

SENDER:

- Complete items 1 and/or 2 for optional services.
- Complete items 3, and 4a & 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following service (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. John T. Wilson, Secretary/Treasurer
Florida Tire Recycling, Inc.
10151 Range Line Rd.
Port St. Lucie, FL 34989

4a. Article Number

P818-793-621

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Insured |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

4/23/92

Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

UNITED STATES POSTAL SERVICE

Official Business



RECEIVED

APR 27 1992

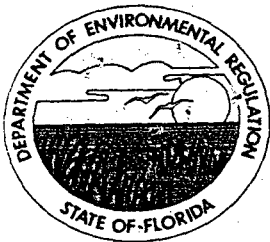
PENALTY FOR PRIVATE
USE, \$300

DEPT. OF ENVIRONMENTAL REG.
WEST PALM BEACH

Print your name, address and ZIP Code here

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
1900 SOUTH CONGRESS AVE., SUITE A
WEST PALM BEACH, FL 33406

Att: Joe Lurix



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Carol M. Browner, Secretary

Fax: 407/433-2666

APR 21 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John T. Wilson,
Secretary-Treasurer
Florida Tire Recycling, Inc.
10151 Range Line Road
Port St. Lucie, FL 34987

WARNING LETTER # 92-0052SW56SED

Re: Florida Tire Recycling, Inc.

Dear Mr. Wilson:

A field inspection conducted on April 10, 1992 indicates that violations of Chapter 376, Florida Statutes and the Rules promulgated thereunder may exist at the above referenced facility.

Department personnel observed the following at your facility:

- 1) The outside storage of whole waste tires and processed waste tires totaling approximately 36,000 tons. The size of the waste tire piles exceeded 50 feet in width, 200 feet in length and 15 feet in height. There are no apparent 50 foot wide fire lanes placed around the perimeter of the waste tire piles.
- 2) Owners or operators of waste tire sites shall estimate the costs of processing and removing or disposal of all waste tires on site before the closure of the facility, and must update such estimates annually. These cost estimates shall be based on a third party performing the work, reported on a per unit basis. A review of your files reveals that you have \$15,000 in an Irrevocable Letter of Credit No. 1989-27, issued by the First National Bank and Trust Company of Stuart on August 7, 1989.

The basis of your estimate was due to the fact that you had a Waste Tire Processing Agreement, effective April 1, 1990, for the free disposal of processed waste tires at the St. Lucie County-Glades Road Landfill. In addition, this estimate was for 2,500 tons of processed waste tires, only.

Subsequently, on March 31, 1992, this Agreement expired and has not been renewed by the County. The disposal fee at the Glades Road Landfill for processed tires is \$51/ton and \$80/ton for unprocessed waste tires.

Furthermore, you were notified of your deficient monies for this Irrevocable Letter of Credit on March 16 and December 13, 1990 respectively, copies enclosed and have not corrected these violations. Therefore, you are requested to provide proof of financial responsibility immediately by a third party performing the work via an approved financial mechanism, copies enclosed, at current dollars.

- (3) A waste tire processing facility may not accept any waste tires for processing if it has reached its storage limit. The storage limit for processing facilities is 30 times the daily through-put of the processing equipment used. According to the application on file, the maximum storage limit, you are 24 times greater than permitted storage limits allowed by rule.

FACR 17-711.510(1)(2) requires that waste tire sites shall meet the following requirements after July 1, 1989:

- (1) The facility shall meet the waste tire storage standards of Rule 17-711.540, F.A.C.
- (2) Owners or operators of waste tire sites shall estimate the costs of processing and removing or disposing of all waste tires on site before closure of the facility, and must update such estimates annually. Cost estimates must be approved by the Department. The costs shall be based on a third party performing the work, reported on a per unit basis. Owners or operators of waste tire sites must provide the Department with proof of financial responsibility issued in favor of the State of Florida in the amount of such approved estimate for closure of the facility. Proof of financial responsibility may include the following financial instruments: escrow accounts; surety bonds, including performance bonds or financial guarantee bonds; irrevocable letters of credit; certificates of deposit; securities; and other documents approved by the Department. The financial instruments shall be issued by a surety company or financial institution licensed to do business in the State of Florida. Permitted or certified solid waste management facilities whose proof of financial responsibility for closure of the landfill is deemed adequate by the Department to cover closure costs of the waste tire site need not submit new documentation of financial responsibility.

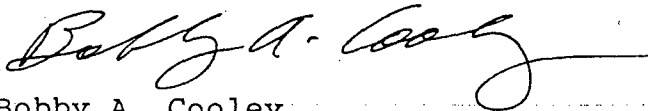
FACR 17-711.540(2)(b)(c) requires that an outdoor waste tire pile or processed tire pile shall have no greater than the following maximum dimensions:

- (1) Width: 50 feet;
 - (2) Area: 10,000 square feet; and
 - (3) Height: 15 feet.
- (a) A 50-foot wide fire lane shall be placed around the perimeter of each waste tire pile. Access to the fire lane for emergency vehicles must be unobstructed at all times.

It is a violation of Section 17-4.030, Florida Administrative Code and Sections 403.161(1)(b) and 403.087, Florida Statutes, for any facility that can reasonably be expected to be a source of pollution to operate without an appropriate and valid permit issued by the Department. Also, a facility that causes or allows the disposal of pollutant materials onto the ground may be in violation of Sections 376.302, and 403.088, Florida Statutes and 17-3.404, Florida Administrative Code, if the disposal results in a discharge to groundwater.

You are advised that any activity at your facility that may be contributing to violations of the above described statutes and rules should be ceased immediately. Operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$10,000 per violation per day pursuant to Sections 403.141 and 403.161, Florida Statutes.

Sincerely,



Bobby A. Cooley
Acting Director of District Management

BAC:jl:gml.974.42
Enclosure

cc: Lieutenant Dick Lawrence, FGFC
Captain Perry Sessoms, St. Lucie District
Sam Amerson, P.E.
Bill Parker, SW/Tlh.
Janet Bowman, OGC/Tlh.
Bill Krumholtz, South District/DER