



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road MS 4565  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

April 1, 2010

Via e-mail: tirebob@digital.net

Mr. Robert Reisig  
Manager  
Beck's Tire Service, Inc.  
P.O. Box 1733  
Avon Park, Florida 33826

Re: WACS 94452 - Florida Tire Terminal

Dear Mr. Reisig:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is functionally in order. Hartland National Bank letter of credit number 360040270, effective February 15, 2010, in the amount of \$28,704.50, is being treated as an amendment to the letter of credit originally issued on February 15, 2007 (and not as a separate letter of credit with a separate credit amount). It is in the amount of the Department approved closing cost estimate dated January 5, 2010. Therefore, Florida Tire Terminal is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-701.630, Florida Administrative Code (F.A.C.), at this time.

Pursuant to 40 CFR Part 264.143(d)(7), as adopted by reference in Rule 62-701.630, F.A.C., whenever the current closure cost estimate decreases, the amount of the credit may be reduced to the amount of the current closing cost estimate following written approval by the Secretary of the Department or the Secretary's written designee. DEP Directive 100 delegates the approval of all orders and documents relating to financial assurance for solid and hazardous waste facilities to the Director of the Division of Waste Management. DEP Directive 145 delegates these tasks to Program Administrators within the Division. In the Solid Waste Section, this is Richard Tedder. Any letter he signs will identify the financial instrument that may be decreased and the amount it may be decreased to. A letter signed by any other Program Administrator (such as anyone using South District letterhead) is not a direct subordinate of the above referenced Division Director and does not have the authority to authorize the reduction of any Solid Waste financial assurance instrument.

Therefore, in the future, please request from this office authorization to reduce your letter of credit after a decreased cost estimate is approved by the South District Office. I suggest that you direct your banker to reduce your letter of credit upon receipt of appropriate authorization. An unauthorized reduction in financial assurance is a major violation of Solid Waste rules and may lead to enforcement action. Remember that any increased cost estimate must be followed by an increase in financial assurance.

Please contact me at (850) 245-8743 if you have any questions.

Sincerely,

Tom Bejnar  
Environmental Specialist  
Solid Waste Section

cc: Fred Wick, DEP/TLH  
Mel Reinhart, DEP/FTM  
James Belflower, Heartland Bank