

Florida Department of
Environmental Protection

Memorandum

TO: Luna Ergas, OGC/TLH

THROUGH: Carlos Rivero-deAguilar, Director of District Management, SED
Vivek Kamath, Waste Programs Administrator, SED
Lee Hoefert, Supervisor, SW/SED

FROM: Joseph Lurix, SED

DATE: December 24, 1996 JAN. 06 1997

SUBJECT: Florida Tire Recycling
Range Line Road
Port St. Lucie

REF: Stipulation for Settlement and Consent Final Judgment
Case NO. 93-895 CA

A reinspection on December 17, 1996 via helicopter and subsequently onsite, revealed that FTR has made continued progress towards overall conformance with the terms of the Consent Final Judgment and Stipulation entered into in January 1994 and September 1995. Based upon this reinspection and in comparison to aerial pictures taken over the past 5 years of FTR, we believe it is in the best interest of the Department to grant the time extension as requested by FTR. The new compliance dates are as follows: MSSW system certified complete by July 31, 1997 (formerly March 1, 1996) and the completion of the Waste Tire Processing Facility Application by September 1, 1997 (formerly September 1, 1996).

FTR has shown DEP a bonafide contract to haul 15,000 tons of TDF to the Chambers Landfill in Okeechobee for use as drainage layer in the leachate collection system starting December 26, 1996. The delivery of the tire chips must be completed by the second week of February 1997. The landfill is short of air space for solid waste disposal. To this end, FTR must deliver a minimum of 300 tons/day to satisfy the contract with the landfill. FTR continues to deliver TDF to another waste tire burning facility in Polk County via contract. FTR also has two other confidential contracts that have been verified by our office for future reuse as Tire Derived Fuel in the State of Florida. One of these contracts commences delivery of TDF starting March 1, 1997 and the other June 1, 1997. Consequently, we concur with FTR's request for this one year extension in the CFJ.

Please amend the CFJ to reflect the new compliance dates for MSSW completion and solid waste tire application respectively. All other terms of the Stipulation and CFJ should remain in tact. A copy of their letter of request was faxed to you previously.

cc: Marion Hedgepeth

FTR

permitted in 89

8 acres
150,000 tires
landfilling shreds
\$15,000 bond
exempt SFWMD MSSW less than 10 acres

6 months @ 1,000,000

same bonding
filled 24 acres not permitted
dimensions excessive
no fire lanes
SFWMD revoked 10 acre exemption
isolated wetlands

1992

landfill stopped acceptance shreds
@6-7 mil tires and shreds

8-93 filed in court

12-93 mediation
unpermitted dredging, jurisdictional wetlands new W/L
DEP survey 60,000 tons vs. FTR 24,000 tons

1-94 court order

fire lanes
pile dimensions
FPL easement
\$4K into trust fund
permits required for SW, MSSW and D/F
FTR contracts w/ Georgia Pacific - pulp and paper
industry - 2 sites

8-95 consent final judgment

\$4K trust fund
5 year payment plan for @ \$65K penalty includes
costs/expenses
compliance schedule