



Lawton Chiles
Governor

Florida Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

April 15, 1994

Mr. Richard A. Wilford, Director
Manatee County Public Works Department
4410 66th Street West
Bradenton, Florida 34210

Dear Mr. Wilford:

Thank you for your March 23 letter requesting an extension of Variance #SWV 91-7, which allows Manatee County to continue to dispose of the unsegregated portion of its yard trash in a lined landfill while it constructs a waste reduction/recycling facility. While the Department understands and is sympathetic to the contractor delays experienced by Manatee County, we are not able to automatically extend this variance beyond the two year maximum specified by both Department rule and the statute. Condition #2 of the variance states that if the County's waste reduction/recycling facility is not completed by April 17, 1994, the County shall either apply for a renewal of this variance or shall cease disposal of yard trash in its Class I facilities. Rule 17-103.100(2), Florida Administrative Code, (F.A.C.), provides that renewals of variances shall be applied for in the same manner as for the initial variance.

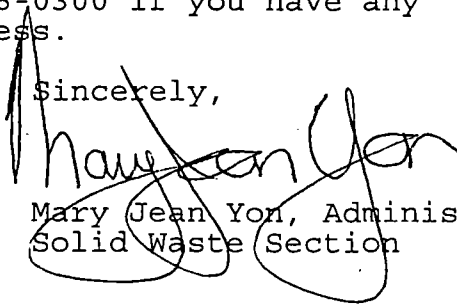
The Department is unable to process any request for a renewal of the variance until we receive both the application and the information required in Rule 17-103.100 F.A.C. However, since the Department did not reply immediately to your letter of March 23, which was received on March 30, we will allow you until May 2 to submit a complete application for renewal. If a complete application and fee is received by that date, the Department will consider that your existing variance continues in effect until a determination is made on your renewal request. If a complete application and fee is not received within that time, then your existing variance will expire on April 17, and you will be required to cease disposing of yard trash in a lined landfill.

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In your letter you made reference to the rulemaking activities concerning the Department's compost rule (Chapter 17-709, F.A.C.) which are currently underway. These changes are intended to be a general strengthening and updating of the requirements governing compost facilities and are not intended to cause major policy changes concerning how the state views composting.

I hope this information has been helpful to you. Please feel free to call me at 904/488-0300 if you have any questions concerning this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Jean Yon", is written over the typed name and title. The signature is fluid and cursive.

Mary Jean Yon, Administrator
Solid Waste Section

MJY/lr

cc: John Ruddell
Chris McGuire
Bill Kutash