



# Florida Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

By E-Mail

7006 0810 0000 4206 1627

Mr. Vincent Contestabile  
Empire Tire of Edgewater, LLC  
4888 West Colonial Drive  
Orlando, FL 32808

OCD-SW-08-0205

Orange County – SW  
Empire Tire  
Waste Tire Processing Facility  
Permit Application WT48-0287891-001

Dear Mr. Contestabile:

Your application for permit dated April 11, 2008, and received April 15, 2008, is incomplete. Please provide the information listed on the attached sheet promptly. Evaluation of your application will be delayed until all the requested information has been received.

Pursuant to Section 120.60(2), Florida Statutes, the Department may deny an application, if the applicant, after receiving timely notice, fails to correct errors and omissions, or supply additional information within a reasonable period of time. Accordingly, please provide the additional information within 30 days of the date you receive this letter. Submit three copies of the requested information to the Department and reference the above permit application number in your correspondence.

If you have any questions, please contact me at (407) 893-3328.

Sincerely,

F. Thomas Lubozynski, P.E.  
Waste Program Administrator

Date: May 5, 2008

FTL/gc/ew

Enclosure

cc: Luke Miorelli, P.E., Consulting Engineers/M.E. Construction, Inc., 7607 Coral Drive,  
West Melbourne, FL 32904

Note that all references to "Report" in the following text refer to the document entitled, "Empire Tire of Edgewater – DEP Application For Waste Tire Processing Facility," Prepared By Luke Miorelli, P.E., West Melbourne, Florida, dated April 11, 2008.

1. Confirm that the waste tire processing facility construction/operation would not violate the prohibitions contained in Rule 62-701.300, F.A.C., and specifically address the setbacks in Rule 62-701.300(2)(b) and Rule 62-701.300(2)(h), F.A.C.
2. The site plan Drawing C-1 submitted for Part III-A-2, Page 3 of 4, DEP Form # 62-701.900(23), does not identify the location of all wells, operating and abandoned, or stormwater control measures. Revise the site plan to include this additional information or provide a written explanation if this is not applicable.
3. In Attachment III-B in the Report under Facility Operation include the hours per day and days per week the facility will be in operation. Also, include a statement of the maximum daily throughput and the planned daily and annual throughput.
4. Provide information on how the owner or operator will control mosquitoes and rodents, Rule 62-711.540(1)(j), F.A.C.
5. On Page 3 of 4, DEP Form 62-701.900(23), for Part III-B, include in the required emergency preparedness manual:
  - Within 24 hours, the Florida Department of Environmental Protection (FDEP), Central District, shall be notified of any fire or other emergency which poses an unanticipated threat to the public health or the environment. The notification can be by telephone 407-893-3328 during business hours and 407-894-7555 after business hours or e-mail [Gloria.depradine@floridadep.net](mailto:Gloria.depradine@floridadep.net) . Within two weeks of any emergency, the operator of the site shall submit to the department a written report on the emergency. This report shall describe the origins of the emergency, the actions that were taken to deal with the emergency, the results of the actions that were taken, and an analysis of the success or failure of the actions.
  - A description of the procedures to be followed in the event of a fire, including procedures to contain and dispose of the oily materials generated by the combustion of large number of waste tires, Rule 62-711.540(1)(j), F.A.C.
6. Submit a closing cost estimate for the facility, in accordance with Rule 62-711.500(3), signed and sealed by a professional engineer, licensed in Florida. The closing cost estimate must include the tires destined for the re-sale in addition to the tires destined for processing as well as the cost for transportation of the tires. The costs shall be based on a third party, who is not a subsidiary or a parent company, performing the work on a per unit basis.
7. Before the application can be deemed complete, a financial mechanism must be funded in the amount specified in the approved cost estimate and accepted by the Department's Financial Coordinator before this application can be deemed complete. Financial responsibility arrangements for the facility, Rule 62-711.500(3), F.A.C. for the approved amounts are to be made with the Financial Coordinator, Solid Waste Section, MS-4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and a copy of the approval letter submitted to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.