



# Florida Tire Recycling, Inc.

Mr. Vivek Kamath, P.E.  
Waste Programs Administrator  
Department of Environmental Protection  
Southeast District  
P.O.Box 15425  
West Palm Beach, FL 33416

RECEIVED  
NOV 09 1995  
DEPT OF ENV PROTECTION  
WEST PALM BEACH

Re: Inspection Report October 12, 1995

Dear Sir,

Your letter of October 30, 1995 regarding the above referenced subject was received here November 1, 1995. As directed we are responding to those items you have noted with the designation "noncompliance."

Item 10 B: Attached is a letter from FTR's engineer, Joe Friscia evidencing the fact that St. Lucie County has not yet issued the required permits to proceed with construction of the MSSW system. FTR has acted in a prompt and responsible manner in this endeavor to the extent of even submitting our application for the county storm water permit in advance of receiving site plan approval. The record is clear that FTR has been timely and diligent in pursuing the required permits and that the delays were due to circumstances beyond FTR's reasonable control.

Item C.2(b): The control gate at the southern access road is to be installed as part of the MSSW construction, not upon issuance of the MSSW permit. As noted above, the additional permits required to commence construction have not been received.

Item C.3. 4. & 8: We refer you to our letter of August 29, 1994 which was in reply to Mr. Joseph Kahn's letter to FTR dated August 19, 1994. In that letter we stated as follows:

As has been previously reported to DEP, SLCFPFCD has no program to certify FTR's fire protection plan. In this respect we are faced with another force majeure situation inasmuch as neither FTR or DEP can compel SLCFPFCD to perform a function outside its jurisdiction. Despite this SLCFPFCD did provide a letter to FTR dated July 14, 1994 which was forwarded to DEP in which Deputy Chief Perry Sessoms stated "... I have no problems with the proposed plan ... ." FTR submits that there is no interpretation of this statement than as approval from SLCFPFCD. Consequently, FTR asserts it is in compliance with this item.

**Providing An Environmental Solution**

Item 10.D.1: The revised site plan presented to FDEP and in final approval with St. Lucie County eliminated the greater portion of the perimeter road. The portion that remains parallels the southern property line for a distance of 640 feet from the main road. There are no tire shreds within fifty feet of this area. Therefore FTR is in compliance with this requirement.

Item D.2. & 3.: The fire lanes were cleaned of whole tires and tire shreds prior to the October 31, 1995 deadline.

Item 10 D. 5.: It was agreed that the tire shreds in the FP&L easement would be removed as part of the MSSW construction. FTR has not received the permits needed to commence construction.

Item 10 D. 6.: FTR is unaware the minimum fifty foot separation between tire piles has not been maintained. Would FDEP provide specific information on which piles are regarded to be out of compliance so they can be inspected and corrected.

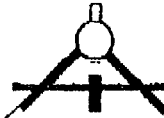
Item 10 E.: We agree that FTR experienced a shortfall in September shipments as indicated in your letter.

I believe this covers all points raised in your letter. Please call if you have any additional questions and/or comments.

Sincerely

  
David L. Quarterson  
FLORIDA TIRE RECYCLING, INC.

DLQ:ms

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

600 S.W. Bayshore Blvd. • Port St. Lucie, Florida 34983 • 407-340-4990 • Fax 407-340-7996

November 8, 1995

Dave L. Quarterson  
Florida Tire Recycling, Inc.  
9675 Range Line Road  
Port St. Lucie, FL 34987

Re: Florida Tire Recycling  
Project Status

Dear Mr. Quarterson:

I am writing to recap the status of the several local permits required prior to commencement of construction of your MSSW system. The first of these is the amended site plan. The application for an amended site plan was completed by my office and submitted to the St. Lucie County Development Review Committee on June 15, 1995. The County Planning Manager, David Kelly responded with a series of comments on the plan in his letter of July 6, 1995. The plans were revised and our reply was completed and returned to Mr. Kelly on July 26, 1995.

In early August Diana Waite from Mr. Kelly's office requested a recorded copy of the consent agreement between your company and Florida Power and Light on use of the easement. He specifically requested a copy that had been recorded with the Clerk of the Circuit Court's office. Our copy did not indicate it had been recorded. Kelly agreed to work with the copy we had and advised it was to be reviewed by one of the county attorneys and, if acceptable as to form, the site plan approval would go before the St. Lucie County Commission in their September meeting. When I checked back after the meeting date, I was advised our project had been taken off the meeting agenda because the attorney had left on vacation before completing the review and the deadline was past.

On September 11, I checked Mr. Kelly's office once again and was informed that upon further review it was decided the amended site plan was not major in nature and was approved at staff level. A copy of the approved, but unrecorded, Development Order was telefaxed. Kelly indicated the Order would not be final until it is recorded. As of this writing I have not received a recorded Development Order although I have checked twice on its status.

Receipt of the recorded Development Order is a prerequisite to filing for the next permit, the county storm water management permit. Upon your instructions in September I proceeded to complete the application and prepare it for filing. After waiting two to three weeks for the Development Order, we agreed

to proceed with filing for the storm water permit even though the prerequisite Order was not in our hands. Thus I filed the application for the county storm water management permit on October 9, 1995. At the date of this writing I have not received any comments from the County on the application.

The building permit is the final permit that will have to be obtained. This is usually processed in two or three weeks.

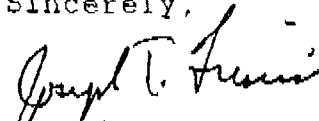
A chronology of events beginning with the amended site plan (i.e. to locate the shredder canopy and tire processing area to the southeast corner) submittal follows:

06/15/95 Amended Site Plan submitted to County  
07/06/95 County comments received  
07/26/95 Responded to County comments  
08/23/95 Order of Site Plan Approval signed by Planning Director  
09/11/95 Project status requested of County and unrecorded Order of Site Plan Approval telefaxed. County advised that recorded copy necessary to proceed with project.  
10/09/95 Recorded copy not received. Construction plans submitted to Engineering for stormwater permit.

As of this date the recorded Order of Site Plan Approval has not been received and Engineering Department approval is pending.

Please advise if you have any further questions and/or comments.

Sincerely,



Joseph T. Friscia, P.E.

cc: File 9243.31