

VSD

FOLEY & LARDNER, VAN DEN BERG, GAY, BURKE, WILSON & ARKIN

III NORTH ORANGE AVENUE, SUITE 1800

POST OFFICE BOX 2193

ORLANDO, FLORIDA 32802-2193

TELEPHONE (407) 423-7656

FACSIMILE (407) 648-1743

HC29-141782

AI, 1-f

FOLEY & LARDNER

MADISON, WISCONSIN

CHICAGO, ILLINOIS

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WEST PALM BEACH, FLORIDA

IN MILWAUKEE, WISCONSIN

FOLEY & LARDNER

777 EAST WISCONSIN AVENUE

MILWAUKEE, WIS. 53202-5367

TELEPHONE (414) 271-2400

TELEX 26-819

November 17, 1989

Mr. William Crawford  
Department of Environmental Regulation  
4520 Oak Fair Blvd.  
Tampa, FL 33610-7347

D. E. R.

NOV 20 1989

RE: Universal Waste & Transit, Inc.

SOUTHWEST DISTRICT  
TAMPA

Dear Bill:

As you know Universal Waste and Transit is pursuing the operation of its facility under the construction permit as authorized by Rule 17-730.250(2). We have a meeting scheduled for November 22nd to discuss this matter.

I have reviewed 40CFR 270.42 as adopted in Rule 17-730.290 and it appears that the type of modifications needed in order to allow operation under the construction permit are Class I modifications. The modifications do not substantially alter the facility or its operation nor are they necessary in order to respond to variations or changes in technology regulations or wastes. See 40 CFR 264.42(d)(ii) and (iii). Rather the changes needed in order to address operational requirements "do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health or the environment." See 40 CFR 264.42(d)(i).

Therefore, pursuant to 40 CFR 264.42(d), Universal hereby requests that the Department make a determination as to the appropriate classification for the necessary construction permit modifications.

Please feel free to give me a call if you have any questions concerning this request.

Sincerely,



Thomas K. Maurer

TKM/jh

cc: Mr. Robert Bedore

*Satish Kastner*

*Marie Scarborough*