

Department of Environmental Protection **FILE**

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

David B. Struhs
Secretary

July 25, 2003

CERTIFIED MAIL NO. 7001 2510 0001 4803 0970
RETURN RECEIPT REQUESTED

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County-SW
Florida Tire Terminal
400 Feagin Street
Waste Tire Beneficial Use Agreement
EMA - Lake Wales Ridge



Dear Mr. Reisig:

A routine inspection, copy enclosed, of the above-referenced facility conducted on July 18, 2003 indicates there may be a violation of Chapter 403, Florida Statutes (F.S.) and the rules promulgated thereunder. Department personnel observed the following:

- 1) Mosquito larvae were living inside water-filled tires;
- 2) A designated fire lane was blocked by tires; and
- 3) The facility has expanded laterally to the east beyond the boundary designated in the Waste Tire Beneficial Use Agreement.

It is a violation of Florida Administrative Code (F.A.C.) Rule 62-711.540 (1) (j), and Condition Number 4 of the Waste Tire Beneficial Use Agreement to store tires on site in a manner that creates mosquito harborage. It is a violation of F.A.C. Rule 62-711.540 (1) (d), and Condition Number 3 of the Waste Tire Beneficial Use Agreement to create a fire hazard by failing to abide by your fire safety survey. Contrary to Condition Number 5 of the Waste Tire Beneficial Use Agreement, the facility is now operating outside of the boundaries of the submitted site plan.

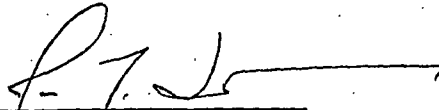
Mr. Robert Reisig
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Any activities on the property that may be contributing to violations of the above-described statutes or rules should cease. **You are requested to contact Robert Stewart or Bill Krumbholz at (239) 332-6975 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter.** The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

If you have any questions concerning this matter, please contact Bill Krumbholz or Robert Stewart at (239) 332-6975. Your cooperation is appreciated.

Sincerely,



Richard W. Cantrell
Director of
District Management

Enclosure
RWC/BK/se

Cc: Jan Rae Clark, DEP