



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

July 11, 2007

CERTIFIED MAIL NO: 7007 0710 0005 3636 2759
RETURN RECEIPT REQUESTED

Mr. Herb Romancky, President
Suncoast Concrete LLC
16137 Putnam Street
Spring Hill, Florida 34604

Subject: Warning Letter No: WL07-0023AS51SWD
Concrete Batch Plant (CBP) - Lot 3 North Suncoast Industrial Park
AIRS ID No: Not Permitted
WAFR ID No: Not Permitted
Pasco County

Dear Mr. Romancky:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. The Department's Industrial Wastewater Program conducted a site field inspection at the above-described facility on May 2, 2007 (inspection report enclosed). On June 26, 2007, the Department's Air Program received a complaint regarding the same facility that is currently under construction. The CBP is located on the corner of Softwind Drive and Hudson Avenue in Hudson, Pasco County, Florida. A site field inspection was conducted by the Air Program on that same day (inspection report enclosed). Both site field inspections conducted by Department staff indicate violations of Florida Statutes and Rules may exist at the above-described facility.

Specifically, Suncoast Concrete LLC failed to provide the Department the proper Air General Permit initial registration form and failed to submit the Notice of Intent for coverage under the Generic Permit for Discharges from Concrete Batch Plants required prior to construction of their unpermitted concrete batch plant at the corner of Softwind Drive and Hudson Avenue in Hudson, Pasco County, Florida

- Florida Administrative Code (F.A.C.) Rule 62-296.414 states the definition of a concrete batching plant as emission units producing concrete and concrete products by batching or mixing cement and other materials. In addition, it is defined as facilities processing cement and other materials for the purposes of producing concrete, and to equipment used to mix cement and soil for onsite augmentation or stabilization.

- Florida Administrative Code (F.A.C.) Rule 62-210.310(2)(a)(b) states that the owner or operator who intends to construct or operate an eligible facility under the authority of an air general permit shall complete and submit the proper registration form to the Department for the specific air general permit to be used, as provided in subsection 62-210.920(1) or (2), F.A.C. The registration form shall be accompanied by the appropriate air general permit processing fee pursuant to Rule 62-4.050, F.A.C.

- Florida Administrative Code (F.A.C.) Rule 62-210.310(2)(a)(b)1. states that registration of a facility which is not currently authorized to construct or operate under the terms and conditions of an air general permit is classified as an initial registration.

- Florida Administrative Code (F.A.C.) Rule 62-621.300(3)(a) states that for new concrete batch plants facilities, requests for coverage shall be submitted at least 30 days prior to planned commencement of construction of Type I wastewater management systems, Type II wastewater containment systems, and non-contact stormwater management systems. A new facility is defined as a concrete batch plant which was constructed or placed into operation after May 9, 1996, or an existing facility to which an expansion was made after May 9, 1996.

- Florida Statutes, Chapter 403.161(1)(b) states that it shall be a violation of this chapter, and it shall be prohibited for any person to fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the Department pursuant to its lawful authority.

The conditions revealed during the site field inspections on June 13 and 26, 2007 and any other activities at your facility that may be contributing to violations of the above-described statutes or rules should be ceased. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$10,000 per violation per day pursuant to Sections 403.141 and 403.161, Florida Statutes.

You are requested to contact Danielle Henry at (813) 632-7600, Extension 104, or at Danielle.Henry@dep.state.fl.us, within fifteen (15) days of the date of this Warning Letter to arrange a meeting or teleconference with Department personnel to discuss this matter. You may bring anyone with you to the meeting that you feel could help resolve this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred.

Mr. Herb Romancky, President
Suncoast Concrete LLC
Warning Letter No: WL07-0023AS51SWD
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Please be advised this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,



Deborah A. Getzoff
District Director
Southwest District

7/9/07

Date

Attachments: Industrial Wastewater May 2, 2007 Site Field Inspection Report
Air Pollution Source June 26, 2007 Site Field Inspection Report

cc: Ilia Balcom, FDEP-IW
Dianne Spingler, DARM
Facility Enforcement File

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

WASTEWATER COMPLIANCE INSPECTION REPORT

FACILITY AND INSPECTION INFORMATION @ = Optional

Name and Physical Location of Facility Suncoast Concrete LLC ¼ mile west of SW corner of Hudson Ave & Softwind Drive (adjacent to Earth Tech CBP) Shady Hills, FL	WAFR ID: Not permitted	County Pasco	Entry Date/Time 05/02/07 11:00:00 AM
Name(s) of Field Representatives(s) Mr. Herb Romacky	Title Owner	Phone	@ Exit Date/Time 05/02/07 11:20:00 AM
Name and Address of Permittee or Designated Representative Mr. Herb Romacky 16137 Putnam street Spring Hill, Florida 34604	Title President	Phone	@ Operator Certification #

Inspection Type	<input type="checkbox"/> S	<input type="checkbox"/> V	Samples Taken(Y/N): N	@ Sample ID#:	Samples Split (Y/N): N
<input type="checkbox"/> Domestic	<input checked="" type="checkbox"/> Industrial	Were Photos Taken(Y/N): Y	@ Log book Volume :	@ Page	

FACILITY COMPLIANCE AREAS EVALUATED

IC: In Compliance; NC: Out of Compliance; SC: Significant out of Compliance; NA: Not Applicable; NE: Not Evaluated
Significant Non-Compliance Criteria Should be Reviewed when Out of Compliance Ratings Are Given in Areas Marked by a "♦"

PERMITS/ORDERS		SELF MONITORING PROGRAM		FACILITY OPERATIONS		EFFLUENT/DISPOSAL	
SC	1. ♦Permit	NA	3. Laboratory	SC	6. Facility Site Review	NA	9. ♦Effluent Quality
NA	2. ♦Compliance Schedules	NA	4. Sampling	NA	7. Flow Measurement	NA	10. ♦Effluent Disposal
		NA	5. ♦Records & Reports	NA	8. ♦Operation & Maintenance	NA	11. Residuals/Sludge
NA	13. Other:					NA	12. Groundwater

Facility and/or Order Compliance Status: In-Compliance Out-Of-Compliance Significant-Out-Of-Compliance

Recommended Actions: See attached Field Notes

Name(s) and Signature(s) of Inspector(s) Ms. Sandra Sequeira <i>Sandra Sequeira</i>	District Office/Phone Number SWD/(813) 632-7600 x412	Date 7/5/07
@ Signature of Reviewer Ms. Ilia Balcom <i>Ilia Balcom</i>	District Office/Phone Number SWD/(813) 632-7600 x406	Date 7/5/07

Fill Out This Section For All Surface Water Discharger Inspections (CEI, CSI, CBI, PAI, XSI, RI, ASI, ANI)

Transaction Code	NPDES Number	YR/MO/DA	Insp. Type	Inspector	Fac. Type
N			1	2	3

ADDITIONAL NPDES COMMENTS

Inspection Type (Field 1): A:PAI, B:CBI, C:CEI, S:CSI, X:XSI, R:RI, \:ASI, =:ANI
 Inspection Code (Field 2): S:State, J:Joint EPA/State-EPA Lead, T:Joint State/EPA-State Lead, L:Local Program
 Facility Type (Field 3): 1: Municipal (Publicly Owned), 2: Industrial and Privately Owned Domestic, 3: Agricultural, 4: Federal
 Every other field is self explanatory

INSPECTION FINDINGS

Facility Name: Suncoast Concrete LLC

Facility ID: N/A

Inspection Type: SV

Date: 05/02/2007 11:00:00 AM

FACILITY BACKGROUND:

Address: ¼ mile west of SW corner of Hudson Ave & Softwind Drive, Pasco County

Permit Information: Unpermitted CBP

1. **Permit:** SIGNIFICANT OUT OF COMPLIANCE

1.1 Observation: A copy of the permit was not available to plant personnel at the time of the inspection. Please see specific comment.

Comments: Review of Department records reflects that this facility does not currently have valid coverage under the Department's Generic Permit for Discharges from Concrete Batch Plants. For new facilities, submittal of a Notice of Intent (NOI) for coverage under this generic permit is required 30 days prior commencement of construction of the Type I and Type II systems. At the time of the inspection construction of these components was noticed.

2. **Compliance Schedules:** NOT APPLICABLE

3. **Laboratory:** NOT APPLICABLE

4. **Sampling:** NOT APPLICABLE

5. **Records and Reports:** NOT APPLICABLE

6. **Facility Site Review:** SIGNIFICANT OUT OF COMPLIANCE

6.1 Observation: *General* – Department staff observed construction activities were underway at this location. The concrete plant hopper and some stormwater ponds have been constructed. Please refer to the attached Digital Photographic log.

6.2 Observation: Mr. Herb Romanacky was present during the day of the inspection and identified himself as the facility owner. Owner explained that he has a consultant, BCI, who is handling all related environmental permits.

7. **Flow Measurement:** NOT APPLICABLE

8. **Operation and Maintenance:** NOT APPLICABLE

8.1 Observation: *General* - The facility is not currently operating as construction has not been finalized

9. **Effluent Quality:** NOT APPLICABLE

9.1 Observation: There was no discharge at the time of the inspection.

10. **Effluent Disposal:** NOT APPLICABLE

10.1 Observation: *General* - At the time of the inspection, the facility was not discharging.

10.2 Observation: *General* - No problems or deficiencies were observed.

11. **Residuals/Sludge:** NOT APPLICABLE

Observation: *General* - No problems or deficiencies were observed.

12. **Groundwater Quality:** NOT APPLICABLE

13. **Other:** NOT APPLICABLE

DIGITAL PHOTOGRAPHIC LOG

1. Facility Name: Suncoast Concrete LLC
2. County / Facility ID#: Pasco
3. Inspection Type: Site Visit
4. Inspection Date: May 2, 2007
5. Type of Camera Used: Sony Cyber-shot 3.2 mega pixels DSC-P52 - IW digital camera Sony III
6. Digital Recording Media: Sony 16 MB Memory Stick
7. All Digital Photos Were Copied To: Digital Photographic Log
8. Original Copy Is Stored In/On: Alchemy
9. Were the photos altered?: NO YES _____ explain yes:
10. Photographer: Sandra Sequeira
11. Signature of Photographer: *Sandra Sequeira*

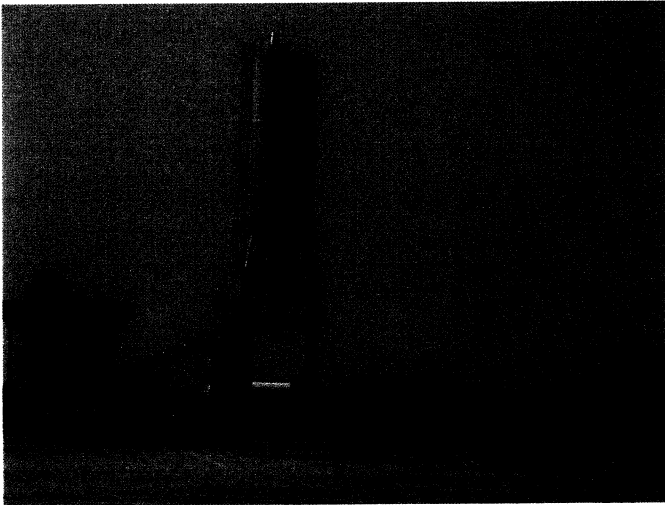


Photo ID # DSC0377 /Time 11:19 AM – hopper construction



Photo ID # DSC0378 /Time 11:20 AM – Pond construction

Air Pollution Source Inspection Report Form Florida Department of Environmental Protection, Southwest District		PAGE 1 OF 1
FACILITY: Suncoast Concrete	ID#: Operating without a Permit	
	COUNTY: Pasco	
ADDRESS: 16137 Putman Street Spring Hill, FL 34604	INSPECTION DATE: June 26, 2007	
	TIME IN: 1355	TIME OUT: 1438
CONTACT: Herb Romancky and Mary Romancky Office (Home)- 352-797-7769 cell 352-409-6014	INSPECTION TYPE: Complaint # 10592	
	EU(s) INSPECTED: N/A	
SOURCE DESCRIPTION: Concrete Batch Plant	CURRENT PERMIT: NO Permit	
	PERMIT EXPIRATION DATE: N/A	

INSPECTION FINDINGS

Inspected facility found that a concrete batch plant was being constructed w/o submitting ar GP Registration Form.

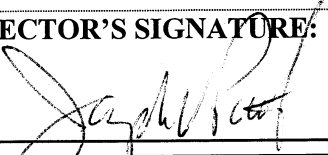
This facility is on the corner of Softwind Drive and Hudson Avenue in Pasco County.

Gave Mr. Romancky all the information he needed to apply for GP.

Mr. Romancky asked me to call his wife because they hired BCI to apply for permit.

On 06/27/2007 I Spoke with Mrs. Romancky she found out that the engineer doing the work left BCI and no one followed up to continue with the submittal of an application. Mrs. Romancky just hired Southern Environmental Sciences to do the work.

COMPLIANCE STATUS:

INSPECTOR'S SIGNATURE: 	INSPECTOR'S NAME: Joseph V. Panetta	DATE: 06/28/2007
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