

MULLINIKS



Construction Co., Inc.

CRUSHING AND RECYCLING DIVISION

OFFICE (904) 764-3844
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5937 SOUTEL DRIVE
JACKSONVILLE, FL 32219

FAX COVER SHEET

NUMBER OF PAGES: 3
(INCLUDING COVER SHEET)

7775037-003

DATE: 8-11-00

TO: Bill Heffer

COMPANY: FDHP

FAX NUMBER: _____

FROM: Tom Sutton

COMMENTS:

**ENVIRONMENTAL PROTECTION DIVISION****ANNA H. LONG, Manager**

Leeds Commerce Center

800 Mercy Drive, Suite 4

Orlando, Florida 32808-7896

(407) 886-1400 • Fax (407) 886-1499

www.citizens-first.co.orange.fl.us

March 2, 2000

CERTIFIED MAIL: Z 306 000 376**WARNING LETTER #00-014**

Mr. Billy Mulliniks, Jr., President
Mulliniks Construction Co., Inc.
5937 Soutel Drive
Jacksonville, FL 33219

RE: Orange County – Permit # 7775037-003-AO
Failure to Provide Relocation Notification

Dear Mr. Mulliniks:

The Orange County Environmental Protection Division has the authority and duty to control and prohibit pollution of air and water in the County in accordance with the law, rules and regulations promulgated by Orange County and the Florida Department of Environmental Protection (FDEP), and so stipulated under the applicable Florida Statutes.

The purpose of this letter is to advise you of possible violations of the law for which you may be responsible and to seek your cooperation in resolving the matter. A review of operating permit conditions for the above-referenced unit indicates that a violation of Florida Statutes and Rules may exist.

Section 403.161 (1) (b), Florida Statutes, provides 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 FDEP pursuant to its lawful authority.

Rule 62-210.300, Florida Administrative Code (F.A.C.), requires the owner or operator of any emission unit which emits or can reasonably be expected to emit any air pollution to obtain an appropriate permit from the FDEP prior to beginning construction, modification, or initial or continued operation of the emission unit unless exempted pursuant to FDEP rule or statute.

Permit #7770179-002-AO, Facility-Wide Specific Condition #6, pursuant to Rule 62-210.370 (1), F.A.C. and states that at least 7 days prior to relocating the plant to an

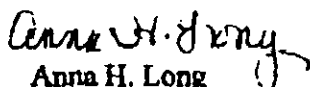
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approved county where public notice was published within the last 5 years, the permittee shall notify the Air Program Administrator of the Florida Department of Environmental Protection district office and/or, if applicable, the appropriate local program. The notification shall be submitted using DEP Form 62-210.900(6), F.A.C., along with the appropriate processing fee. All potential operation sites shall be shown on a USGS topographic map. A county license, a discretionary public notice, or additional restrictions for the operation at a specific site may be imposed by the district office or local program. If the public notice for a proposed county is more than 5 years old, or if the proposed county was never covered by a public notice, this form shall be submitted at least 30 days in advance of the move and a public notice shall be published prior to operating in the proposed county. Each time that the permittee submits a Notice to Relocate, the operation permit shall be revised to reflect the new location.

The activity described in this letter, and any other activities at your facility that may be contributing to violations of the above-described statutes or rules must be ceased. You are requested to contact Marie Driscoll or Jane Heppner at (407) 836-1400 or at the above address within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss the matter. The Division is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve the matter.

Please be advised that 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,


Anna H. Long
Manager


(4)AH/MLD/AHL: ges

c: Bruce McClendon, Director, Growth Management and Environmental Resources Department
Vivien Monaco, Assistant County Attorney, County Attorney's Office
Leonard Kozlov, P.E., Air Program Administrator, FDEP
Marie Driscoll, Program Manager, Environmental Protection Division
Caroline Shine, Environmental Manager, FDEP
Dianne Spingler, Environmental Specialist III, FDEP
File