



Florida Tire Recycling, Inc.

3 ring
cc: G. Bowman

RECEIVED

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FLA. DEPARTMENT OF
ENVIRONMENTAL REG.
WEST PALM BEACH

March 4, 1994

Joseph Kahn, PE
Solid Waste Supervisor
Southeast District
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
PO Box 15425
West Palm Beach, FL 33416

RE: YOUR LETTER DATED FEBRUARY 24, 1994

Dear Mr. Kahn,

As directed in the above captioned letter which was hand delivered here during your site visit on Monday, February 28, 1994 please find below our response to "each item of non-compliance and each item requiring clarification."

1. ROAD WAY DESIGN AND CONSTRUCTION

The northern access road is not a issue of non-compliance; it is rather an instance of failed communication which now requires the explanation and redirection which follows below.

Since the receipt of your February 24th Letter, we have discussed what now appears to be a misunderstanding about the intention and location of the access roads as called for in the "Stipulation." The variance which has occurred in our understanding results from the relocation of the material storage area which FTR has submitted through its engineer, Joseph Friscia, P.E., as part of its MSSW application.

When the issue of perimeter/access roadways was first addressed, it was at a time when it was contemplated that the shredded material would be stored throughout the site and adjacent, with the proper set-backs, to all boundaries.

Now, however, according to the application submitted by Mr. Friscia, all of the shreds are to be stored in 50' x 250' piles which will be located at the southern half of the property. This decision will promote better management and control of the shreds while they remain on the property.

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As part of this revised treatment of the shreds, FTR's plan provides a northern access/perimeter road adjacent to the newly defined shred storage area. This road, the design for which has been completed and submitted within the "Stipulation" time frame, anticipates the best possible access both for fire control and general management.

Since the receipt of your February 24th Letter, we now understand that it is the Department's plan that the access road to the North be located adjacent to the northern boundary of the current shred pile. This is a location which will be vacated within six months of the issuance of the MSSW permit; a location which at that time will become the site of wet and dry retention areas to be constructed as part of FTR's surface water management plan; and a location from which it would be difficult to stabilize any hazards due to the lack of any meaningful amount of water at the northern perimeter of the currently stored shreds (a condition addressed and solved by the wet retention area to be constructed in this area).

Following the logic and strategy of its MSSW application, it has been until now FTR's position that as an interim access/perimeter road to the north side of the current shred pile, the existing surface which lies on FTR's property, but in the FPL easement, and to the north of this pile, provides adequate vehicle access.

Nonetheless, based on FDEP's insistence that there must be a road designed and built on the north portion of the property, all-be-it to be used only temporarily until the shreds are relocated to the southern section of the property, we have advised our engineer, Mr. Friscia, to commence design (see letter to Friscia dated March 2, 1994). As you know, since this temporary access roadway will lie in the FPL easement, it will be necessary for us to secure permission for FPL to approve the engineering and location plan.

2. SPARK ARRESTORS: Item 10 C 1 (c)

It should be noted that spark arrestors are in place for all gasoline powered internal engines.

3. CONTROL GATE: ITEM 10 C 2 (b)

The control gate has been constructed. However, the access road is not at this time a road; it is an area that is under construction. Therefore, FTR has installed a fixed wooden barrier, the posts of which are implanted 3' to 4' into the ground. This barrier running across the entire surface prevents access at this location. Upon completion of this surface and acceptance as a roadway, FTR will install the control gate.

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4. PERIMETER LIGHTING: ITEM 10 C 2 (c)

As demonstrated by a copy of the construction confirmation received from TREASURE COAST CONSTRUCTION, a sub-contractor to FPL, the lighting is scheduled to be installed on or about March 10, 1993 (see fax dated February 28, 1994).

5. FIRE TRUCK EQUIPMENT: ITEM 10 C 5

As demonstrated by the purchase order #3-47-908 to MUNICIPAL EQUIPMENT CO., which has been delivered under separate cover, this material is on back order. As soon as it arrives and by agreement reached during our site visit on Monday, we will notify you and schedule a date for you to inspect the operation of this equipment.

6. RESOURCE EQUIPMENT: ITEM 10 C 7

FTR was informed by TRIPLE E EQUIPMENT that they could provide the equipment necessary. At that time it was not understood that all of the equipment could not be provided in the 4 hour time period specified. FTR has contacted TRIPLE E EQUIPMENT for a clarification and if necessary will provide a list of additional contractors.

7. FIRE PLAN: ITEM 10 C 8

FTR'S correspondence indicates (see letter to Fred Vaughn dated February 28, 1994) on January 31, 1994 this information was submitted to St. Lucie County - Ft. Pierce Fire Department, but the Department has not yet responded to a request for review and comment. Therefore, it is impossible for FTR to submit a "written statement that this plan is acceptable" to the St. Lucie County - Ft. Pierce Fire Department.

8. CLEARING TIRE SHREDS: ITEM 10 D 1

During your site visit here on Monday, February 28, 1994 we walked the perimeter area together and found in fact that there is a 50' clear perimeter at the western margin area of the property, at the southern portion of the property, but that some areas along the rail spur adjacent to MIAMI TANK are narrower than 50' and will need to be widened. This process is in place. In addition, there are random shreds in the clear area. FTR is in the process of removing that material.

9. REMOVAL REQUIREMENT: ITEM 10 E

At this writing the tabulations for the month ending February 28, 1994 have not been completed. Therefore, it is impossible for FTR to state that there is a short fall for the month.

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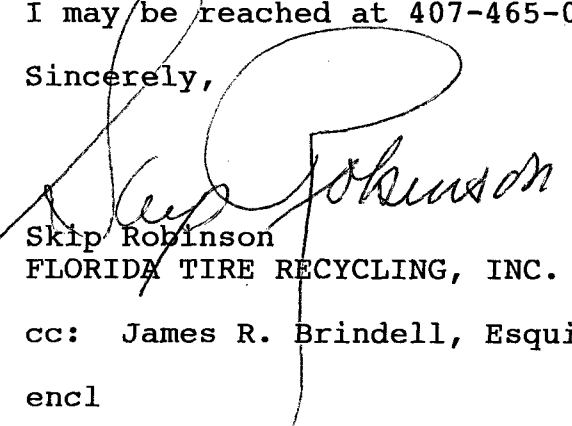
While delivery of TDF material has increased through the period, two reversals have visited the Company's effort to remove material for direct disposal: (1) one of the two tractors which it operates and which is dedicated to shred removal suffered a catastrophic failure - the engine seized; (2) RELIABLE WOOD PRODUCTS, FTR's, independent contractor for the transportation of shreds, unexpectedly reduced the availability of its truck and trailer fleet to FTR. As a result, the Company sustained a reduction of shred disposal during the period in which it rebuilt its equipment (see Yavorsky invoice) and persuaded RELIABLE WOOD PRODUCTS to return to its customary schedule.

Finally, despite its ongoing efforts to obtain a processing permit for its Lakeland site, FTR has been unable to date to secure that permit. This permit was addressed as part of the "Stipulation" negotiations. FTR explained that without the ability to process at Lakeland the waste tires collected on the west coast, it would be difficult for the Company to accomplish the level of removal required by the "Stipulation". All present at those negotiations encouraged FTR to believe that a processing license would be forth coming and that it should reopen negotiations to finalize the permit process with the Southwest District (Tampa). In short, the delay in the issuance of the "Lakeland" processing permit has negatively impacted the Company's ability to remove material according to the "Stipulation" time line.

Nonetheless, as a result of accelerated removal on the 28th itself, when the tabulation is complete, it may reveal that FTR has achieved the level of removal (100 tons per operational day beyond what is received) for the month.

If there are 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

encl



Florida Tire Recycling, Inc.

(VIA FACSIMILE TRANSMISSION 407-871-7143)

March 2, 1994

Joseph T. Friscia, PE
JOSEPH T. FRISCIA ENGINEERING
1665 SW Biltmore Street
Port St. Lucie, FL 34984

RE: NORTHERN PERIMETER ROAD

Dear Mr. Friscia,

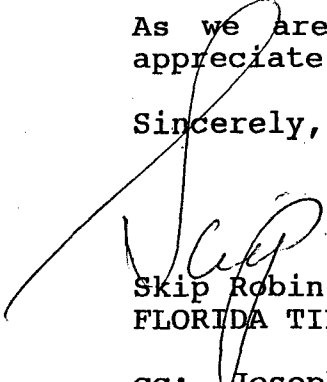
As I explained to you during our several conversation of this day, I have been advised by Mr. Kahn of FDEP that FTR must commence design and construction of what will prove to be a temporary access road around the northern portion of the property, and which will connect the railroad spur road to the northwestern corner of your "loop road".

This road should be designed to the same criteria as the "loop" and access road.

In addition, because it will lie in the FPL easement, it will be necessary to secure FPL permission and authorization. Therefore please submit engineering plans to FPL for review and comment.

As we are under some pressure with regard to time, we will appreciate your early attention in this matter.

Sincerely,


Skip Robinson
FLORIDA TIRE RECYCLING, INC.

cc: Joseph Kahn, PE
James R. Brindell, Esquire

Providing An Environmental Solution

9675 Range Line Road • Port St. Lucie, Florida 34987 • (407) 465-0477 • FAX (407) 489-2124

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 * YAVORSKY'S TRUCK SERVICE INC. *
 * 10960 ORANGE AVENUE *
 * FORT PIERCE, FL 34945 *
 *

CUSTOMER

02-25-94

SKW LEASING
 9675 RANGELINE ROAD
 PSL, FL 34987

CUST NO. 1637
 PHONE 407 465-0477

R.O. # A11612
 DATE 02-21-94
 FINISH 02-25-94
 SVC WTR MY #MY

P.O. # 48552

VEHICLE INFORMATION SECTION

SERIAL# 06539

MILEAGE = 624064

UNIT#

YEAR / MAKE / MODEL = FORD

1 <<< CONDITION >>>

ASSEMBLE ENGINE

<<< CORRECTION >>>

BAD OIL LEAK AT CAM FOLLOWER AND OIL LEAK AT FRONT
 CAM SUPPORT BUSHING.

TOTAL LABOR	25.0 HRS @ \$ 40.00 /HOUR =	1000.00
TOTAL PARTS		1045.91
TOTAL OIL, GREASES		72.60
TOTAL SUBLET LABOR		110.00

LO1	1	T5-03V	BLUE SILI	5.40
K06	1	105	GREASE	3.51
103	1	AR51477	KIT,PDC	13.82
PG3	1	157551	GSK,CNN	0.85
103A	1	67946	WSH,PLA	0.58
103A	1	3029847	SAL,RNG	0.54
	4	BLA	HDWE	9.84
LO4	1	MM7453	COARSE DC	0.72
104	1	3020183	SAL,OIL	21.10
103	1	3006742	SLV,WER	54.82
HEA	1	HR855-400-YTS499H	CYL HEAD	174.00
HEA	1	HR855-400-YTS500H	CYL HEAD	174.00
HEA	1	HR855-400-YTS501H	CYL HEAD	174.00
K06	1	05089	BRKLEEN	7.02
K04	1	BEIGE-CUMMINS	SPRAY CAN	6.94
M04	1	10-2654	WASHER	0.29
K02	1	LFP777B	FILTER	15.48
K02	1	LFP670	FILTER	13.69
P11	1	7669-21316	HOSE	5.54
K01	1	LFF5	FILTER	4.40
	3	BLA	HDWE	7.38
104	1	3801199	KIT,SAL	39.89
LO4	4	6332	CLAMP	1.36
LO4	2	6336	CLAMP	0.68
LO4	2	BP229	WIRE TERM	1.04

CONTINUED

1198

5744-8

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 *

CUSTOMER
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REPAIR ORDER NO. A11612

SHP	1	14GAUGE	WIRE	0.20
BOL	6	BP360	TY-RAP	3.90
PO4	6	3013930RX	CONNROD	304.92
SHP	44	OIL-QT	OIL	72.60
23409	1	SUBLET.LABOR		110.00
		TOWING SERVICES		

OPERATION TOTAL

2228.51

2 <<< CONDITION >>>

INSTALL FRONT OIL SEAL AND INSTALL HARMONIC BALANCER AND
 BELTS AND PULLEYS

TOTAL LABOR 4.6 HRS @ \$ 40.00 /HOUR = 184.00

OPERATION TOTAL

184.00

3 <<< CONDITION >>>

TIGHTEN STARTER BOLTS--STARTER FALLING OFF

TOTAL LABOR 1.5 HRS @ \$ 40.00 /HOUR = 60.00

OPERATION TOTAL

60.00

4 <<< CONDITION >>>

R&R AIR FILTER--CLOGGED SOLID. BLEW OUT FIRST AND NOTIFIED
 JACK OF BAD FILTER

5 <<< CONDITION >>>

INSTALL ALTERNATOR AND LOWER WATER CONNECTION REMOVED BY
 CUSTOMER'S MECHANIC

TOTAL LABOR 1.0 HRS @ \$ 40.00 /HOUR = 40.00

TOTAL PARTS 18.06

BLT	2	GT9455	BELT	18.06
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OPERATION TOTAL

58.06

6 <<< CONDITION >>>

INSTALL OIL COOLER-DISASSEMBLED BY CUSTOMER'S MECHANIC

TOTAL LABOR 2.0 HRS @ \$ 40.00 /HOUR = 80.00

OPERATION TOTAL

80.00

7 <<< CONDITION >>>

R&R FUEL FILTER--NO O-RING INSIDE OF HOUSING

CONTINUED

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CUSTOMER
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02-25-94

REPAIR ORDER NO. A11612

TOTAL LABOR 0.6 HRS @ \$ 40.00 /HOUR = 24.00

OPERATION TOTAL 24.00

MISCELLANEOUS SUPPLIES 83.28

PLEASE PAY THIS TOTAL 2717.85

DISCLAIMER OF WARRANTIES

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WE HEREBY CERTIFY THAT THESE GOODS WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6, 7 AND 12 OF THE FAIR LABOR STANDARDS ACT OF 1938, AS AMENDED AND OF REGULATIONS AND ORDERS OF THE ADMINSTRATOR OR WAGE AND HOUR DIVISION ISSUED UNDER SECTION 14 THEREOF.

RECEIVED BY : _____