

Central Florida Testing Laboratories, Inc.

Testing Development and Research

12625 - 40TH STREET NORTH • CLEARWATER, FL 33762

TAMPA BAY AREA (727) 572-9797

FLORIDA 1-800-248-CFTL

FAX (727) 299-0023

April 18, 2000

Mr. Howard Rhodes
State of Florida
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

APR 20 2000

BUREAU OF AIR REGULATION

**Subject: Angelo's Recycled Materials, Inc.
FDEP Permit No. 7770179-001-AC
Extension Denial Letter**

Dear Mr. Rhodes:

I have reviewed the letter from Mr. William Leffler, P.E. of your staff, addressing the Department's inability to accept the request for extension of the construction permit for the above mentioned facility. Please consider the following items and background information in response to Mr. Leffler's letter:

On September 9, 1999 Mr. Jonathan Holtmon of your staff was sent a construction permit extension/revision and a check in the amount of \$250.00 for Angelo's Recycled Materials to move its crushing unit to 1440 South Perimeter Road in West Palm Beach, Florida. The only item received by this office was a Public Notice of Intent to Issue an Air Permit on November 24, 1999 and the amendment part of the permit which Mr. Pollack told me to attach to the original Construction permit. I also advised him that there was not an expiration date in the amendment. He informed me at this time that the extension date was April 15, 2000 and we joked about how that was tax day. I asked him at this time if he would fax my office a letter stating that the 15th of April was the expiration date of the extension of this permit and he advised me that he would. The crusher had been moved to West Palm Beach, where it operated very little because of the lengthy time it took to receive the amendment and the required visible emissions compliance testing was not performed.

On January 13, 2000 a letter and a check in the amount of \$250.00 was sent to Mr. Jonathan Holtom of your office with a relocation form stating that crushing unit No.3 was going to be moved from W. Palm Beach to 2105 Vulcan Road, Apopka, in Orange County, Florida. Orange County Environmental Protection Commission also was sent a copy of this relocation form. This site was already advertised for by this crushing unit and all that was required was the seven day notification.

April 18, 2000

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Ms. Marie Driscoll of Orange County called Angelo's Recycling and informed them by telephone that the crusher could not even operate until she received the ok from Mr. Bruce Mitchell of your office. After a few days of calling Ms. Driscoll advised me that she would wave the 14 day notification and to go ahead and set up the test so that everything could get done, so it was setup for Monday, March 6th, 2000 at 9:00 a.m. On this day the plant because of it inability to run and set the components in the right places had difficulty running and finally burnt out the control panel. The plant was repaired and the initial compliance testing was performed on Monday, March 27th, 2000., with the permit due date of April 15th still in mind.

In February, Angelo's Recycled Materials Staff, Myself and Mr. Bruce Mitchell and Mr. William Leffler of your staff had a meeting in the Departments Offices in Tallahassee to discuss simplifying the permitting situation, to discuss the operation of crushers, to discuss Angel's Recycled Materials situation at Vulcan Road and what was going to be done. In this meeting I informed Mr. Mitchell and Mr. Leveler that I had not received any paperwork from the Department in sometime for Crushing Unit No.3 and I was unknown of the expiration date of the extension with the exception of what Mr. Ross Pollack told me and I noted in our telephone conversation. Mr. Mitchell had informed me lets go ahead and get the compliance testing completed and get the operation permit application done before April 15, 2000. Mr. Leveler also had informed me that he recalled that was the expiration date also. I told them if I could complete the testing I could get everything before the 15th expiration date. It was advised by Mr. Leffler that when I sent the Operation Permit Application in that I should also sent in a request for extension.

The initial compliance testing was performed at this facility on March 27th, 2000 with Orange County Personnel on site. It passed its compliance test with no problems. When I returned to the office I remembered that the expiration date of this permit was April 15, 2000 and wrote a letter to extend the expiration date of this permit. I also called Mr. Dennis Price of Angelo's Recycled Materials to inform him that a check was needed for the extension and that I would send the extension letter to his Largo Office to just add the check and send it to your office. And I went on to start completion of the Operation Permit Application which as of Monday, April 17th, 2000 was complete. Mr. Leffler called me at my office on the 10th of April to inform me that this permit was expired, I was astonished. We discussed the meeting and also agreed that he and Mr. Mitchell and I had discussed the 15th, he said he even had it tagged the 15th. I called Dennis Price with Angelo's and asked him what happened to the letter that I had sent him and he replied that he never received it.

April 18, 2000

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In a second phone call Mr. Lefflers explained that I should get a check ready as soon as possible with the amendment request and send it to your offices and he would see if he could process this extension. His letter written April 13, 2000 informed us that he couldn't and was returning everything submitted (letter attached). I had called him and now he informed me that your Department is requesting a new construction permit application, new fees and advertisement. For a facility that already has a construction permit on file, paid all permitting fees, advertised for the site, completed it's initial visible emissions compliance testing, filed what we thought was a timely extension and whose operation permit application is here deemed complete and ready to send in.

Therefore, we are asking that the Department change its position in this matter as we have in our mind complied with all criteria that the Department has asked us to do with the exception of a mistaken extension due date which even your department was the 15th of April. In addition, I have told Angelo's Recycled materials, Inc. not to use this crusher until this matter is resolved, which is costing them thousands of dollars a day. The letter for extension was received by Mr. Lefflers before this date. An the application for operation would have been sent out on the 17th of April if Mr. Leffer hadn't brought this to my attention.

Thank you for your cooperation in this matter. I hope this letter and attachments will resolve this non-compliance issue. Should you have any further questions regarding this facility, or require any additional information, do not hesitate to contact our office.

Sincerely,
Central Florida Testing Laboratories, Inc.



Bernard A. Ball, Jr.
Environmental Engineer /
Director of Environmental Services
BaB/bAb

xc : **Mr. Richard Bazinet – Angelo's Recycled Materials, Inc.
Mr. William Lefflers – FDEP (Tallahassee)
Mr. Bruce Mitchell – FDEP (Tallahassee)**

attachments



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

April 13, 2000

Mr. Bernard A Ball PE
Central Florida Testing Laboratories
12625 40th Street North
Clearwater Florida 32762

Re Angelo's Recycled Materials Plant No 3 Permit 7770179-001 AC

Dear Mr. Ball:

The Department is unable to accept your application for an extension of the above permit. The federal express Air Bill reflects that the application was posted on April 11, 2000 and it was received at this office on April 12, 2000. The construction permit for this facility was previously extended from September 15, 1999 to March 31, 2000, and is now expired.

We discussed the upcoming expiration of this permit during your meeting with the Department staff on February at which time we made particular note that the expiration time was close at hand.

In order to be perfectly clear about the circumstances of this letter, I admit that I called your office on April 10 to suggest that the permit had expired and further suggested that you might file the application for the operating permit and that we would discuss whether it could be accepted as late. Regrettably, my supervisors have instructed me to return the application with the attached check for \$250.00 as untimely filed.

I sympathize with the probable business problems that your client may experience as a result of this lapse. Unfortunately, there is no provision any emergency extension or temporary authority to continue operation of the facility. Should you have any further questions please contact me at 850 921-9522 or Bruce Mitchell at 921-9506.

Sincerely,

William Leffler PE
Permitting Engineer
Relocatable Facilities

Returned enclosed:

1. Original of letter requesting extension dated March 27, 2000 stamped as received April 12, 2000
2. Original of check from Angelo's Aggregate Materials Ltd. payable to Florida Department of Environmental Protection dated February 3, 2000 for \$250.00.
3. Copy of FED EX Airbill 806093035274 reflecting date of 4/11/2000 overnight priority to be delivered by 12 April, 2000.

Copy: Mr Dennis Price, Angelo's Recycled Materials Inc
Marie Driscoll Orange County Environmental Protection Department

"More Protection, Less Process"

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Central Florida Testing Laboratories, Inc.

Testing Development and Research

12625 - 40TH STREET NORTH • CLEARWATER, FL 33762

TAMPA BAY AREA (727) 572-9797

FLORIDA 1-800-248-CFTL

FAX (727) 299-0023

March 27, 2000

Mr. William Leffler
State of Florida
Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

APR 12 2000

BUREAU OF AIR REGULATION

**Subject: Angelo's Recycled Materials - Plant No.3
DEP File No. 7770179-001-AC
Construction Permit Extension**

Dear Mr. Leffler:

As discussed with you in our telephone conversations, Angelo's Recycled Materials - Crushing and Aggregate Processing Plant No. 3 had to leave the permitted Cape Canaveral Location. This crushing unit is now located in Apopka at the Volcan Road Site where it has been tested for visible emissions and is process of applying for it's FDEP Operation Permit.

In addition, it has come to our attention due to all the confusion encountered with the situation the relocation situations mentioned in our meeting, that the FDEP "after-the-fact" statewide construction permit is due to expire for this Crushing Unit No.3, on March 31st, 2000.

Therefore, we respectfully request that the construction permit for the above mentioned facility be amended to reflect a three (3) month or longer extension period to allow time for Central Florida Testing Laboratories to complete all the necessary paperwork to apply for the FDEP Operation Pernmit on this crusher and the Tallahassee Office to review and process the operation permit application as discussed.

Please find enclosed a check for two hundred and fifty dollars (\$250.00) as required by 62-4, F.A.C. to extend the expiration date and amend the above mentioned construction permit.

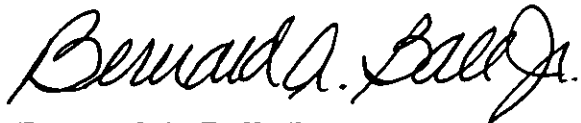
Page 2

March 27, 2000

**Subject: Angelo's Recycled Materials – Plant No.3
DEP File No. 7770179-001-AC
Construction Permit Extension**

Thank you for your cooperation in this matter. Should you have any further questions or require any additional information to extend and revise this permit, do not hesitate to contact our office.

Sincerely,
Central Florida Testing Laboratories, Inc.

A handwritten signature in cursive script that reads "Bernard A. Ball, Jr.".

Bernard A. Ball, Jr.
Environmental Engineer
BaB/bAb

copies : Mr. Dennis Price – Angelo's Recycled Materials, Inc.

ANGELO'S AGGREGATE MATERIALS LTD.
DBA ANGELO'S RECYCLED MATERIALS

FIELD ACCOUNT
P.O. BOX 280226,
TAMPA, FL 33682

1403

February 3 2000

63-469/631
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Florida Department of Environmental Protection

\$ 250.00

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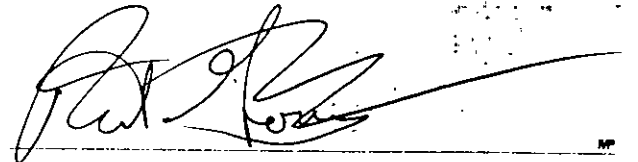
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Barnett

040-140
101 East Kennedy Blvd.
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Permit extension # 3 crusher

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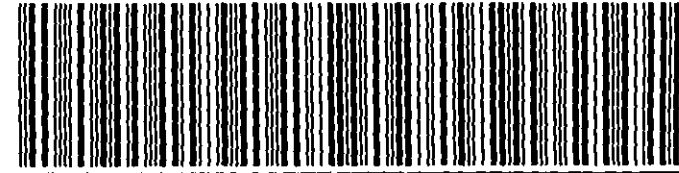
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Company CENTRAL FLORIDA TESTING LAB

Address 12625 40TH ST NORTH Dept./Floor/Suite/Room

City CLEAR WATER State FL ZIP 33762

2 Your Internal Billing Reference Information

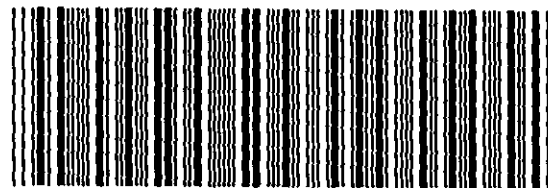
3 To
Recipient's Name DR William Leffler Phone 250-488-1344

Company Florida Department of Environmental Protection

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