

Bahtic, Nedin

From: Bahtic, Nedin
Sent: Tuesday, January 25, 2011 10:49 AM
To: 'Matt Dunbar'; 'Jim Muntz (muntzjim@hotmail.com)'
Cc: Henry, Danielle D.; Falandysz, Cynthia
Subject: Field Warning Notice for Bartow Ethanol (ID No. 1050145)
Attachments: Field Warning Notice.pdf

Mr. Dunbar / Mr. Muntz,

I have reviewed your ethanol production records as well as your file, and it appears that the ethanol throughput is above the limit established by facility's current air permit 1050145-003-AF (812,200 gallons of ethanol per any consecutive 12-month period). Also, the number of fermentation batches produced at the facility appears to be above the permit limit of 70 batches per any consecutive 12-month period. Therefore, I am issuing a Field Warning Notice (attached) for these two violations.

In order to come back into compliance, you can submit an application to modify your permit by increasing the ethanol production limit(s). Your records show that the current 12-month rolling average is close to 1,000,000 gallons per year of ethanol.

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

From: Matt Dunbar [<mailto:bartow.ethanol@gmail.com>]
Sent: Monday, January 24, 2011 5:08 PM
To: Bahtic, Nedin
Cc: muntzjim@hotmail.com
Subject: RE: Ethanol production records for Bartow Ethanol (ID No. 1050145)

Nedin,

I have attached the sheet that you requested. "CNS" and "NCRB" is the two different products that we produce. The only difference is the proof of the products. Please let me know if you have any further questions.

Matt

From: Bahtic, Nedin [<mailto:Nedin.Bahtic@dep.state.fl.us>]
Sent: Monday, January 24, 2011 11:34 AM
To: bartow.ethanol@gmail.com
Cc: muntzjim@hotmail.com
Subject: Ethanol production records for Bartow Ethanol (ID No. 1050145)

Good morning,

I have been reviewing the records I obtained during my inspection conducted on 01/19/11, but I am having a little trouble since some months are not there (12/2008) and some months are on two different sheets, but showing different values (12/2009). Can you please fill out the attached table (file "1050145") showing ethanol production for every month going back to 12/2007 and send it back to me? Also, what do "CNS" and "NCRB" stand for?

I have reviewed our permitting file, but I could find no records of the engineering study that was mentioned during my visit. Can you please send me a copy?

I am also attaching your current air permit 1050145-003-AF. Your throughput limits are shown in a table on page 12 of this document (copied and pasted below):

Tank Description	Content	Maximum Throughput (Any Consecutive 12-month period)
Bonded Storage Tanks (Tank Nos. 217, 218, 219, 220)	Ethanol	812,200 Gallons Combined
Methanol Tank	Methanol	40,000 Gallons
Fusel Oil Tanks (Tank Nos. 225, 226)	Fusel Oil	90,000 Gallons Combined

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

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard, Jr. is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Tracking:

Recipient

'Matt Dunbar'

'Jim Muntz (muntzjim@hotmail.com)'

Henry, Danielle D.

Falandysz, Cynthia

Delivery

Delivered: 1/25/2011 10:49 AM

Delivered: 1/25/2011 10:49 AM



Florida Department of Environmental Protection

Southwest District Office

FIELD WARNING NOTICE

Name / Owner / Operator: Bartow Ethanol of Florida

Address: 1705 E Mann Road, Bartow, FL 33830

Location / Source: Ethanol production plant

Permit Number: 1050145-003-AF Permit Exp. Date: 03/08/12 Date and Time: 01/25/11

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: Records show ethanol throughput and number of batches above permit limits.

Rule or Statute Relevant to Observations

Permit Condition No.

<input type="checkbox"/>	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.	
<input type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	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.	19, 21
<input type="checkbox"/>	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.	
<input type="checkbox"/>	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.	
<input type="checkbox"/>	Open Burning. With few exceptions, Rule 62-296.320(3), F.A.C., prohibits open burning in connection with industrial, commercial, or municipal operations.	
<input type="checkbox"/>	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.	
<input type="checkbox"/>	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 _____ 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: _____