



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

April 24, 1995

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

Dear Mr. Quarterson:

This letter is in response to your letter of April 14, 1995 regarding the proposed "Amendment to Consent Injunction" discussed at our meeting of April 12, 1995. First, with respect to the calculation of monthly removal amounts, the figure was calculated based on a six month removal time vs. an eight month removal time. Hence, the the volume to be reduced 14,790 was divided by six resulting in a monthly removal amount of 2,465 tons. The reason six was selected is because six months was the original extension of time discussed. However, as the Department's proposed deadline for Florida Tire to obtain a permit or remove unpermitted material from the site is approximately eight months from May 1st, changing the removal requirement to 1,848 tons per month above the volume brought on site during the month is acceptable.

Second, the solid waste permitting staff have indicated that the financial assurance figure of \$231,135 proposed by Florida Tire as the appropriate financial assurance is adequate for a tire processing volume of 9,700 tons of tires. As the Department does not propose to change the financial responsibility requirements of the Consent Injunction, the proposed Amendment to Consent Injunction does not mention financial assurance. If Florida Tire agrees to the Department's proposal, the expectation is that Florida Tire will meet the financial assurance requirements of 62-711, F.A.C., and the Consent Injunction prior to December 31, 1995 as part of the waste tire permitting process.

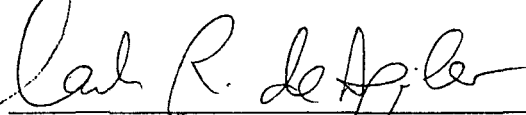
Third, with respect to the Florida Tire's proposal to redesign its proposed MSSW system for which the Department issued a permit in November 1994, the Department will process any proposed modification as expeditiously as possible. However, it is the Department's expectation that Florida Tire shall complete construction of the Management and Treatment of Surface Waters System by October 31, 1995 as set forth in the Department's proposal.

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Finally, we look forward to receiving Florida Tire's response to the Department's proposed "Amendment to Consent Injunction" prior to our next meeting in early May.

If you have any questions, please call me at 407-433-2650.

Sincerely,



Carlos Rivero-deAguilar
Director of District Management
Southeast District

^{JW}
CRA/VK/jk

cc: Janet Bowman, OGC
Vik Kamath
Joe Kahn