



Lawton Chiles
Governor

Florida Department of Environmental Protection

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

104-

February 24, 1994

Certified Mail
Return Receipt Requested

Mrs. Susan K. Wilson, President
Florida Tire Recycling, Inc. (FTRI)
9675 Range Line Road
Port St. Lucie, FL 34987

St. Lucie County
SW - FTRI
Enforcement Files

RE: STIPULATION AND CONSENT FOR INJUNCTION, "STIPULATION"
CASE NO. 93-895 CA

Dear Mrs. Wilson:

On February 17, 1994, Department personnel conducted an inspection of your facility for compliance with the terms of the STIPULATION as entered into on January 14, 1994. The purpose of of this letter is to inform you of items of compliance and noncompliance in the same numerical order as shown in the STIPULATION. Items presently in compliance with the STIPULATION are noted "compliance"; items not presently in compliance are noted "noncompliance".

ITEM 10 A.

FTRI met with the Department on January 20, 1994 for a pre-application conference to discuss possible wetland areas and a surface water management system - compliance.

FTRI applied for a permit for the Management and Storage of Surface Waters on February 9 with the correct application fee on February 15, 1994 - compliance.

FTRI submitted an application for wetlands dredging and filling on February 14, 1994 - compliance.

The STIPULATION states that FTRI shall commence design and construction of a 24' wide perimeter roadway around the site and a central access roadway in an east-west direction approximately dividing the site. FTRI's consultant submitted design drawings for proposed roadway construction on February 9, 1994 for the proposed reconfiguration of the facility for the southern half of the property only. The design of the roadway didn't include the northern half of the property which is north of the existing east-west central access roadway - noncompliance.

FTRI's consultant submitted roadway design and construction to conform to a limerock bearing ratio of at least 40 as determined by an independent testing laboratory on the design plans - compliance. FTRI's consultant submitted documentation signed and sealed by a Professional Engineer registered in the State of Florida received on

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February 21, 1994 which demonstrates that the roadway design will support the axle weights, undercarriage characteristics, and turning radius of the fire-fighting vehicles used by the St. Lucie County - Ft. Pierce Fire Control District (SLCFPFCD) - compliance.

ITEMS 10 C 1, 2, 5 THROUGH 8.

10 C 1(a). The tire and waste tire storage areas are designated as no smoking areas - compliance.

10 C 1(b). Flammable and combustible liquids must be segregated and stored in appropriate containers and configuration - compliance.

10 C 1(c). Spark arresters must be placed on all internal combustion equipment. The monthly status report from FTRI states that the arresters have been ordered but not received - noncompliance. Please provide documentation of the order, company and status of the installation of the arresters.

10 C 1(d). Cutting (other than shredding or chopping of tires), welding, heating devices, and open fires must be prohibited in the tire and waste tire storage area - compliance.

10 C 2(a). FTRI shall provide security by a company whose personnel hold at least a Class D license - compliance. FTRI has provided American Securities Associates of Florida per the monthly status report.

10 C 2(b). FTRI shall construct and install a control gate at the southern access road. FTRI has constructed a wooden fence across the majority of the southern access roadway, however this is not a control gate - noncompliance.

10 C 2(c). Installation of perimeter lighting along the eastern boundary of FTRI has been ordered via Florida Power and Light Company, but not installed yet - noncompliance.

10 C 2(d). An enclosed operations area must be provided for the security personnel. FTRI has provided this per the monthly status report - compliance.

10 C 5. FTRI has ordered AFFF, 60 gallons of foam and hoses from the Municipal Equipment Company on February 7, 1994; however these items have not been received by FTRI - noncompliance.

10 C 6. FTRI has established a fire training program with fire instructors from Indian River Community College - compliance.

10 C 7. FTRI has supplied a resource list for equipment which may be deployed to the FTRI site on February 17, 1994. Please provide a written statement from each supplier that the equipment can be deployed to the FTRI site within 4 hours of notification.

10 C 8. FTRI has prepared and supplied a fire plan to the SLCFPFCD that describes the firefighting resources available to fight a fire at the FTRI site. However, SLCFPFCD hasn't provided a written statement that this plan is acceptable - noncompliance. Note that the phone number listed in the fire plan for the Department is incorrect. The

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phone number listed in the plan is 407/433-2560 instead of 407/433-2650. Please revise the document and resubmit a corrected version.

10 D 1. FTRI shall clear tires and shreds from a 50' perimeter around the site to allow required equipment access for installation of perimeter roadways. FTRI has cleared the northern and central east and southeastern perimeters of the site only. A 50' clear perimeter doesn't exist for the western, southern portions of the site nor is it provided at the rail spur in the northeast section of the site. All tires and shreds shall be removed to the bare ground - noncompliance.

10 D 2. FTRI has removed tire piles T-12 and T-14 as delineated on Appendix A of the STIPULATION - compliance. Note: Fire Lanes must be established to the bare ground. No shreds shall exist in the Fire Lanes. Discussion of the proper location of Fire Lanes 1 and 2 was done during the site inspection. Copies of previous site maps to properly locate the Fire Lanes were provided to FTRI during this site inspection. This item is not due until March 14, 1994. Please call if you need further clarification.

10 E. Note: This item requires that FTRI shall remove at least 100 tons of shredded material for each day that tire material is received at the FTRI site, plus an amount equivalent to the tire material tonnage brought onto the FTRI site each working day from all sources. The total amount of material removed from the site during the calendar month shall equal or exceed the base removal amount. Weekly totals for February 1 through February 19, 1994 reveal that FTRI has received 1391.4 tons in and has shipped out 2645.5 tons. FTRI should have removed the 1391.4 tons received plus 1,400 tons (100 tons per each operational day that tires are received on-site). The total of tires to have been removed was 2,791.4 tons. The shortage of tire and shred removal for the first 3 weeks is 145.9 tons (see attached table). Although compliance is monitored monthly, the Department is concerned that FTRI can accelerate removal later this month to meet the requirements of the STIPULATION. Please explain this shortfall and what steps you are doing to correct the deficiency.

10 F. FTRI submitted a copy of the Financial Responsibility document on February 9 and the original signed documents on February 17, 1994 - compliance.

Please respond to each item of noncompliance and each item requiring clarification within 10 days of receipt of this letter. If you have any questions, please contact me.

Sincerely,



Joseph Kahn, P.E.
Solid Waste Supervisor

cc: Janet Bowman, OGC/TLH
Jim Brindell
Mary E.S. Williams

Vivek Kamath
Marion Hedgepeth
Francis Keith

	Day	IN (ton)	BRA	FTR OUT	DIFF.
01-Feb-94	Tuesday	116.7	216.7	116.7	(99.9)
02-Feb-94	Wednesday	85.9	185.9	101.1	(84.9)
03-Feb-94	Thursday	69.3	169.3	156.0	(13.3)
04-Feb-94	Friday	134.7	234.7	123.3	(111.4)
05-Feb-94	Saturday	0.0	0.0	23.0	23.0
06-Feb-94	Sunday	0.0	0.0	0.0	0.0
07-Feb-94	Monday	89.4	189.4	215.5	26.1
08-Feb-94	Tuesday	94.5	194.5	225.3	30.8
09-Feb-94	Wednesday	70.8	170.8	212.0	41.1
10-Feb-94	Thursday	66.3	166.3	193.0	26.7
11-Feb-94	Friday	208.9	308.9	123.6	(185.3)
12-Feb-94	Saturday	0.0	0.0	201.1	201.1
13-Feb-94	Sunday	0.0	0.0	0.0	0.0
14-Feb-94	Monday	88.2	188.2	161.8	(26.5)
15-Feb-94	Tuesday	84.9	184.9	206.5	21.6
16-Feb-94	Wednesday	80.8	180.8	205.3	24.4
17-Feb-94	Thursday	89.4	189.4	123.8	(65.6)
18-Feb-94	Friday	111.5	211.5	187.7	(23.8)
19-Feb-94	Saturday	0.0	0.0	70.0	70.0
20-Feb-94	Sunday	0.0	0.0	0.0	0.0
21-Feb-94	Monday	0.0	0.0	0.0	0.0
22-Feb-94	Tuesday	0.0	0.0	0.0	0.0
23-Feb-94	Wednesday	0.0	0.0	0.0	0.0
24-Feb-94	Thursday	0.0	0.0	0.0	0.0
25-Feb-94	Friday	0.0	0.0	0.0	0.0
26-Feb-94	Saturday	0.0	0.0	0.0	0.0
27-Feb-94	Sunday	0.0	0.0	0.0	0.0
28-Feb-94	Monday	0.0	0.0	0.0	0.0
Feb Totals		1,391.4	2,791.4	2,645.5	(145.9)
01-Mar-94	Tuesday	0.0	0.0	0.0	0.0
02-Mar-94	Wednesday	0.0	0.0	0.0	0.0
03-Mar-94	Thursday	0.0	0.0	0.0	0.0
04-Mar-94	Friday	0.0	0.0	0.0	0.0
05-Mar-94	Saturday	0.0	0.0	0.0	0.0
06-Mar-94	Sunday	0.0	0.0	0.0	0.0
07-Mar-94	Monday	0.0	0.0	0.0	0.0
08-Mar-94	Tuesday	0.0	0.0	0.0	0.0
09-Mar-94	Wednesday	0.0	0.0	0.0	0.0
10-Mar-94	Thursday	0.0	0.0	0.0	0.0
11-Mar-94	Friday	0.0	0.0	0.0	0.0

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

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

February 18, 1994

Joe Lurix
Department of Environmental Protection
Solid Waste Division
P.O. Box 15425
West Palm Beach, FL 33416

RECEIVED
FEB 21 1994
DEPT OF ENV PROTECTION
WEST PALM BEACH

Re: Florida Tire Recycling, Inc.
Stabilized Loop Road

Dear Mr. Lurix:

This letter is to certify that the proposed "Loop Road", as shown on listed design drawings, is designed to support the axle weights, undercarriage characteristics, and turning radius of St. Lucie County - Ft. Pierce Fire District fire-fighting vehicles.

Design Drawings:

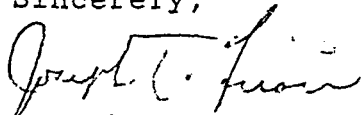
1. Florida Tire Recycling - Drainage Plan
2. Florida Tire Recycling - Detail Sheet

The existing portion of the "Loop Road" (approx. 200 l.f. paved access) is certified to meet the aforementioned criteria by virtue of existing performance under load.

Certified record drawings will be submitted upon satisfactory completion of construction.

If you have any questions, please call.

Sincerely,



Joseph T. Friscia, P.E.

cc: J. Friscia
J. Wilson

10 B.

FTR

	Day	IN (ton)	BRA	FTR OUT	DIFF.
01-Feb-94	Tuesday	116.7	216.7	116.7	(99.9)
02-Feb-94	Wednesday	85.9	185.9	101.1	(84.9)
03-Feb-94	Thursday	69.3	169.3	156.0	(13.3)
04-Feb-94	Friday	134.7	234.7	123.3	(111.4)
05-Feb-94	Saturday	0.0	0.0	22.9	22.9
06-Feb-94	Sunday	0.0	0.0	0.0	0.0
07-Feb-94	Monday	89.4	189.4	215.5	26.1
08-Feb-94	Tuesday	94.5	194.5	225.3	30.8
09-Feb-94	Wednesday	70.8	170.8	211.9	41.1
10-Feb-94	Thursday	66.3	166.3	193.0	26.7
11-Feb-94	Friday	208.9	308.9	123.6	(185.3)
12-Feb-94	Saturday	0.0	0.0	201.1	201.1
13-Feb-94	Sunday	0.0	0.0	0.0	0.0
14-Feb-94	Monday	88.2	188.2	161.8	(26.5)
15-Feb-94	Tuesday	84.9	184.9	206.5	21.6
16-Feb-94	Wednesday	80.8	180.8	205.3	24.4
17-Feb-94	Thursday	89.4	189.4	123.8	(65.6)
18-Feb-94	Friday	111.5	211.5	187.7	(23.8)
19-Feb-94	Saturday	0.0	0.0	70.0	70.0
20-Feb-94	Sunday	0.0	0.0	0.0	0.0
21-Feb-94	Monday	86.4	186.4	207.9	21.6
22-Feb-94	Tuesday	96.8	196.8	198.6	1.8
23-Feb-94	Wednesday	65.3	165.3	115.9	(49.5)
24-Feb-94	Thursday	53.8	153.8	168.6	14.8
25-Feb-94	Friday	116.6	216.6	170.1	(46.6)
26-Feb-94	Saturday	0.0	0.0	75.3	75.3
27-Feb-94	Sunday	0.0	0.0	0.0	0.0
28-Feb-94	Monday	41.0	141.0	249.7	108.7
Feb Totals		1,851.2	3,851.2	3,831.5	(19.7)

10th.

STIPULATION TIME LINE
30 DAYS

During the first 10 days a preapplication meeting must be attended.

Apply for a MSSW Permit.

Apply for Water Resource Permit.

Respond to any DEP response within 10 days.

Commence design and construction of a 24' perimeter road around the property and a central access road.

No Submit a PE stamped design for the road work completed (as built) plus the extension or continuation of the roads.

Site reconfiguration and requirements:

No Clear the shreds from the perimeter roadways

Segregate combustibles

Spark arrestors on engines

No cutting, welding, etc. in storage area

Class D security in an enclosed area (office)

No Southern access road gate

No Perimeter lights along Range Line Road

Two fire trucks

Truck #1:

No To have 60 gallons of foam (AFFF) with a 300 gallon per minute capacity...150' of 1 1/2" hose...fittings for a 2 1/2" hose.

Truck #2:

To hold 700 gallons of water with 150' of 1 1/2" hose and additionally fittings for a 2 1/2" line.

Miscellaneous:

A separate wheel with 250' of 1" line and adequate soft line.

A training program for fire fighters

Provide a resource list of:

Five loaders, five each 10 wheel dumps, five dozers.

Sep. letter Provide a fire plan to the Department which is acceptable to the local fire department.

Financial responsibilities during the first 30 days

1. Create a trust fund with a \$50,000 deposit into the fund or provide the Department with a \$50,000 surety.

2. Maintain and extend when appropriate the \$15,000 letter of credit.

3. At the end of 180 days begin depositing \$4,000 into the Trust Fund.

60 DAYS

Continue application process as appropriate.

Reconfiguration

state
During the first 60 days clear fire lanes number 1, 2 (including T-12, T-14) and fire lane 3.

Assuming that the permits are received during this 60 day period, and if not the following is to be implemented as soon as those permits are received, a fire protection system must be installed to integrate the fire department motorized fire pumps into a water delivery system designed and developed in conjunction with St. Lucie County fire department.

90 DAYS

Reconfiguration:

Within 90 days clear fire lane number 4.

160 DAYS

Reconfiguration:

Lower the height of each remaining shred pile to 15 feet.

Clear a fire lane through the center of: FL-5, FL-6, & FL-7.

180 DAYS

Reconfiguration:

Remove all remaining whole and shredded tires from the FPL easement.

Have all rubber reconfigured into piles 50' X 200' X 15' with 50' separations between each pile.

Submit to DEP a complete application for a Waste Tire Processing Permit or a variance or an alternate procedure determination.

BY DECEMBER 31, 1994

Remove and properly dispose of all waste tires for which storage is not authorized by a DEP Waste Tire Processing Permit.

SITE RECONFIGURATION
30 DAYS

Design and construct 24' perimeter road around property and central access road.

Clear all shreds from perimeter roadway.

60 DAYS

Clear fire lanes 1, 2 (including T-12, T-14) and 3.

90 DAYS

Clear fire lane 4.

160 DAYS

Lower height of remaining shred piles to 15' and clear a fire lane through the center of FL-5, FL-6, and FL-7.

180 DAYS

Remove all remaining material from the FPL easement.

Reconfigure all the remaining material into 50' X 200' X 15' piles each to have a 50' separation or break between the piles.

TIME LINE FOR GENERAL OPERATIONS

Within 14 days of entry and for the next 180 days remove 100 tons of shredded material per day plus all that is brought to the site each day.

Records for the removal of this material will be computed on a calendar month basis starting immediately upon the entry of the Stipulation Order.

FTR shall record the net weight of each truck load of waste tires brought to the site as well as the name of the collector and his registration number.

For all waste tires shipped from the site FTR shall record the gross, tare and net weight of each load; the name and registration number of the waste tire collector who transports the tires; a record of the gross, tare and net weight upon arrival at its destination (if there is no scale a record of the cubic yardage delivered will suffice).

Within 10 days of the close of each calendar month, FTR shall provide the DEP with a report of the material on and material off for the calendar month just ended.

Documentation will include;

1. The volume and weight of material brought on and removed from the site.
2. A description of the removal and reconfiguration of waste tires on the site.
3. A description of the fire fighting resources at the site during that period.
4. Once the 180 day Trust Fund deposit period begins, a record of the deposit to and the balance of the Trust Fund created for the financial responsibility.