

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts .



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

October 23, 2015

ELECTRONIC CORRESPONDENCE

Tuiwarehouse@yahoo.com

Emilio G. Perez
Forever Recycling, LLC.
46 East Main Street
West Palm Beach, FL 33409

Re: Waste Tire Processing Permit- Initial Construction/Operation Permit
DRAFT Permit Project No.: 333423-001-WT

Dear Mr. Perez:

One copy of the DRAFT Permit for construction/operation of the Forever Recycling LLC located at 857½ Old Belle Glade Rd, Pahokee, Palm Beach County, FL is enclosed. The permitting authority's "INTENT TO ISSUE A WASTE TIRE PROCESSING FACILITY PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE A WASTE TIRE PROCESSING FACILITY PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE A WASTE TIRE PROCESSING FACILITY PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority within seven (7) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Jorge Patino, P.E. at the above letterhead address. If you have any other questions, please contact Jorge Patino at 561-837-5936.

Sincerely,

Laxmana Tallam, P.E., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

Florida Department of Health

Palm Beach County, Division of Environmental Public Health
P.O. Box 29, 800 Clematis Street, West Palm Beach, FL 33402
PHONE: 561-837-5900 • FAX : 561-837-5294

www.FloridasHealth.com

TWITTER: HealthyFLA
FACEBOOK: FLDepartmentofHealth
YOUTUBE: fldoh

*In the Matter of an
Application for Solid Waste Permit by:*

PERMITTEE:

Forever Recycling LLC.
46 East Main Street
West Palm Beach, FL 33409

Draft Permit No.: 333423-001-WT
A Waste Tire Processing Facility

Owner & Authorized Representative:

Emilio G. Perez

INTENT TO ISSUE A WASTE TIRE PROCESSING FACILITY PERMIT

The Florida Department of Health Palm Beach County (permitting authority) gives notice of its intent to issue a waste tire processing facility permit (copy of **DRAFT** Permit attached) for the facility detailed in the permit application for the facility specified above, for the reasons stated below.

Proposed Project: The applicant, Forever Recycling, LLC, applied on March 03, 2015, to the permitting authority for a permit to construct/operate a waste tire processing facility located at 857½ Old Belle Glade Rd, Pahokee, Palm Beach County, Florida, 33476. Additional information was submitted by the Permittee on August 14, 2015 and October 08, 2015.

The facility utilizes one baler to compact waste tires. Processed tires are transported offsite for use as fuel at a waste-to-energy facility in Florida

Permitting Authority: The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, and 62-701 of the Florida Administrative Code (F.A.C.). However, in accordance with Section 403.182, F.S., DEP recognizes the Florida Department of Health Palm Beach County (Health Department) as the approved local solid waste program in Palm Beach County. As such, DEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of solid waste management facilities located in Palm Beach County. The mailing address of the Health Department is P.O. Box 29, West Palm Beach, Florida 33402-0029. The Health Department's solid waste program is located at 800 Clematis Street in West Palm Beach, Florida and the phone number is (561) 837-5974. The Health Department's Legal Office is located at 800 Clematis Street in West Palm Beach, Florida and the phone number is (561) 837-5900. The Health Department has determined that a solid waste processing Permit is required to commence or continue operations at the described facility.

Proposed Agency Action: The Department intends to issue this permit based on Chapters 62-4, 62-701 and 62-711, Florida Administrative Code, and believes reasonable assurances have been provided to indicate the proposed project will not adversely impact the environment.

Publishing Notice of Proposed Agency Action: Pursuant to Sections 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE WASTE TIRE PROCESSING FACILITY PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Health Department, P.O. Box 29, West Palm Beach, Florida 33402-0029 (Telephone: 561/355-3136), within 7 (seven) days of publication pursuant to Rule 62-110.106 (5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106 (11), F.A.C.

The Health Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Petitions and Administrative Hearings: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Health Department's Legal Office at the address indicated above, and must be marked, "Request for Administrative Hearing an Intent to Issue Solid Waste Processing Permit." Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication.

A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;
- (e) A statement of the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation will not be available in this proceeding

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT



Laxmana Tallam, P.E., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Intent to Issue and the DRAFT waste tire processing facility permit were sent by certified mail(with received receipt) before the close of business on 10/23/2015 to the permittee.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by electronic email (with received receipt) on the same date to the following persons:

cc:

Emilio G. Perez	email	Tuiwarehouse@yahoo.com
David Chuslo, P.E.	email	dchuslo@aol.com
Amede Dimonnay, DEP/SED	email	Amede.Dimonnay@dep.state.fl.us
Richard Tedder, P.E. DEP/TAL	email	Richard.Tedder@dep.state.fl.us
Tor Bejnar, DEP/TLH	email	Tor.bejnar@dep.state.fl.us
Mike Tyson, SWA-PBC	email	mtyson@swa.org

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

Jorge R. Patino
(Clerk)

10/23/2015
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE WASTE TIRE PROCESSING FACILITY PERMIT

Florida Department of Health Palm Beach County

DRAFT Permit project No: 333423-001-WT

Forever Recycling, LLC.

Palm Beach County, Florida

The Florida Department of Health Palm Beach County (Health Department) gives notice of its intent to issue a waste tire processing facility permit to Forever Recycling, LLC. located at 246 East Main Street, Pahokee, FL 33476.

The applicant, Forever Recycling LLC., applied on March 03, 2015 to the permitting authority for a permit to operate a waste tire processing facility located at 857½ Old Belle Glade Rd, Palm Beach County, Florida, 33476. Latitude: 26° 48' 36" N/ 80° 39' 17" W.

The facility is authorized to store up to 3,500 tires. The facility will utilize a baler to bundle the waste tires into bales. Processed tires will be transported offsite for use as fuel at a waste-to-energy facility in Florida.

The applicant's name and address are: Forever Recycling, LLC., Mr. Emilio G. Perez, 246 East Main Street, Pahokee, FL 33476.

The permitting authority for this project is the Florida Department of Health Palm Beach County (Health Department) whose mailing address is P.O. Box 29, West Palm Beach, Florida 33402-0029. For technical information regarding the project, please contact the Jorge Patino, P.E. at (561) 837-5974. For questions regarding the administrative hearing procedures, please contact the Health Department's Legal Office at 800 Clematis Street in West Palm Beach, Florida and phone number (561) 837-5900.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Health Department's Legal Office at the address indicated above, and must be marked, "*Request for Administrative Hearing on Intent to Issue Waste Tire Processing Facility Permit.*" Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner; name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so state;

- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

A complete project file is available for public inspection at the Health Department's Solid Waste Section during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. The complete project file includes the DRAFT Permit, Intent to Issue, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact **Jorge Patino, P.E.** at the above address, or call **561-837-5974**, for additional information.

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

PERMITTEE:

Forever Recycling, LLC.
Emilio G. Perez
246 East Main Street
Pahokee, FL 33476

WACS NUMBER: **102298**

PERMIT No: 333423-001-WT

ISSUE DATE: **DRAFT**

EXPIRATION DATE: **DRAFT**

COUNTY: Palm Beach

LAT/LONG.: 26° 48' 36" N/ 80° 39' 17" W

SEC./TOWNSHIP/RANGE: 20/42/37

PROJECT: Initial Waste Tire Processing Permit

This permit is issued under the provision of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-701, and 62-711, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawings(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO OPERATE: A waste tire processing facility with a storage capacity of up to 35 tons (3,500 tires). The facility utilizes one baler to compact waste tires. Processed tires are transported offsite for use as fuel at a waste-to-energy facility in Florida.

IN ACCORDANCE WITH: A permit application to construct and operate a Waste Tire Processing Facility Permit dated March 3, 2015 (received PEIL 23, 2015) and additional information received on August 14, and October 08, 2015. The Intent to Issue along with the draft permit was issued **October 23, 2015**. The public notice of intent was published on **XXXX**.

LOCATED AT: 857½ Old Belle Glade Rd, Palm Beach County, Florida, 33476

SUBJECT TO: General Conditions 1-15 (attached as pages 2 through 3) and Specific Conditions 1-28 (attached as pages 3-9)..

GENERAL CONDITIONS (Rule 62-4.160, F.A.C.)

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither 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 is not 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 this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment 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, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; 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 properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when 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 and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location reasonable 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 this permit, the permittee shall immediately provide the Department with the following information:
 - (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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 for 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 involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111

GENERAL CONDITIONS (Rule 62-4.160, F.A.C.)

and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
- 11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the Department approves the transfer.
- 12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
- 13. This permit also constitutes:

	Yes	No
(a) Determination of Best Available Control Technology (BACT)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Determination of Prevention of Significant Deterioration (PSD)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Certification of compliance with state Water Quality Standards (Sec. 401, PL 92-500)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Compliance with New Source Performance Standards	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold 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) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained 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:
 1. The date, exact place, and time of sampling or measurements;
 2. The person responsible for performing the sampling or measurements;
 3. The date's analyses were performed;
 4. The person responsible for performing the analyses;
 5. The analytical techniques or methods used;
 6. The 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 the 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 corrected promptly.

SUB SECTION A.**SOLID WASTE FACILITY GENERAL REQUIREMENTS**

1. Facility Designation. This site shall be classified as a waste tire collection center and shall be operated, maintained and closed in accordance with all applicable requirements of Chapters 62-4, 62-711, and 62-701, Florida Administrative Code (F.A.C.). This facility is limited to the acceptance of whole waste tires only. Other wastes shall not be accepted at this facility.
2. Permit Application Documentation. This permit is valid for operation of the waste tire processing facility in accordance with all applicable requirements of Department rules and the reports, plans and other information submitted by the applicant, as follows:
 - Forever Recycling, LLC Waste Tire Processing Permit Application received **March 03, 2015**, and subsequent information submitted by the applicant (This information is located in the permitting file.)
3. Permit Modifications. Any construction or operation not previously approved as part of this permit shall require a separate Department permit unless the Department determines a permit modification to be more appropriate, or unless otherwise approved in writing by the Department. Permits shall be modified in accordance with the requirements of Rule 62-4.080, F.A.C. A modification which is reasonably expected to lead to substantially different environmental impacts, which require a detailed review by the Department, is considered a substantial modification.
4. Permit Renewal. Prior to 60 days before expiration of this permit, the permittee shall apply for a renewal of a permit pursuant to Rule 62-4.090, F.A.C., on forms and in a manner prescribed by the Department, in order to assure conformance with all applicable Department rules. Permits shall be renewed at least every five years as required by Rule 62-4.070(4), F.A.C. Operation permit renewal shall include, but not be limited to, an updated Operation Plan and Site Plans for existing site conditions.
5. Professional Certification. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.), Florida Statutes, applicable portions of permit applications and supporting documents, which are submitted to the Department for public record, shall be signed and sealed by the professional(s) who prepared or approved them.
6. General Conditions. The permittee shall be aware of and operate under the "General Conditions". General Conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes.
7. Permit Acceptance. By acceptance of this Permit, the Permittee certifies that he/she has read and understands the obligations imposed by the Specific and General Conditions contained herein and also including date of permit expiration and renewal deadlines. It is a violation of this permit for failure to comply with all conditions and deadlines.
8. Regulations. Chapters 62-701, and 62-711, F.A.C., are incorporated into this permit by reference. In the event that the regulations governing this permitted operation are revised, the Department shall notify the permittee, and the permittee shall request modification of those specific conditions, which are affected by the revision of regulations to incorporate those revisions.
9. Prohibitions. The prohibitions of Rule 62-711.400, F.A.C., shall not be violated by activities at this site.
10. Objectionable Odors. The facility shall be operated to control objectionable odors in accordance with Rule 62-296.320(2), F.A.C.
11. Unconfined Emissions of Particulate Matter: No person shall cause, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent emissions. **(Rule 62-296.320 (4) (c), F.A.C.)**

SUB SECTION B.**12. Facility Operation.**

- (a) The permittee shall operate this facility in accordance with the Waste Tire Processing Facility Requirements in Rule 62-711.530, F.A.C., the information listed in Specific Condition #2. Of this sub section, and any other applicable requirements including Operation Plan submitted as part of the permit application and attached hereto as **Appendix A.**
- (b) Incoming loads shall be unloaded at the waste tire processing facility in a designated area.
- (c) In the event of a fire, additional waste tires shall not be accepted in the area affected by the fire until the fire is completely extinguished, and the Department shall be notified in accordance with Specific Condition #17.(c) of this sub section.
- (d) Waste streams generated by the operation or maintenance of the facility and equipment shall be managed such that any residual contaminants (such as gasoline, oil, paint, anti-freeze, PCBs, etc.) shall be stored such that the residues or constituents thereof are not spilled leaked, dumped, or otherwise discharged onto the ground or into surface or ground waters.

13. **Operating Personnel.** A trained supervisor or foreman shall be responsible for operating and maintaining the facility in an orderly, safe, and sanitary manner. An attendant shall be present at all times when the facility is open to the public and tires are being received. Sufficient personnel shall be employed to adequately operate the facility.

14. **Control of Access.** Access to and use of the facility shall be controlled by the use of fencing and locking gates.

15. **Monitoring of Waste.** The permittee shall not knowingly accept hazardous waste or any hazardous substance at this site. Hazardous waste is a waste in Chapter 62-730, F.A.C. Hazardous substances are those defined in Section 403.703, Florida Statute or in any other applicable state or federal law or administrative rule.

16. **Control of vectors.** The owner or operator shall control vectors from the facility.

17. Facility Maintenance and Repair.

- (a) The site shall be properly maintained. In the event of damage to any portion of the waste tire processing site facilities, equipment, storage areas, or buildings, failure of any portion of the associated systems, fire, explosion, or the development of sinkhole(s) at the site, the permittee shall immediately (within 24 hours) notify the Health Department explaining such occurrence, method to prevent reoccurrence, remedial measures to be taken and time needed for repairs. A detailed written notification shall be submitted to the Health Department within seven (7) days following the occurrence.
- (b) The permittee shall ensure that the area where the waste tires are stored is kept free of grass, underbrush, and other potentially flammable vegetation at all times.
- (c) In the event of a tire fire, impacted soils and/or liquids shall be contained, and shall be characterized prior to disposal either at a Class I landfill or other appropriately permitted offsite disposal facility. The results of this characterization shall be provided to the Department with the written notification required by Specific Condition #17(a) above, prior to disposal of the material.

18. **Stormwater Management.** A waste tire site shall not be constructed, maintained or operated in or within 200 feet of any natural or artificial body of water, including wetlands within the jurisdiction of the Department, except bodies of water contained completely within the property boundaries of the facility which do not ordinarily discharge from the site to surface waters. A person may maintain a waste tire site within the 200-foot setback area upon demonstration to the Department, as part of a permit application or modification, that permanent control methods for residuals will result in compliance with water quality standards in Chapters 62- 302, and 62-520, F.A.C. Stormwater control methods shall meet stormwater requirements of Chapter 62-25 and 62-330, F.A.C., as applicable. The site shall be managed in such a way as to divert stormwater or floodwaters around and away from the storage piles. **[Rule 62-711.540(3)(a), F.A.C.]**

19. **Material Management and Storage.** All waste tires shall be stored as specified below, and according to the

information listed in Specific Condition #2 of this sub section.

- (a) **Onsite storage at the facility is limited to 3,500 tires. (This limit was requested by the permit applicant in the permit application and approved financial assurance documents.)** Adequate access for fire control shall be maintained at the facility at all times.
- (b) If the facility has reached its permitted storage capacity, the permittee shall not accept additional waste tires until sufficient capacity has been restored.
- (c) At least once a year, remove all waste tires which are not used tires from the site for recycling, processing, or disposal; and
- (d) Comply with the storage requirements in Rule 62-711.540, F.A.C.

[Rule 62-711.530 (1), F.A.C.]

Storage Requirements:

20. The facility shall comply with the following technical and operational standards:

- (a) If the site receives waste tires from the public, a sign shall be posted at the entrance of the site stating operating hours, cost of disposal and site rules.
- (b) No operations involving the use of open flames shall be conducted within 25 feet of a waste tire pile.
- (c) An attendant shall be present when the site is open for business if the site receives waste tires from the public.
- (d) Fire protection services for the site shall be assured through notification to local fire protection authorities. A fire safety survey shall be conducted at least annually and the survey report shall be made part of the next quarterly report.
- (e) The operator of the site shall prepare and keep at the site an emergency preparedness manual. A copy of the current manual shall be kept at an off-site location designated by the operator. The manual shall be updated at least once a year and upon changes in operations at the site. The manual shall contain the following elements:
 - 1. A list of names and numbers of persons to be contacted in the event of a fire, flood, or other emergency;
 - 2. A list of the emergency response equipment at the site, its location, and how it should be used in the event of a fire or other emergency; and
 - 3. A description of the procedures that should be followed in the event of a fire, including procedures to contain and dispose of the oily material generated by the combustion of large numbers of waste tires.
- (f) The operator of the site shall immediately notify the Department in the event of a fire or other emergency which poses an unanticipated threat to the public health or the environment. Within two weeks of any emergency, the operator of the site shall submit to the Health 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.
- (g) The operator of the site shall maintain records of the quantity of waste tires received at the site, stored at the site, and shipped from the site.
- (h) If the operator of the site is not the owner of the property, the operator shall obtain written authorization to operate the facility from the owner of the property.
- (i) Communication equipment shall be maintained at the waste tire site to assure that the site operator can contact local fire protection authorities in case of a fire.
- (j) The owner or operator shall provide for control of mosquitoes and rodents so as to protect the public health and welfare.

- (k) An approach and access road to the waste tire site shall be kept passable for any motor vehicle at all times.

[Rule 62-711.540(1), F.A.C.]

21. All facilities **which store waste tires indoor** must comply with additional technical and operational standards:

- (a) Tire piles may not be more than 50 feet in width, except that piles along a wall shall not be more than 25 feet in width.
- (b) The width of main aisles between tire piles shall be not less than eight feet.
- (c) The clearance from the top of storage to sprinkler deflectors or roof structures shall not be less than three feet.
- (d) The clearance in any direction from unit heaters, radiant space heaters, duct furnaces, and flues shall not be less than three feet.
- (e) When waste tires are stored up to 15 feet high, walls between adjacent warehouse areas and between manufacturing and warehouse areas shall have not less than a four-hour fire rating.
- (f) When waste tires are stored over 15 feet high, walls between manufacturing and warehouse areas shall have a fire rating of not less than six hours and steel columns shall have one hour fireproofing. If the top of storage exceeds 20 feet in height, two-hour fireproofing shall be provided for the column and its connections with other structural members.
- (g) An automatic sprinkler system installed in compliance with "The Standard for Storage of Rubber Tires", NFPA 231D, published by the National Fire Protection Association, Battery March Park, Quincy, Massachusetts, incorporated herein by reference, may be substituted for fire walls and column fireproofing.
- (h) At any time when an attendant is not present, access to the site shall be controlled through the use of doors, fences, gates, natural barriers, or other means.

[Rule 62-711.540(2), F.A.C.]

22. All facilities **which store waste tires outdoors** must comply with the following additional technical and operational standards:

- (a) An outdoor waste tire pile shall have no greater than the following maximum dimensions:
1. Width: 50 feet;
 2. Area: 10,000 square feet; and
 3. Height: 15 feet.
- (b) A 50-foot wide fire lane shall be placed around the perimeter of each outdoor waste tire pile. Access to the fire lane for emergency vehicles must be unobstructed at all times.
- (c) Access to the site shall be controlled through the use of fences, gates, natural barriers or other means.
- (d) The site shall be bermed or given other adequate protection if necessary to keep liquid runoff from a potential waste tire fire from entering water bodies.
- (e) The waste tire site shall be kept free of grass, underbrush, and other potentially flammable vegetation at all times

[Rule 62-711.540(3), F.A.C.]

23. Fire Safety.

- (a) A fire safety inspection shall be conducted at least annually. The fire safety inspection report shall be maintained at the facility for five years and copies shall be provided to the Department upon request.

- (b) In the event that deficiencies are noted in the annual fire safety inspection report, within 30 days of completion, the permittee shall provide documentation to the Department indicating correction of any deficiencies noted. The documentation shall include approval of the corrections by the local fire authority.

SUB SECTION C.**REPORTING & RECORDKEEPING**

24. **Quarterly Reports:** The permittee shall submit quarterly reports to the Health Department by the 20th of the month following the close of each calendar quarter. The report shall contain the following information:
- (a) The facility name, address and permit number;
 - (b) The quarter covered by the report;
 - (c) The total quantity of waste tires received at the facility during the quarter covered by the report;
 - (d) The total quantity, by category (recycled tires, or used tires), of waste tires shipped from the facility during the quarter covered by the report;
 - (e) The total quantity, by category, of waste tires located at the facility on the last day of the quarter; and
 - (f) A list of all dates on which one or more category of waste tires exceeded the storage limit, which category was in excess, and how this condition was relieved or will be relieved.

The quarterly report shall be submitted to

Florida Department of Health Palm Beach County

Air & Waste Section

P.O. Box 29 (800 Clematis Street, 4th Floor)

West Palm Beach, FL 33402

25. **Report Submittals.** Unless otherwise specified, all submittals, notifications, requests for permit modification, reports for compliance with this permit, etc. shall be sent to: Air & Waste Section, Division of Environmental Public Health, Florida Department of Health Palm Beach County, 800 Clematis Street, West Palm Beach, FL 33402.
26. **Operation Plan and Operating Record.** A copy of the Department approved permit, operational plan, construction reports and record drawings, and supporting information shall be kept at the facility at all times for reference and inspection.
27. **Waste Records.** The Permittee shall record and maintain for three years the following information regarding their activities, which records shall be available for inspection by Department personnel during normal business hours:
- (g) For all waste tires shipped from the facility, the name and waste tire collector registration number of the waste tire collector who accepted the waste tires for transport, and the quantity of waste tires shipped with that collector; and if the waste tires were shipped with a person who is not a waste tire collector, the number of tires shipped, the person's name, address and telephone number; and the place where the waste tires were deposited;
 - (h) For all waste tires received at the facility, the name and waste tire collector registration number of the collector who delivered the waste tires to the facility, and the quantity of waste tires received from that collector; and if more than five waste tires were delivered by a person who is not a waste tire collector, the number of tires delivered and the person's name, address and telephone number.

SUBSECTION D.

CLOSURE AND LONG TERM CARE REQUIREMENTS

28. Closure Requirements. The facility shall be closed in accordance with the requirements closure plan submitted as part of the permit application and attached hereto as Appendix B.

Issued this XXXX day of XXXX, 2015

STATE OF FLORIDA DEPARTMENT OF HEALTH
Florida Department of Health Palm Beach County

DRAFT

Laxmana Tallam, P.E., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

APPENDIX A

Forever Recycling

Facility Operation

857 ½ Old Belle Glade Road

Pahokee FL 33476

Tel: 561-924-9250

Fax: 561-924-9252

1. Purpose of the Facility

The purpose of this facility is to reduce waste tires. Tire Baling reduces the space.

2. Capacity

- a) Weight of tires Received Each Day: 7 Tons
- b) Weight of tires Processed Each Day: 7 Tons
- c) Tire Storage 35 Tons

3. Source and Type of Materials

- a) Waste tires from retail and commercial tire stores.

4. Equipment

Tire Baler

5. Operation

- a) Operating Hours are Monday through Friday, 8:00 AM to 5:00 PM
- b) Waste Tires are delivered to the site and dropped off at the designated drop-off area.

857 ½ Old Belle Glade Road Pahokee FL 33476 Tel: 561-924-9250 Fax: 561-924-9252

- c) Tires are sorted by staff into two groups:
 - I. Tires for Baling
 - II. Tires for resale
- d) Tires for resale are placed into tire racks.
- e) Tires that are baled are loaded into a container.
- f) Container filled with bale tires is picked up to delivery destination.

6. Vehicle Traffic Control And Unloading

- a) Signage shall be clearly posted to direct all incoming Waste Tire Traffic to the waste tire unloading area.
- b) Signage shall be clearly posted that will designate the unloading area.
- c) Signage shall be clearly posted that will direct the traffic towards the exit.
- d) Staff shall assist in directing traffic as needed to maintain clearance of the access path and fire lanes.

7. Safety

- a) The surface in the areas where the equipment shall be even and stable.
- b) All onsite workers shall wear the following at all times:
 - I. Long Pants
 - II. T-shirts
 - III. Gloves
 - IV. Glasses
- c) All onsite workers shall wear the following at all times
 - I. Gloves
 - II. Steel toed construction boots.
- d) Location of nearest hospital and emergency numbers shall be posted in a visible location.
- e) Appropriately sized First-Aid kit shall be located in a clearly visible and easily accessible.

8. People Responsible for operation, control, maintenance and training.

a)

Emilio G Perez

9. Procedure for controlling Non-Processible Waste

a) Tools such as brooms, rakes, shovels, mops and absorbents will be accessible for use at a location under cover.

b) Waste collection containers with secure covers will be placed in a clearly vision and accessible location under cover.

10. Procedure if prohibited waste is discovered:

a) Use the tools in section 9.a and 9.b as necessary to collect any prohibited waste to prevent contamination.

b) Properly dispose of the prohibited waste once the container reaches the maximum allowable capacity.

11. Environmental Controls

a) Dust Control:

I. During dry conditions, control dust by spraying water on exposed soil areas.

b) Noise Control:

I. Limit truck movement and equipment operation to the daylight hours

c) Litter Control:

I. Before leaving the site at the end of each working day, pick up litter and place in a trash receptacle.

d) Vector Control:

I. Cover tire piles with plastic sheets or other impermeable barrier in order to prevent the entrapment of water.

II. Chemical treat to eliminate vector breeding.

12. Security Plan

- a) The gates are to be locked at all times when there is nobody present on site.

13. In House training program

- a) Employees will be trained in the proper operation of the machinery and emergency procedures.

APPENDIX B

Closing Plan

For

Forever Recycling

(Tire Processing Facility)

Located at

857 ½ Old Belle Glade Road

Pahokee Fl, 33476

1. Notification of closing

- a) Post a sign at the front access gate indicating the site is closed. The notice is to show the phone number of the Solid Waste Authority of Palm Beach County 561-687-1100
- b) Contact the Florida Department of Environmental Protection and the Palm Beach County Health Department to notify them of the site closing.

Florida Dpt. Of Environmental Protection

400 North Congress Avenue

West Palm Beach, Florida 33401

561-681-6667

Palm Beach County Health Department

800 Clematis Street, 4th Floor

West Palm Beach, Florida 33402

2. Secure Site

- a) Stop public access to the site.
- b) Verify all access to property is operable and locked. As required

3. Remove Solid Waste

- a) Transport all waste tires and residuals to the Solid Waste Authority of Palm Beach County's Jog Rd site for disposal. Retain the disposal receipts.
- b) Remove any other solid waste to a permitted facility.

4. Environmental Site Assessment

- a) After the tires have been removed from the site, conduct an environmental site assessment. Either a professional engineer or professional geologist, licensed in the State of Florida, shall conduct this assessment.
- b) The assessment shall include examination of potential soil contamination, groundwater quality, and surface water quality.
- c) The professional that examined the site shall prepare a report documenting the findings.
- d) If it is determined that there is a site contamination, a more detailed investigation shall be conducted.
- e) If contamination is detected, remediation will be required.

5. Final Notification

- a) Notify the Florida Department of Environmental Protection and Palm Beach County Health Department when closing is complete.
- b) The site is to be closed within 30 days of the last date of tire recycling activities.

857 ½ Old Belle Glade Road Pahokee FL 33476