

JOSEPH T. FRISCIA, P.E., INC.

1665 S.W. Biltmore St. • Port St. Lucie, Florida 34984 • 407-340-4990

April 22, 1994

J. Timothy Corson
Florida Power & Light Co.
P.O. Box 088801
North Palm Beach, FL 33408-8801

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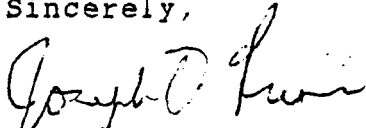
Re: Florida Tire Recycling
Proposed Stormwater Management Improvements in FPL Easement

Dear Mr. Corson:

Enclosed please find the Right of Way Consent Agreement which has been executed by Florida Tire. The finalized plan is attached as Exhibit "B". Please send a copy of the agreement after execution by FPL.

If you have any questions, please call.

Sincerely,



Joseph T. Friscia, P.E.

cc: J. Friscia
J. Wilson

9243.11



Florida Tire Recycling, Inc.

(VIA FEDERAL EXPRESS TRACKING #8538615912)

May 6, 1994

Joseph Kahn, P.E.
SOUTHEAST DISTRICT
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PO Box 15425
West Palm Beach, FL 33416

**RE: MONTHLY SUMMARY (STIPULATION SECTION H) REPORT #4 / FOR MONTH
OF APRIL, 1994**

Dear Mr. Kahn,

Please find enclosed the monthly summary for April, 1994 which is due on May 10th.

If you have questions with regard to this information please call;
I may be reached at 407-465-0477.

Sincerely,

Skip Robinson
FLORIDA TIRE RECYCLING, INC.

cc: James R. Brindell, Esquire

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MONTHLY SUMMARY

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FROM: 04/01/94 TO: 04/30/94

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1. TONNAGE IN: 1937.90

2. TONNAGE OUT: 4978.03

a. WHOLE TIRES 89.27

b. SHREDDED MATERIAL 4888.76

COMPUTATION FORMULA: PASSENGER TIRES 20 LBS EACH; LIGHT TRUCK 40 LBS EACH; TRUCK TIRES 100 LBS EACH.

3. REMOVAL AND CONFIGURATION OF STORED MATERIAL:

SEE ATTACHED EXHIBIT A

4. FIRE FIGHTING; EQUIPMENT - TRAINING:

SEE ATTACHED EXHIBIT B

5. TRUST FUND: SEE ATTACHED EXHIBIT C

A. DEPOSIT AMOUNT: _____

B. BALANCE: \$50,000 plus accrued interest from
January 13, 1994.

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EXHIBIT A

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MATERIAL REMOVAL AND SITE RECONFIGURATION:

1. As the summary page for the period 04/01/94 through 04/30/94 indicates, FLORIDA TIRE RECYCLING, INC. (FTR) successfully removed 4978.03 tons. During this same period FTR collected 1937.90 tons. Based on a 21 collection day month the Base Removal Amount (BRA) for the period is $(2100 + 1937.90)$ 4037.90 tons.

As this record indicates, FTR exceeded the BRA for the month of April by 940.13 tons. Moreover, for the entire period of the Stipulation commencing on January 14, 1994 through April 30, 1994 the Company has exceeded the BRA by 1,353.93 tons.

2. All fire lanes required in the Stipulation to be in place on or before the end of April are completed.

3. Work continues this month at the southern access road. At the suggestion of Marion Hedgepeth (see attached letter dated 4/11/94) FTR brought in mechanized equipment to clear shreds from the south border access road and adjacent swale. It has also employed three men through most of the month to remove by hand any remaining rubber so that the access road will be clear.

4. While it still remains unclear at this writing as to whether or not the 180 day tolling period for the removal of material from the FP&L easement commenced on January 14, or commences upon receipt of the appropriate permits (MSSW), FTR continues to make as much progress as possible removing shredded material lying in that easement. Shredded material which had formally been lying in what is now the cleared FL 1, FL 2, and FL 3, portions of which were part of the FP&L easement, has been removed from the site for either direct burial or use as TDF. In addition, and as much as possible, FTR has removed from the FP&L easement additional material beyond that which occupied fire lanes and continues to remove it from the property as well as to relocate it in areas which the Company should otherwise preserve for on-going operations.

ENGINEERING AND PERMIT APPLICATIONS:

1. On April 6, FTR received notice from FP&L that the north access road ("temporary loop road") required by the Department to run north and around the shred pile "cannot be approved as presently proposed" (see attached letter from FP&L to Friscia). Mr. Friscia is working with FP&L to determine a resolution.

2. On April 22, Mr. Friscia resubmitted answers to questions posed by Mr. Coffelt with regard to the pending MSSW application (see Friscia's letter to Coffelt dated 4/22/94). Mr. Friscia believes

all of the remaining engineering issues are resolved with this third submittal.

3. On April 22, FTR through its engineer, Mr. Friscia, completed and sent to FP&L the signed easement agreement permitting FTR to locate its wet and dry detention areas in the FP&L easement (see Friscia letter to Corson dated 4/22/94).

4. On April 22, following a series of phone calls, FTR confirmed with the County that the County would perform maintenance cleaning of the Range Line Road Swale, which due to the improper maintenance continues to cause flooding onto FTR's property (see letter to Don Pauley dated 4/27/94).

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EXHIBIT B

FIRE EQUIPMENT: EQUIPMENT AND TRAINING

1. FTR picked up the remaining fire fighting equipment, which has been back ordered from MUNICIPAL FIRE EQUIPMENT, to outfit the Company's fire battalion trucks. During the month the installation of that equipment was completed and the fire battalion trucks are now operational.

2. On April 19, FTR responded to Captain Fred Vaughn's request for clarification and additional information (see letter of this date) submitting the clarification material and again requesting an approval of its plan.

3. On April 21, following several phone conversations and at the direction of the ST. LUCIE COUNTY / FORT PIERCE FIRE DISTRICT, FTR contacted the FEC regarding FTR's Emergency Fire Plan to confirm in writing that the railroad is aware of the Company's intention to move the railroad cars parked adjacent to FTR's property at ALLIED UNIVERSAL (MIAMI TANK) along the private railroad spur to remove them from danger in the event of fire (see attached letter addressed to Mike Bagley and dated 4/21/94).

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EXHIBIT C

TRUST FUND:

1. On April 6, 1994 received notice from Frances Keith that the \$50,000 Trust instrument established for the benefit for FDEP was in a form acceptable to the Department.

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