

INTEROFFICE MEMORANDUM

Date: 01-Aug-1996 01:47pm EST
From: Paul Wierzbicki WPB
WIERZBICKI P
Dept: Southeast District Offi
Tel No: 561/681-6677 (direct)
SUNCOM: 226-6677 (direct)

TO: Print on your default printer (PAPER MAIL)

Subject: Rinker Materials STTF

RECORD OF TELEPHONE CALL

This morning, I received a call from Geoff Smith, Esq. regarding the Short Form Consent Order mailed to Rinker Materials Corporation July 23, 1996. The Short Form Consent Order was an intended resolution for operating the facility without renewing their Soil Thermal Treatment Facility General Permit required by Chapter 62-775, F.A.C. Mr. Smith requested copies of the penalty calculation sheets and I agreed to Fax them to him, along with excerpts from the penalty policy manual. Mr. Smith's telephone number is 904/681-6710, Fax: 904/681-6713.

He said Rinker was upset at the settlement penalty proposed in the Order, and I explained how it was calculated. (i.e. "Minor/Minor", 20% downward adjustment for "voluntary reporting" and "maintaining compliance with an expired permit". He felt that "DEP penalties are not intended for situations like this inadvertent mistake." Also, he said that "\$8180 may not seem like a big deal to a company like Rinker, but it is."

Mr. Smith will be responding to the short form Consent Order in writing.

Paul Wierzbicki

Aug 1 '96 11:46

OK

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Department of Environmental Protection

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

MAY 30 1996

Mr. James S. Jenkins, III
Rinker Materials Corporation
P.O. Box 24635
West Palm Beach, FL 33416

Post-it® Fax Note	7671	Date	8/1/96	# of pages	4
To	G. Smith	From	Paul Wierzbicki		
Co./Dept.		Co.	DEP/SED/Waste		
Phone #		Phone #	561/681-6677		
Fax #	904/681-6713	Fax #	561/681-6776		

Dear Mr. Jenkins,

It has been brought to our attention the Soil Thermal Treatment Facility General Permit for your facility at 1200 NW 137th Avenue, Miami, FL, expired on April 4, 1996. Chapter 62-4.540(13), Florida Administrative Code (F.A.C.) allows continued use of a general permit by notifying the Department thirty (30) days before it expires. Since this permit has expired all pertinent information as required in 62-4.530, F.A.C., for issuance of a new general permit will be required. This information should be accompanied by a Notice of Intent to Use the General Permit to Construct/Operate a Soil Thermal Treatment Facility, DER Form 17-775.900(1) and the current general permit fee of \$500.00. Projects undertaken without proof of notice to the Department shall be considered as being undertaken without a permit and shall be subject to enforcement pursuant to Section 403.161, Florida Statutes (F.S.).

If you have any questions or need further information, please contact Lee Martin at 561-681-6676 or myself at 561-681-6677.

Sincerely,

Paul Alan Wierzbicki, P.G.
Waste Cleanup Supervisor

PAW/wlm

cc: Mike Vardeman, Rinker Materials, Miami
Paul Lasa, DERM, Miami
Tom Conrardy, DEP/BWC, Tallahassee
Vivek Kamath, P.E., DEP/WPB
John Jones, DEP/WPB
West Palm Beach File

Aug 1 '96 12:29

OK

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II. CONSTRUCTING OR OPERATING WITHOUT A PERMITPOTENTIAL FOR HARM:

- MAJOR:
1. Constructing, operating, or modifying an unlined Class I landfill, Class II landfill or municipal solid waste composting facility without a permit.
 2. Constructing, operating, or modifying a solid waste combuster ash monofill or biohazardous waste treatment facility without a permit.
- MODERATE:
1. Constructing, operating, or modifying a lined Class I landfill, Class II landfill or municipal solid waste composting facility without a permit.
 2. Constructing, operating, or modifying a Class III landfill, construction and demolition disposal facility, waste tire processing facility or biohazardous waste storage facility without a permit.
 3. Constructing, operating, or modifying a construction and demolition landfill without a permit.
- MINOR:
1. Constructing, operating, or modifying a yard trash composting facility, transfer station, waste tire collection facility, or mobile waste tire processing equipment without a permit.