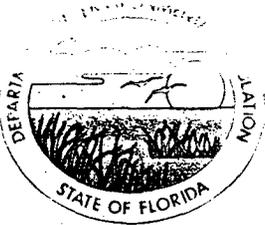


FILE



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9668

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

AUG 30 1989

NOTICE OF PERMIT

St. Lucie County
SW - Florida Tire Recycling, Inc.

Mr. John J. Wilson, Secretary-Treasurer
Florida Tire Recycling, Inc.
10151 Range Line Road
Port St. Lucie, FL 34987

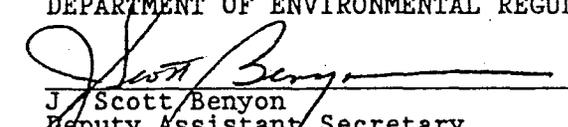
Dear Mr. Wilson:

Enclosed is Permit Number WT 56-165345 to operate a Waste Tire Processing Facility, issued pursuant to Section 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION


J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Avenue, Suite A
West Palm Beach, FL 33406
407/964-9668

JSB:jlh/23

Copies furnished to:

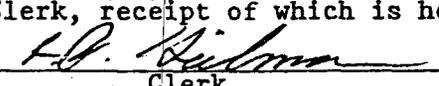
Chris McGuire, OGC, Tlh.
John Reese, Solid Waste, Tlh.
J.P. Terpening, P.E., Culpepper & Terpening
Carol Meeds, DER, WPB

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on AUG 30 1989 to the listed persons.

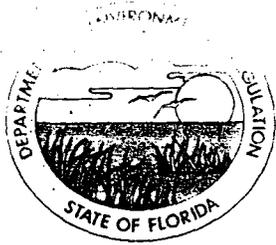
Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

AUG 30 1989
Date

FILE



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406 • 407-964-9008

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Scott Benyon, Deputy Assistant Secretary

PERMITTEE:
Mr. John J. Wilson, Secretary-Treasurer
Florida Tire Recycling, Inc.
10151 Range Line Road
Port St. Lucie, FL 34987

I.D. NUMBER:
PERMIT/CERTIFICATION NUMBER: WT 56-165345
DATE OF ISSUE: AUG 28 1989
EXPIRATION DATE: AUG 28 1994
COUNTY: St. Lucie County
LATITUDE/LONGITUDE: 27°15'22"/80°29'00"W
SECTION/TOWNSHIP/RANGE: 1 - 37S - 38E
PROJECT: Waste Tire Processing Facility

This permit is issued under the provisions of Chapter 403.087, Florida Statutes, and Florida Administrative Code Rule 17-711.530. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

REGULAR TO OPERATE: An existing 6,000 square foot recycling facility, processing a maximum of 50 tons/day of waste tires. The facility transships approximately 33 per cent of the waste tire casings to retreading facilities or for conversion into patented rubber products through refabrication processes. The balances of the tires are shredded and shipped overseas as a tire-derived fuel.

IN ACCORDANCE WITH: An application to operate a Waste Tire Processing Facility dated May 23, 1989 along with engineering plans and drawings.

LOCATED AT: 10151 Range Line Road, Port St. Lucie, St. Lucie County, Florida.

TO SERVE: Florida

SUBJECT TO: General Conditions 1-15 and Specific Conditions 1-6.

FILE

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the state. Only the Trustees of the Internal Improvement Trust Fund may express state opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - a. Having access to and copying any records that must be kept under the conditions of the permit;
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the Department with the following information:
 - a. a description of and cause of non-compliance; and
 - b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

FILE

GENERAL CONDITIONS:

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

- 9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.
- 10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- 11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- 12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
- () Compliance with New Source Performance Standards

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.
- b. The permittee shall retain at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - analytical techniques or methods used; and
 - results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

Mr. John J. Wilson, Secretary-Treasurer
Florida Tire Recycling, Inc

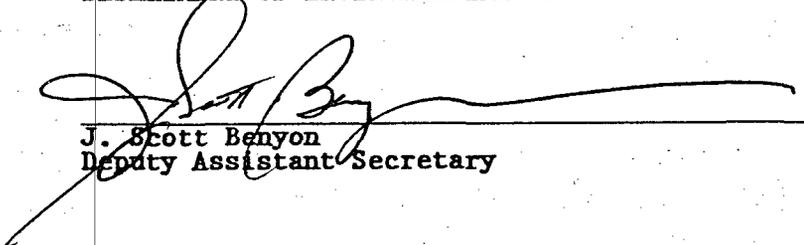
PERMIT/CERTIFICATION NUMBER: WI 56-165540
DATE OF ISSUE: AUG 28 1989
EXPIRATION DATE: AUG 28 1994

SPECIFIC CONDITIONS:

1. The permittee shall not accept any waste tires for processing when this facility has reached its storage limit. The storage limit for this facility is 1500 tons/day (based upon 30 times the daily through-put of the processing equipment used).
2. The permittee shall process, remove for disposal, recycle or dispose of in a permitted solid waste management facility at least 75 per cent of both the waste tires and processed tires that are delivered to or are contained on the site of the waste tire processing facility at the beginning of each calendar year (January).
3. Processed tires stored for recycling or disposal shall be cut into at least eight (8) substantially equal pieces.
4. The permittee shall submit to the Department an annual report on DER Form 17-711.900(4), that summarizes all of the information collected under subsection 17-711.530(3)(c), FAC, which is attached as Exhibit I.
5. All waste tires and processed tires shall be stored in accordance with the waste tire site requirements in Rule 17-711.510, FAC, which is attached as Exhibit II.
6. The permittee shall apply for a renewal of this permit at least sixty (60) days prior to the expiration date.

Issued this 28th day of August, 1989

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



J. Scott Benyon
Deputy Assistant Secretary

EXHIBIT I

Waste Tire Processing Facility Annual Report

Pursuant to Rule 17-711.530, Florida Administrative Code, the owner or operator of a waste tire processing facility shall submit the following information to the Department annually.

- 1. Facility name:
2. Facility mailing address:
City County Zip
3. Facility permit number:
4. Facility telephone number: ()
5. Authorized person preparing report:
6. Affiliation with facility:
7. Telephone number (if different from above): ()
8. The year covered by the report:
9. Quantity of waste tires or processed tires, expressed in tons, received at the facility during the calendar year covered by the report (assume 100 tires per ton or 10 tires per cubic yard): tons
10. Quantity of waste tires or processed tires, expressed in tons, shipped from the facility during the calendar year covered by the report (assume 100 tires per ton or 10 tires per cubic yard): tons
11. Quantity of waste tires and processed tires, expressed in tons, located at the facility at the beginning of the calendar year covered by the report (assume 100 tires per ton or 10 tires per cubic yard): tons
12. Describe the general disposition of waste tires, processed tires, and residuals shipped from the facility during the year covered by the report:
% Shipped for disposal in a permitted solid waste management facility.
% Shipped to retreader.
% Shipped to another processing facility.
% Shipped to fuel user.
% Shipped to recycling end user. Describe type of recycling use:
% Other. Explain.
13. Attach the most recent closure cost estimate prepared using the criteria in Rule 17-711.510, F.A.C.
14. Certification:
To the best of my knowledge and belief, I certify the information provided in this report is true, accurate and complete.

Name of Authorized Agent

Signature of Authorized Agent

Date

Mail completed form to the appropriate district office listed below.

WASTE TIRE RULE

17-711

DER 1989

WASTE TIRE RULE

17-711

CHAPTER 17-711
WASTE TIRE RULE

- 17-711.00 Intent.
- 17-711.00 Definitions.
- 17-711.00 Waste Tire Permit Requirements.
- 17-711.10 Waste Tire Permit Exemptions.
- 17-711.20 Waste Tire Account; Priorities, Uses and Allocation of Funds.
- 17-711.21 Department Funding of Abatement.
- 17-711.00 Waste Tire Prohibitions.
- 17-711.00 Waste Tire Site Notification.
- 17-711.10 Waste Tire Site Requirements.
- 17-711.20 Waste Tire Collector Requirements.
- 17-711.30 Waste Tire Processing Facility Requirements.
- 17-711.40 Storage Requirements.
- 17-711.00 Closure.
- 17-711.01 General Permits.
- 17-711.00 Forms.

17-711.100 Intent. It is the purpose of this rule to protect the public health, and the environment by providing for the regulation of waste tire storage, transport, processing and disposal. Authority: 403.704, F.S., Chapter 88-130, Section 41, Laws of Florida, as amended. Chapter 88-130, Section 41, Laws of Florida, as amended. New 2-19-89.

17-711.200 Definitions.

"Abatement" means a remedial action to process or remove waste tires for storage from a waste tire site.

"Department" means the Department of Environmental Regulation.

"Motor vehicle" means an automobile, motorcycle, truck, trailer, semitrailer, tractor and semitrailer combination, or any other vehicle operated on the roads of the state, used to transport persons or property, and propelled by power other than human power, but the term does not include traction engines, road rollers, such as run only upon a track, bicycles, moped, or farm tractors and trailers.

"Person" means any and all persons, natural or artificial, including any individual, firm or association; any municipal or private corporation organized under the laws of this state or any other; any county of this state; and any governmental agency of this state or the Federal government.

"Processed tire" means a waste tire that has been cut, shredded, burned or altered so that it is no longer whole.

"Quantity" means either weight, volume, or actual number of tires. For purposes of this rule, assume that there are 100 tires per ton and 10 tires per cubic

(17) "Residuals" means any liquids, sludges, metals, fabric, or by-products resulting from the processing or storage of tires. Residuals do not include processed tires held for recycling or disposal, provided the conditions of Rule 17-711.530, F.A.C. are met.

(18) "Tire" means a continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle.

(19) "Tire disposal" means to deposit, dump, spill or place any waste tire, processed tire, or residuals into or upon any land or water. Tire disposal also includes the burning of any waste tire, processed tire, or residuals in a waste-to-energy facility, incinerator, or other facility used solely for the disposal of solid waste.

(10) "Tire recycling" means any process by which waste tires, processed tires, or residuals are reused or returned to use in the form of products or raw materials.

(11) "Waste tire" means a whole tire that is no longer suitable for its originally intended purpose because of wear, damage, or defect.

(12) "Waste tire collection center" means a site where used or waste tires are collected from the public, before being offered for recycling or disposal, and where fewer than 1,000 tires are stored outdoors on the site on any given day.

(13) "Waste tire collector" means a person who removes and transports waste tires or processed tires from one place to another, over public highways.

(14) "Waste tire processing facility" means a site where equipment is used to cut, burn, or otherwise alter whole waste tires so that they are no longer whole.

(15) "Waste tire site" means a site at which 1,000 or more whole tires are accumulated in the outdoors.

Specific Authority: 403.704, F.S., Chapter 88-130, Section 41, Laws of Florida, as amended. New 2-19-89.

17-711.300 Waste Tire Permit Requirements.

(1) After July 1, 1989, waste tire processing facilities shall obtain a permit and shall meet the requirements for waste tire processing facilities in Rule 17-711.530, F.A.C.

(2) After July 1, 1989, waste tire collection facilities shall meet the general permitting requirements in Rule 17-711.801, F.A.C.

(3) After July 1, 1989, waste tire collectors shall register with the Department and shall meet the requirements for waste tire collectors in Rule 17-711.520, F.A.C.

Registration fees shall be \$25 per waste tire collection vehicle per year.