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**MANATEE COUNTY**  
**OFFICE OF THE COUNTY ATTORNEY**

August 2, 1994

**EA, SOLID WASTE**

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Mary Jean Yon  
Administrator  
Solid Waste Section  
Department of Environmental Protection  
Twin Towers Bldg  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Dear Mary Jean:

This is in response to your letter to County Administrator William J. Estabrook on June 13, 1994 and a follow-up of our recent telephone conference. Manatee County staff appreciates the cooperation that the Department's staff has shown with regard to our Petition for renewal of Solid Waste Variance 91-7.

After review of your draft variance and input from the County's Amerecycle negotiating team, it is our consensus that both the County and the Department would be best served by Manatee County coming into compliance with Solid Waste Management Act with regard to yard waste and abandoning its request for an additional two year extension of the existing variance. The Board of County Commissioners has authorized staff to proceed with negotiations with the County's franchised waste haulers for the separate collection of yard waste.

The County would seek that the Department modify its intent to issue a variance, to provide that the variance lasts until November 1, 1994, at which point the County would segregate its residential yard waste and this segregated portion will no longer be deposited into the lined landfill. As you are aware, the County has, for several years, employed a contractor to mulch commercially generated yard waste thereby removing it from the waste stream entering the landfill.

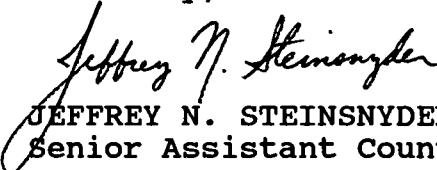
In response to your questions regarding how will we be handling this additional yard waste, I have attached a June 28, 1994, letter from Kenetech Resource Recovery Inc. to our Deputy Director of Operations indicating that they are willing to process the additional waste.

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This decision on behalf of the County to abandon its request for a long-term variance does not, at this time, indicate a decision on behalf of the County to abandon its plans to enter into a contractual arrangement to develop a waste reduction/recycling facility. In fact, negotiations with the top ranked company to provide such a facility are continuing, although at a slower pace than originally anticipated. The action is taken because despite Manatee County's good faith effort to move this process along, we feel it would be in the best interests of both the County and the State to cease the disposal of yard waste into the Lena Road Landfill as quickly as possible.

Again, Manatee County thanks you, Attorney Chris McGuire and other Department of Environmental Protection staff members for your cooperative attitude regarding this variance request and if I can be any further assistance, please do not hesitate to contact me.

Sincerely,

  
JEFFREY N. STEINSNYDER  
Senior Assistant County Attorney

JNS/tlm  
attachment

cc: H. Hamilton Rice, Jr., County Attorney  
Mark P. Barnebey, Senior Assistant County Attorney  
William J. Estabrook, County Administrator  
David F. Rothfuss, Interim Director,  
Department of Public Works  
Dan Gray, Deputy Director Operations,  
Department of Public Works  
Chris McGuire, Esquire, Department of Environmental Protection