



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

September 25, 1995

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

St. Lucie County
SW - FTRI
Compliance Files

Dear Mr. Quarterson:

REF: Letter of Correspondence dated September 14, 1995
Paragraph 8.A.(5)
Consent Judgment Order
Florida Tire Recycling, Inc., Case No. 93-895 CA

The Department acknowledges receipt of the above referenced letter. During the negotiations of settlement, FTRI did state that compliance with Department permits could be affected by other permits that were necessary from St. Lucie County and local agencies. In fact, item #15 of the Stipulation and Consent for Injunction specifically was agreed to by both parties for this reason. As you are aware, the Stipulation and Consent for Injunction is attached as Exhibit A of the Consent Judgment Order. The burden of proof is on FTRI to explain in detail why this delay was or will be caused by circumstances beyond the reasonable control of FTRI. However, your letter does not provide the details for the present delay in complying with this specific item in the Order. Please provide this additional documentation, including but not limited to, the pending permit status, process and procedures of St. Lucie County that you are stating in your letter is the cause for this delay.

If you have any questions, please contact either Mr. Vivek Kamath or Mr. Joseph Lurix of this office concerning this matter.

Sincerely,

Carlos Rivero-deAguilar
Director of District Management

VK
CRA/VK/jl
dr

cc: David Thulman, OGC/TLH
Greg Coffelt, DEP
Dennis J. Murphy, SLC Land Development Coordinator
Donald West, SLC Engineering Department

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.



Florida Tire Recycling, Inc.

September 14, 1995
Via Fax

Mr. Carlos Rivero-deAguilar
Director of District Management
Department of Environmental Protection
P.O.Box 15425
West Palm Beach, FL 33416

Dear Sir,


Paragraph 8.A.(5) of the Stipulation of Settlement and Request for Consent Final Judgement, FTR is to commence construction of the MSSW system within 60 days of granting of the amendment to Permit Number 56-2451186, that date being September 17, 1995. However, as was noted during our negotiations, FTR must also obtain site plan approval, a county storm water management permit and a building permit from St Lucie County.

At of this date, St. Lucie County has not given final approval to the site plan. The application for the site plan was filed with the county during the first half of June, 1995. Only July 6, 1995 the County made its only request additional information which was supplied promptly. Our engineer has been in regular communication with the county staff attempting expedite the process.

Yesterday our engineer was verbally advised by the county staff that the site plan approval should be in our hands in seven to ten days. Based on this we have authorized our engineer to complete the country storm water permit application so it may be submitted without further delay.

Consequently we request and extension for the commencement of the MSSW construction in that the required local permits have not been issued.

Sincerely,


David L. Quarterson
FLORIDA TIRE RECYCLING, INC.

DLQ:ms

CC: James R. Brindell, Esq.

Providing An Environmental Solution

BOARD OF COUNTY
COMMISSIONERS



COMMUNITY
DEVELOPMENT
DIRECTOR

TERRY L. VIRTÀ, AICP

May 13, 1995

Mr. Joe Lurix
Florida Department of Environmental Protection
P.O. Box 15425
West Palm Beach, Florida 33416

Subject: Florida Tire Recycling

Dear Mr. Lurix:

Please allow this letter to serve as a follow-up to our conversation of May 12, 1995, regarding the stormwater permit status of the Florida Tire recycling operation on Range Line Road in St. Lucie County. As we discussed, St. Lucie County will do whatever we need to do to see that the stormwater permitting reviews for any modification to the existing systems at the Florida Tire site are not unduly delayed. Just as the Department of Environmental Protection would like to see the stormwater matters on this site corrected as quickly as possible, so does St. Lucie County.

I would however ask one question that may affect the permitting schedule. While I understand that the Department of Environmental Protection is in the process of working out a compliance agreement with Florida Tire, and I understand that you are handling a variety of topics in this agreement, where does the Water Management District fit into this scenario? Will their approvals of the surface water management system also be required, or has the Department assumed all jurisdiction over this property? If it is the latter, it would help us if we had some type of statement or assignment order to this effect.

When we spoke on the phone, you indicated that Jim Brindell was representing Florida Tire Recycling in this matter. If you would please see that he gets a copy of this letter, I would appreciate it. I do not have his address available.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Murphy".

Dennis J. Murphy, AICP
Land Development Coordinator

DJM/cb
FLTIRE1(a6)
cc: Public Works Director
County Engineer
Planning Manager

RECEIVED

MAY 18 1995

DEPT OF ENV PROTECTION
WEST PALM BEACH