



# Florida Department of Environmental Protection

South District Office  
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Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

February 10, 2012

Mr. Paul L. Henley  
Cremation Manager  
Kays, Ponger, and Uselton  
635 E. Marion Avenue  
Punta Gorda, Florida 33950

Re: Charlotte County – AG  
Southeastern Cremation  
Facility ID No. 0150046  
Non-Compliance Letter

Dear Mr. Henley:

The purpose of this letter is to inform you about a possible violation and request your cooperation in resolving this matter. On January 25, 2012, a Department inspector visited your above referenced facility to witness the annual compliance test. As a result of the Department's visit and a review of the facility's file, the Department believes you may be operating your facility with an Air General Permit registered with our office under Service Corporation International and Southeastern Pet Cremation. Our records do not indicate that Kays, Ponger, and Uselton applied for new permits when you took over this facility. The Air General Permits are non-transferable and each new owner must re-register for a new permit.

Rule 62-210.310(2)(b)4, Florida Administrative Code states: the facility identification number (if known) and the reason for re-registration (one or more of the following: impending expiration of the term for air general permit use; change of ownership of all or part of the facility; proposed new construction, modification, or other equipment change that requires registration pursuant to paragraph 62-210.310(2)(e), F.A.C.; or any other change not considered an administrative correction under paragraph 62-210.310(2)(d), F.A.C.). Since you are the new owners, operating this facility without the properly registered permit is a violation of Florida law.

The Department seeks your assistance in resolving this issue. We are attaching two registration applications for you to complete and submit to the Department. The first application is an application for the human crematory. On this application, please list your human crematories, emission units 1 and 2. The second application is for the animal crematory. Please list your animal crematory emission unit 3 on this application. The fee will be \$200, \$100 per application. The Department requests these applications be submitted to our Tallahassee Office within thirty days after receiving this letter.

Should you have any questions, please call Sherrill Culliver at (239) 344-5629 or by email address at [Sherrill.Culliver@dep.state.fl.us](mailto:Sherrill.Culliver@dep.state.fl.us).

Sincerely,

Ajaya K. Satyal  
Program Administrator  
Air Resource Management

AKS/SCC/jw  
Enclosures