

Florida Department of Environmental Regulation

Southwest District

3804 Coconut Palm

Tampa, Florida 33619

Lawton Chiles, Governor

813-744-6100

Carol M. Browner, Secretary

FAX TRANSMITTAL SHEET

7/2/93

DATE

TO: FRANCINE JOYAL TOTAL PAGES: 3

DEPT: SOLID WASTE MANAGEMENT

PHONE: _____ FAX NUMBER: SW

FROM: Kim Horn

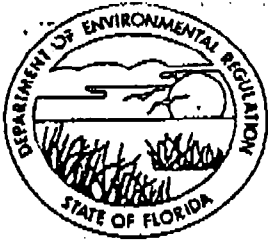
DEPT: X382

PHONE: 813-744-6100 SC 542-6100 FAX NUM. 813-744-6090 SC 542-6090

REFERENCE: Summer W/W

MESSAGE: _____

REPLY: _____



Florida Department of Environmental Regulation

Southwest District

3804 Coconut Palm

Tampa, Florida 33619

Lawton Chiles, Governor

813-744-6100

~~Garry B. Breeden~~ Secretary

Virginia B. Wetherell

MAR 15 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

53008

Mr. Garry Breeden
Department of Public Works
Sumter County
222 East McCollum Avenue
Bushnell, Florida 33513

WARNING LETTER #93-0004SW60SWD

Subject: Sumter County Solid Waste Management Facility
Permit #S060-211179

Dear Mr. Breeden:

A site inspection of your facility on February 10, 1993 indicates that violations of Chapter 403, Florida Statutes, and the rules promulgated thereunder may exist in regard to the above described facility. The Department has found the following conditions existing:

1. A large amount of Municipal Solid Waste fluff was being stored beyond the liner of the Class I storage cell.
2. There was evidence of leachate run-off from the southwest corner of the compost pad to the stormwater conveyance area.

It is a violation of Section 403.161(1)(b), Florida Statutes, to fail to comply with any rule, regulation, order or permit adopted or issued by the Department. It is a violation of Florida Administrative Code Rule 17-701.340(1) to fail to operate and maintain a landfill to control the movement of waste and waste constituents into the environment. It is a violation of Florida Administrative Code Rule 17-701.500(8)(b) to fail to collect and treat leachate as necessary to meet surface and ground water quality standards.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in

Mr. Garry Breeden
Department of Public Works

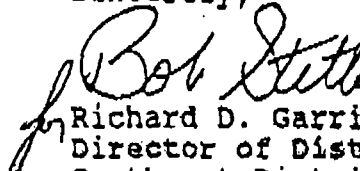
MAR 15 1993
Page 2

violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$10,000 per violation per day pursuant to Sections 403.141 and 403.161, Florida Statutes. It is the Department's policy to seek civil penalties for the above described violations in the amount of \$5,800.00.

You are requested to respond in writing to the Department within 15 days of receipt of this Warning letter indicating your willingness to comply with the issues addressed in the Warning Letter and outlining your plans for compliance or you are requested to contact Stephanie Hinson of this office at (813) 744-6100, ext. 374, within 15 days of receipt of this Warning Letter to arrange a meeting with Department personnel to discuss the issues raised in this Warning Letter. You may wish to consult an attorney and to have the attorney attend the meeting with the Department. Failure to provide a timely response to the Department as described above will indicate to the Department an unwillingness on your part to resolve the issues raised in the Warning Letter in an amicable manner.

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. The purpose of this letter is to advise you of potential violations and to set up a meeting to discuss possible resolutions to any potential violations that may have occurred for which you may be responsible. If the Department determines that an enforcement proceeding should be initiated in this case, it may be initiated by issuing a Notice of Violation or by filing a judicial action in accordance with Section 403.121, Florida Statutes. If the Department issues a Notice of Violation, and you are named as a party, you will be informed of your rights to contest any determination made by the Department in the Notice of Violation. The Department can also resolve any violation through entry into a Consent Order.

Sincerely,


Richard D. Garrity, Ph.D.
Director of District Management
Southwest District

RDG/shs

cc: Robert Butara, P.E. - FDER Tampa