



ENVIRONMENTAL PROTECTION DIVISION
Elizabeth R. Johnson, CEP, PWS, MPA, Interim Manager

3165 McCrory Place, Suite 200
Orlando, FL 32803-3727
407-836-1400 • Fax 407-836-1499
www.ocfl.net

August 22, 2023

VIA EMAIL

Mr. Mickey Grosman
Pro-Demolition Inc.
demobiz@hotmail.com

RE: Executed Settlement by Consent Agreement
Pro-Demolition Inc. – Pro-Demo/Pro-Demo Aggregate
Facility # 7775954 & 7776125
5851 W Ponkan Rd., Unincorporated Orange County, FL
(Parcel ID 22-20-27-2736-14-050)
EPD Incident #23-618300
Orange County Commission District: 2
File No: AQM #23-001

Dear Mr. Grosman:

Attached is the executed Consent Agreement related to the above referenced incident against you. This copy is for your records.

Please note that your first payment of \$781.25 is due no later than September 1, 2023.

If you have any questions, please contact me at 407-836-1434. Your prompt attention to this matter has been appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Wanda Y. Parker".

Wanda Y. Parker, CEP
Regulatory Compliance Program Coordinator
Air Quality Management
Orange County Environmental Protection Division

Attachment

ML/WYP:ml

c: Elizabeth R. Johnson, CEP, PWS, MPA, Interim Manager, EPD
Renee Parker, LEP, Assistant Manager, EPD
Jane Gregory, CHMM, CIT, LEED GA, Environmental Programs Administrator, EPD
Aaron Watkins, Director, Central District, FDEP, aaron.watkins@floridadep.gov
Jessica Dalton, Environmental Administrator, FDEP, jessica.dalton@floridadep.gov
Rachel Perez, Pro-Demolition Inc., rachel@prodemolition.com
Ilka Bundy, Environmental Team Leader, EPD
Mary Lawrence, Senior Environmental Specialist, EPD



ENVIRONMENTAL PROTECTION DIVISION

Elizabeth R. Johnson, CEP, PWS, MPA, Interim Manager

3165 McCrory Place, Suite 200
Orlando, FL 32803-3727
407-836-1400 ▪ Fax 407-836-1499
www.ocfl.net

August 7, 2023

EMAIL AND CERTIFIED MAIL: 9489 0090 0027 6344 9297 99

Mr. Mickey Grosman
Pro-Demolition Inc.
5851 W Ponkan Rd.
Apopka, FL 32712
demobiz@hotmail.com

**RE: Proposed Settlement by Revised Consent Agreement
Pro-Demolition Inc. – Pro-Demo/Pro-Demo Aggregate
Facility # 7775954 & 7776125
5851 W Ponkan Rd., Unincorporated Orange County, FL
(PID 22-20-27-2736-14-050)
Orange County Commission District: 2
EPD Incident #23-618300
File No: AQM #23-001**

Dear Mr. Grosman:

The purpose of this document is to resolve the matters identified by the Orange County Environmental Protection Division (“EPD”) in the Code Violation Summary attached as Warning Letter #23-001. Orange County is under contract with the Florida Department of Environmental Protection (“FDEP”) to carry out permitting, monitoring, compliance, and enforcement actions for FDEP air quality rules under Chapter 62 of the Florida Administrative Code (F.A.C.). These rules have been incorporated by reference into Chapter 15, Article III, of the Orange County Code.

On May 16, 2023, you successfully addressed the following Corrective Actions requested by EPD in an email dated May 4, 2023:

1. Surrender the permit for the crusher that was sold (Facility # 7775954).
2. Schedule EPA Method 9 Visible Emissions compliance testing for the existing crusher (7776125).
3. Draft a new, or edit an existing, Standard Operating Procedure (SOP) or memo that explains how Pro-Demolition Inc. will prevent these violations (missed annual testing) in the future.
4. Provide a signed statement describing operation or lack of operation of the existing crusher (7776125) during calendar years 2021 & 2022 (Did it operate less than 400 hours per calendar year?)
5. Start documenting crusher operating hours and provide a copy of the log that will be used. Please note that the crusher fuel usage and spray nozzle inspections are also required to be documented.

August 7, 2023
Pro-Demolition Inc.
EPD Incident #23-618300
File No: AQM #23-001
Page 2 of 5

In accordance with Orange County guidelines, the appropriate penalties and administrative costs for the alleged violations are apportioned as follows:

- \$4,000.00 for violation of Rule 62-210.310(5)(e)3.e., F.A.C., and 40 Code of Federal Regulations (C.F.R.) Part 60, Subpart OOO, adopted by reference in Section 15-90, Orange County Code; and Section 403.161 Florida Statutes (FS);
- \$1,000.00 for history of non-compliance;
- \$1,000.00 for economic benefit; and
- \$250.00 for associated administrative costs.

EPD proposes to resolve this matter upon your timely payment of \$6,250.00. EPD acknowledges that payment by you does not constitute an admission of liability. This payment of \$6,250.00 must be made payable to the **Orange County BCC** by cashier's check or money order and shall include the AQM File Number assigned above and the notation "**Air Quality Improvement Fund.**" The payments may be made in eight (8) equal installments of \$781.25 and are due as follows:

- The first payment of \$781.25 shall be paid no later than September 1, 2023.
- The second payment of \$781.25 shall be paid no later than October 2, 2023.
- The third payment of \$781.25 shall be paid no later than November 1, 2023.
- The fourth payment of \$781.25 shall be paid no later than December 1, 2023.
- The fifth payment of \$781.25 shall be paid no later than January 2, 2024.
- The sixth payment of \$781.25 shall be paid no later than February 1, 2024.
- The seventh payment of \$781.25 shall be paid no later than March 1, 2024.
- The eighth payment of \$781.25 shall be paid no later than April 1, 2024.

EPD, in consideration of the complete and timely performance of the obligations in this Consent Agreement, hereby conditionally withholds its right to begin formal enforcement proceedings, or seek judicial imposition of damages, and/or civil penalties for the violations described herein.

If you violate the terms of this Consent Agreement or do not sign and return this letter to EPD at the address above within thirty (30) days of the date of this letter, EPD will assume that you are declining to settle this matter on the above-described terms. Without this resolution, it is EPD's intent to either institute judicial proceedings in a court of competent jurisdiction or begin formal enforcement proceedings before the Orange County Code Enforcement Special Magistrate. In either case, it would be EPD's intent to seek damages, penalties, and costs in no less an amount than that provided above.

The County hereby expressly reserves the right to initiate any appropriate legal action to enforce the terms of this Consent Agreement or to address, prevent or prohibit any violations of applicable County ordinances, statutes, or the rules promulgated there under, that are not specifically resolved by the terms of the Consent Agreement.

The provisions of this Consent Agreement shall apply to and be binding upon the parties, their officers, directors, agents, servants, employees, successors and assigns. No modifications of the terms of the Consent Agreement shall be effective until reduced to writing and executed by both you and the County.

August 7, 2023
Pro-Demolition Inc.
EPD Incident #23-618300
File No: AQM #23-001
Page 3 of 5

Your signature on this letter constitutes your acceptance of EPD's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to EPD at 3165 McCrory Place, Suite 200, Orlando, Florida 32803, together with a cashier's check or money order for \$6,250.00, or the first payment installment of \$781.25. Signed letters may also be emailed to AirComplianceOrangeCounty@ocfl.net. The Consent Agreement shall be effective upon EPD's final signature (the "Effective Date").

Please contact me at 407-836-1434 or Wanda.Parker@ocfl.net if you have any questions.

Sincerely,

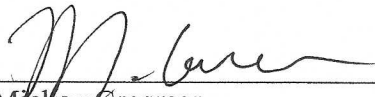
A handwritten signature in cursive script that reads "Wanda Parker".

Wanda Y. Parker, CEP
Regulatory Compliance Program Coordinator
Air Quality Management
Orange County Environmental Protection Division

August 7, 2023
Pro-Demolition Inc.
EPD Incident #23-618300
File No: AQM #23-001
Page 4 of 5

FOR THE RESPONDENT:

I, Mickey Grosman HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.



Mickey Grosman
Pro-Demolition Inc.

8/21/2023

Date

August 7, 2023
Pro-Demolition Inc.
EPD Incident #23-618300
File No: AQM #23-001
Page 5 of 5

.....
FOR DIVISION USE ONLY:

Wanda Y. Parker

Wanda Y. Parker, CEP
Regulatory Compliance Program Coordinator
Air Quality Management
Orange County Environmental Protection Division

Entered into this 22 day of August, 2023, in Orlando, Florida.

Attachment

ML/WYP:kw

c: Elizabeth R. Johnson, CEP, PWS, MPA, Interim Manager, EPD
Renee Parker, LEP, Assistant Manager, EPD
Jane Gregory, CHMM, CIT, LEED GA, Environmental Programs Administrator, EPD
Aaron Watkins, Director, Central District, FDEP, aaron.watkins@floridadep.gov
Jessica Dalton, Environmental Administrator, FDEP, jessica.dalton@floridadep.gov
Rachel Perez, Pro-Demolition Inc., rachel@prodemolition.com
Ilka Bundy, Environmental Team Leader, EPD
Mary Lawrence, Senior Environmental Specialist, EPD
Terri Brinson, Administrative Specialist, EPD



ENVIRONMENTAL PROTECTION DIVISION

David D. Jones, P.E., CEP, Manager

3165 McCroby Place, Suite 200
Orlando, FL 32803-3727
407-836-1400 • Fax 407-836-1499
www.ocfl.net

COPY

February 10, 2023

EMAIL AND CERTIFIED MAIL: 9489 0090 0027 6388 9988 9906 70

WARNING LETTER: AQM # 23-001

Mr. Mickey Grosman
Pro-Demolition Inc.
5851 W Ponkan Rd.
Apopka, FL 32712
demobiz@hotmail.com

**RE: Orange County – Facilities 7775954 & 7776125
Pro-Demolition Inc. - Pro-Demo/Pro-Demo Aggregate
5851 W Ponkan Rd., Apopka, FL
(PID 22-20-27-2736-14-050)
Violation of Chapter 15, Article III, Orange County Code
Violation of Air General Permits 7775954-001-AG,
7775954-002-AG and 7776125-002-AG
Failure to Conduct Compliance Testing
EPD Incident #23-618300
Orange County Commission District: 2**

Dear Mr. Grosman:

The Orange County Environmental Protection Division (EPD) has the power and duty to control and prohibit air pollution in the County in accordance with the rules and regulations promulgated by Orange County, the Florida Department of Environmental Protection (FDEP) and the Environmental Protection Agency (EPA).

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. File Review activities conducted by EPD on April 8, 2022 and January 30, 2023 indicate that violations of federal, state and county codes, statutes, regulations, and ordinances may exist at the above-referenced facilities. EPD noted the following:

- Both above referenced facilities failed to conduct compliance testing in calendar year 2021.
- Both above referenced facilities failed to conduct compliance testing in calendar year 2022.

**Orange County Code - Chapter 15 Environmental Control - Article III. Air Quality Control
- Division 2. - Rules:**

The Board of County Commissioners adopts by specific reference the rules of the Florida Department of Environmental Protection relating to air quality standards and criteria, design, construction, permitting, performance, operation, maintenance, monitoring and reporting requirements for air pollution sources.

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.

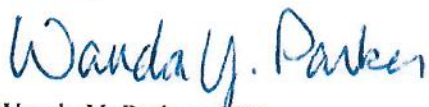
Pursuant to **Rule 62-210.310(5)(e)3.e., Florida Administrative Code (F.A.C.)** and **40 Code of Federal Regulations (C.F.R.) Part 60 Subpart OOO**, facilities shall conduct initial performance tests for particulate matter and visible emissions in accordance with all requirements of Subpart OOO and 40 CFR Part 60, Subpart A, adopted and incorporated by reference at Rule 62-204.800, F.A.C. Thereafter, such facilities shall conduct performance tests for visible emissions annually.

You are requested to contact Mary Lawrence at (407) 836-1490 or at mary.lawrence@ocfl.net within fifteen (15) days of receipt of this Warning Letter to schedule a time to discuss the matter. In addition, please submit all recent compliance test reports and recordkeeping logs required by each Air General Permit referenced above to AirComplianceOrangeCounty@ocfl.net. EPD is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may conference in anyone 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 15-71, Orange County Code.

We look forward to your cooperation in completing the investigation and resolution of this matter. If you do not comply with the timeframe to contact staff, it will be assumed that you are not interested in settling this matter, and this matter will be referred to the Orange County Code Enforcement Special Magistrate with a recommendation that further enforcement action be taken against you.

Sincerely,



Wanda Y. Parker, CEP
Regulatory Compliance Program Coordinator
Air Quality Management
Orange County Environmental Protection Division

ML/WYP:kw

- c: David Jones, P.E., CEP, Manager, EPD
Renee H. Parker, LEP, Assistant Manager, EPD
Elizabeth R. Johnson, CEP, PWS, MPA, Assistant Manager, EPD
Jane Gregory, CHMM, CIT, LEED GA, Environmental Programs Administrator, EPD
Aaron Watkins, Director, Central District, FDEP, aaron.watkins@floridadep.gov
Jessica Dalton, Environmental Administrator, FDEP, jessica.dalton@floridadep.gov
Ilka Bundy, Environmental Team Leader, EPD
Mary Lawrence, Senior Environmental Specialist, EPD