

Lawton Chiles
Governor

Department of Environmental Protection

FILE

Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794

Virginia B. Wetherell
Secretary

December 22, 1998

Ruckel Properties, Inc.
c/o Mr. James P. Ruckel
17 John C. Simis Parkway N.
Valparaiso, Florida 32580

Dear Mr. Ruckel:

Enclosed is a copy of the memorandum of our October 28, 1998, meeting on the Ruckel Properties mining operation on Chase Drive. I am still waiting for submittal of the information agreed to at the meeting that will be used to prepare a Consent Order to resolve the issues at the site. Please submit the information at your earliest convenience.

If you have any questions, please contact Ms. Barbara Ruth at (850) 595-8300.

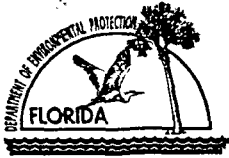
Sincerely,

Greg Smith
Environmental Specialist
Compliance/Enforcement Section

GS:br
Enclosure

cc: Sandy Young, Environmental Consultant
Cliff Rohlke, SLERP

comet
12-23-98
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FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Memorandum

TO: File

THROUGH: Greg Smith *GS*

FROM: Barbara Ruth *BR*

SUBJECT: Ruckel Sand Mine meeting

DATE: November 13, 1998

On October 28, 1998, Department representatives met with representatives from Ruckel's Sand Mine to discuss issues related to unpermitted mining activities and possible dredge and fill activities at the mining site in Niceville, south of College Parkway. An attendance list is attached.

Mr. Smith explained the warning letter was sent because the facility was operating without a permit and activities were causing an unpermitted discharge to the creek that appeared to be causing a turbidity violation and sand accumulation in the creek. He explained that the situation could be resolved thru a consent order that addressed properly permitting the activity and restoring any areas that had been impacted. He also noted that the stream was thought to be habitat for the endangered Okaloosa darter, and that USFWS was being contacted about potential habitat impacts.

Mr. Ruckel stated that he would correct any problems.

Mr. Young said the Ruckel had operated the sand mine for about 12 years. He said that it was a DOT site in the 1960's. He explained that some years ago he inquired about a permit and was told that he didn't need a permit if work area was kept away from the discharge pipe. He said that Mr. Witherington mined in the cell near the pipe without their authorization.

Mr. Evans explained that the Department would need to determine the exact activities to determine if a generic permit might be applicable.

Mr. Smith requested a submittal of a time schedule for compliance and a summary of events to be submitted within 30 days. Mr. Young requested that he be contacted when a site visit was arranged with USFWS.

The meeting was adjourned.

This memorandum was prepared by Ms. Barbara Ruth and are here interpretations or understandings of the items discussed herein. Any comments or revisions should be forwarded to Ms. Ruth within 7 days of receipt of this memorandum. If no comments or revisions are received, it is understood that this meeting memorandum accurately reflect the items discussed.

