 34243

Location / Source: Glass processing facility.

Permit Number: 0210090-005-A0 Permit Exp. Date: 01/12/11 Date and Time: 12/06/10

The purpose of this notice is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. Florida Department of Environmental Protection (DEP) personnel conducted a field inspection on the date listed above at the location described above. Florida DEP personnel observed the following, which indicates that a violation of Florida Statutes and Rules may exist at the above described facility: (For example, Where was the activity observed? How was it discovered? Who provided information to the inspector?)

Observations: Construction of new optical sort glass processing line was started before obtaining an air construction permit.

Rule or Statute Relevant to Observations

Permit Condition No.

	Unconfined Particulate Matter. Rule 62-296.320(4)(c)1, Florida Administrative Code (F.A.C.), provides that no person shall cause, let, permit, suffer or allow the emission of unconfined particulate matter from any activity, without taking reasonable precautions to prevent such emissions.	
✓	Operating Without a Permit. Rule 62-210.300, F.A.C., provides that, unless exempted from permitting or unless specifically authorized, the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department.	3.
✓	Violation of Permit Condition(s). Rule 62-4.160(1), F.A.C., 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, F.S.	3.
	Objectionable Odor. Rule 62-296.320(2), F.A.C., provides that no person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.	
	Excessive Visible Emissions. Rule 62-296.320(4)(b)1., F.A.C., provides that 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 20 percent opacity.	
	Open Burning. With few exceptions, Rule 62-296.320(3), F.A.C., prohibits open burning in connection with industrial, commercial, or municipal operations.	
	Constructing Without a Permit. Rule 62-4.210, F.A.C., provides that no person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department.	
	Other.	

The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of the above-described statutes or rules should be ceased. The operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the administrative imposition of penalties up to \$10,000.00 pursuant to Section 403.121, Florida Statutes (F.S.), or the judicial imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, F.S.

You are requested to contact CINDY FALANDYSZ at the address or telephone number below within fifteen (15) days of receipt of this Field Warning Notice. Please be advised that this Field Warning Notice is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), F.S. We look forward to your cooperation in completing the investigation and resolution of this matter.

Received by: _____ Issued / Posted by: Nedin Bahitic

Print: _____ Print: NEDIN BAHITIC

Title: _____