



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

PERMITTEE

Manatee County
c/o Mr. Daniel Gray
4410 66th Street West
Bradenton, FL 34210

PERMIT/CERTIFICATION

WACS Facility ID No.: SWD-41-44795
Permit No.: 126654-002-WT
Date of Issue: **2/16/2004**
Expiration Date: **2/1/2009**
County: Manatee
Lat/Long: 27°28'28.5"N
82°27'02.5"W
Sec/Town/Rge: 1,6 & 31/34S/19E
Project: Lena Road Waste Tire
Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4, 62-701, and 62-711. 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:

To construct and operate a waste tire facility (approximately 1 acre), referred to as the Lena Road Waste Tire Facility, subject to the specific conditions attached, for storing waste tires, located at 3333 Lena Road, Bradenton, Manatee County, Florida. The specific conditions attached are for the construction and operation of a:

1. Waste Tire Facility

Replaces Permit No.: 126654-001-WT

This permit contains compliance items summarized in Attachment 1 that shall be complied with and submitted to the Department by the dates noted. If the compliance dates are not met and submittals are not received by the Department on the dates noted, enforcement action may be initiated to assure compliance with the conditions of this permit.

PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

GENERAL CONDITIONS

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, 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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.

PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

GENERAL CONDITIONS:

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 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 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 Sections 403.111 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.

PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, Florida Administrative Code, 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 or a copy thereof shall be kept at the work site of the permitted activity.

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:

- (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 dates 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 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 corrected promptly.

PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

SPECIFIC CONDITIONS:

1. **Facility Designation.** This site shall be classified as a waste tire facility and shall be operated and closed in accordance with all applicable requirements of Chapters 62-4, 62-701, and 62-711, Florida Administrative Code (F.A.C.).

2. **Permit Application Documentation.** This permit is valid for construction and operation of the waste tire facility, and the temporary operation of the existing waste tire facility until its replacement, in accordance with the reports, plans and other information as follows:

- a. Permit Application dated May 6, 2003 received on May 27, 2003;
- b. Revised permit application form, site plans and supporting documents received on October 3, 2003;

and in accordance with all applicable requirements of Department rules.

3. **Permit Modifications.** Any construction or operation activities 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.** No later than **one hundred eighty (180) days** before the expiration of the Department permit, the permittee shall apply for a renewal of a permit 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.

5. **Prohibitions.** The prohibitions of Rule 62-711.400, F.A.C. shall not be violated.

6. **Financial Assurance.** The permittee shall provide financial assurance for the facility in accordance with Rule 62-711.500(3), F.A.C. either separately or as part of the financial assurance specified in the current landfill operation permit.

- a. All costs for closure shall be adjusted and submitted **annually, by September 1st each year** to: Solid Waste Manager, Solid Waste Section, Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-8318.

PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

SPECIFIC CONDITIONS:

(Specific Condition #6, continued)

b. Proof that the financial mechanism has been adequately funded shall be submitted **annually**, to: Financial Coordinator, Solid Waste Section, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

7. **Storage Requirements.** All waste tires shall be stored in accordance with Rules 62-711.530 and 62-711.540, F.A.C. and the revised permit application form and site plans received on October 3, 2003.

a. Storage at the facility is limited to 364 tons of waste tires (except as temporarily allowed as part of the previously authorized waste tire facility located in Stage II until completion of construction of the waste tire facility located north of Stage III).

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 75 percent of the whole tires, used tires, and processed tires that are delivered to or are contained on the site of the waste tire facility at the beginning of each calendar year shall be removed for disposal or recycling from the facility during the year, or disposed of at a permitted solid waste management facility.

8. **Operation Plan and Operating Record.** A copy of the Department approved permit, operational plan, record drawings, and supporting information shall be kept at the facility at all times for reference and inspections.

9. **Operating Personnel.** A trained supervisor or foreman shall be responsible for maintaining the facility in an orderly, safe, and sanitary manner. Sufficient personnel shall be employed to adequately operate the facility.

10. **Reporting Requirements.** Waste Tire Processing Facility Quarterly Report, Form #62-711.900(4) attached, summarizing facility operations shall be submitted **quarterly** to the Department by January 20th, April 20th, July 20th, and October 20th, pursuant to Rule 62-711.530(5), F.A.C.

11. **Fire Safety.** A fire safety survey shall be conducted at least **annually** which includes a statement from the local fire protection authorities that the site meets the requirements of the local fire protection authorities. This report shall be submitted upon request. This report shall indicate that all noted deficiencies have been corrected and approved by the local fire protection authorities.

PERMITTEE: Manatee County
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SPECIFIC CONDITIONS:

12. **Stormwater System Management.** Stormwater shall be managed as required by Rule 62-711.540(3)(a), F.A.C. The site shall be managed to divert stormwater around and away from the storage piles.
13. **Emergency Preparedness Manual.** A copy of the facility's emergency preparedness manual shall be kept at the site and a copy shall be kept at an off-site location.
14. **Control of Nuisance Conditions.** The owner or operator shall control mosquitoes and rodents as so to protect the public health and welfare. The operating authority shall be responsible for the control of odors and fugitive particulates arising from this operation. Such control shall minimize the creation of nuisance conditions on adjoining property. Complaints received from the general public, and confirmed by Department personnel upon site inspection, shall constitute a nuisance condition, and the permittee must take immediate corrective action to abate the nuisance.
15. **Facility Maintenance and Repair.** The site shall be properly maintained including minimized grass, underbrush and other flammable vegetation, prevention of ponding, and maintenance of berms and other systems designed to protect water bodies from liquid runoff from a potential waste tire fire. In the event of damage to any portion of the waste tire site, fire, or failure of any portion of the waste tire management systems, the permittee shall immediately (**within 24 hours**) notify the Department of Environmental Protection explaining such occurrence and remedial measures to be taken and time needed for repairs. Written detailed notification shall be submitted to the Department **within seven (7) days** following the occurrence.
16. **Certification of Construction Completion.** Within **sixty (60) days** after specified construction has been completed, the following activities shall be completed:
 - a. The owner or operator shall submit a Certification of Construction Completion, Form 62-701.900(2), signed and sealed by the professional engineer responsible for the construction to the Department for approval, and shall arrange for Department representatives to inspect the construction in the company of the permittee, the engineer, and the facility operator.
 - b. The owner or operator shall submit Record Drawings showing all changes (i.e. all additions, deletions, revisions to the plans previously approved by the Department) with elevations for the concrete pad and adjacent drainage areas to demonstrate that the runoff from a tire fire will be contained and prevented from entering the stormwater management system.
 - c. The owner or operator shall submit related record documents with a narrative indicating all changes in plans and the cause of the deviations, and calculations to demonstrate sufficient capacity to contain the runoff from a tire fire.

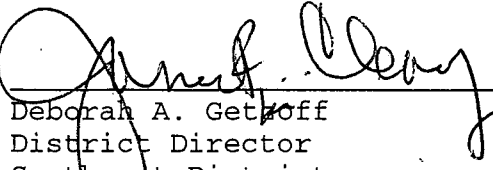
PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

SPECIFIC CONDITIONS:

17. **Closure.** The facility shall be closed in accordance with the requirements of Rule 62-711.700, F.A.C. The waste tire facility owner or operator shall notify the Department at least **ninety (90) days prior** to the date when tires will no longer be accepted for storage, as required by Rule 62-711.700(2), F.A.C.
18. **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.
19. **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.
20. **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.
21. **Regulations.** F.A.C. Chapter 62-701, effective May 27, 2001, and F.A.C. Chapter 62-711, effective March 22, 2000 are incorporated into this permit by reference. In the event that these regulations governing this permitted operation are revised, the Department shall notify the permittee, and the permittee shall request modification of those specific permit conditions which are affected by the revision of the regulations to incorporate those revisions.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

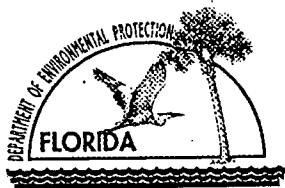

Deborah A. Getchoff
District Director
Southwest District

PERMITTEE: Manatee County
PROJECT: Lena Road Waste Tire Facility

PERMIT NO.: 126654-002-WT

ATTACHMENT 1

SPECIFIC CONDITION	SUBMITTAL DUE DATE	REQUIRED ITEM
4.	180 days prior to permit expiration	Permit renewal application
6.	Annually, by September 1st	Financial assurance
10.	Quarterly, by January 20th, April 20th, July 20th, October 20th	Operational reports



Department of Environmental Protection

DEP Form # 62-701.900(21)
Waste Tire Processing Facility
Form Title <u>Quarterly Report</u>
Effective Date <u>3/22/00</u>
DEP Application No. _____ (Filled in by DEP)

Waste Tire Processing Facility Quarterly Report

Pursuant to Rule 62-711.530, Florida Administrative Code, the owner or operator of a waste tire processing facility shall submit the following information to the Department quarterly.

Quarter covered by this report _____ (First quarter begins on January 1 of any given year)

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. Activity: Report in tons

	Beginning Inventory	Received	Processed	Consumed	Removed	Adjustments	Ending Inventory
Used Tires							
Other whole Tires							
Processed tires							
Processing Waste							
Other							
Total							

- a. Explain all inventory adjustments. _____

- b. List any period in which one or more category of inventory exceeded the permitted maximum for that category. How was that condition relieved?

For any excess inventory at the end of the quarter, state how and when this condition will be relieved.
Attach Additional sheets, if necessary.

9. Certification:

To the best of my knowledge and belief, I certify the information provided in this report is true, accurate, and complete.

Print Name of Authorized Agent

Signature of Authorized Agent

Date

Mail complete form to
the appropriate district office

Northwest District
160 Governmental Center
Pensacola, FL 32501-5794
850-595-8360

Northeast District
7825 Baymeadows Way, Ste. 200 B
Jacksonville, FL 32256-7590
904-448-4300

Central District
3319 Maguire Blvd., Ste. 232
Orlando, FL 32803-3767
407-894-7555

Southwest District
3804 Coconut Palm Dr.
Tampa, FL 33619
813-744-6100

South District
2295 Victoria Ave., Ste. 364
Fort Myers, FL 33902-2549
941-332-6975

Southeast District
400 North Congress Ave.
West Palm Beach, FL 33401
561-681-6600



Florida Department of Environmental Protection
Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, FL 32399-2400

DEP Form # 62-701.900(2)
Form Title Certification of Construction Completion
Effective Date May 19, 1994
DEP Application No. _____ (Filled by DEP)

Certification of Construction Completion of a Solid Waste Management Facility

DEP Construction Permit No: _____ County: _____

Name of Project: _____

Name of Owner: _____

Name of Engineer: _____

Type of Project: _____

Cost: Estimate \$ _____ Actual \$ _____

Site Design: Quantity: _____ ton/day Site Acreage: _____ Acres

Deviations from Plans and Application Approved by DEP: _____

Address and Telephone No. of Site: _____

Name(s) of Site Supervisor: _____

Date Site inspection is requested: _____

This is to certify that, with the exception of any deviation noted above, the construction of the project has been completed in substantial accordance with the plans authorized by Construction

Permit No.: _____ Dated: _____

Date: _____
Signature of Professional Engineer



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

CERTIFIED MAIL 7002 3150 0003 8461 0774
RETURN RECEIPT REQUESTED

February 16, 2004

In the matter of an
Application for Permit by:

DEP File No. 126654-002-WT
Manatee County

Manatee County
c/o Mr. Daniel Gray
4410 66th Street West
Bradenton, Florida 34210

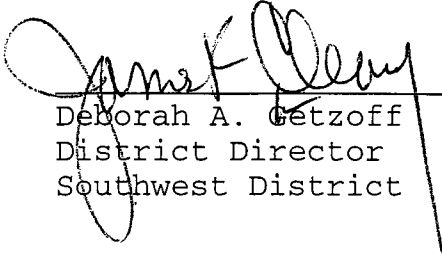
NOTICE OF PERMIT

Enclosed is Permit Number **126654-002-WT**, issued pursuant to Section(s) 403.087(1), Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the Order 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, 3900 Commonwealth Blvd., Mail Station 35, Tallahassee, 32399-3000; 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 Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
District Director
Southwest District

"More Protection, Less Process"

Printed on recycled paper.

CERTIFICATE OF SERVICE

This undersigned duly designated deputy clerk hereby certifies that this **NOTICE OF PERMIT** and all copies were mailed before the close of business on Feb 16, 2004 to the listed persons.

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

Anna Black
Clerk

02/16/2004
Date

DAG/kbf

Attachment

Copies furnished to:

Manatee County Elected Officials Notification
Joseph Miller, P.E., PBS&J
Susan Pelz, P.E., FDEP Tampa
Douglas Beason, OGC Tallahassee
Fred Wick, FDEP Tallahassee
(Permit Notebook)

Permitting Application - Events

Events Scheduled 3 of 90

Site # 0126654 Site Name MAHATEE CO. LENA RD. WTPF (WTPF)
 Permit # 0126654-002-WT Type/Subtype WT / 02 Received 05/27/2003
 Project # 002 Project Name LENA ROAD WTPF

ISSUE PERMIT: Issued

Event	Begin Date	Period	Due Date	Rmn	Status	End Date
Completeness Review	05/27/2003	30	06/26/2003		Incomplete	06/23/2003
RESET CLOCK	06/23/2003	1	06/24/2003		Done	06/23/2003
Awaiting Additional Information	06/23/2003	45	08/07/2003		Received	10/03/2003
Completeness Review	10/03/2003	30	11/02/2003		Complete	10/03/2003
Determine Agency Action	10/03/2003	90	01/01/2004		Issue	12/30/2003
Mail Public Notice of Intent to Applicant an	12/30/2003	10	01/09/2004		Done	12/30/2003
Date of Publication	12/30/2003	999	09/24/2006		Published	02/02/2004
Issue Final Permit	02/02/2004	14	02/16/2004		Issued	02/16/2004
ISSUE PERMIT	02/16/2004	1	02/17/2004		Issued	02/16/2004
STOP CLOCK	02/16/2004	1	02/17/2004		Done	02/16/2004
STOP CLOCK	12/30/2003	1	12/31/2003		Done	12/30/2003



PROPOSED COORDINATES

27 28 28.5 ▲
82 27 2.42

MANATEE COUNTY LENA ROAD WTPF COMET

27 28 25.56
82 26 29.45

EXISTING COORDINATES

27 28 25.28
82 26 28.82

1000 0 1000 Feet



Oracle Developer Forms Runtime - Web

Query Coll Rpts Find Exit CRA Window

ORACLE

Cash Receiving Application - Collection Point Log Remittance

Collection Point Log Remittance

AREA **SWD** Tot **CRAF006A \$1,250.00**

Remittance **521357** Type * **CP** Recvd Date * **05/27/2003** Status **RECEIVED**

SYSSRCPT **420808** PNR Check # * **0703191** Amount * **1,250.00**

SSN/FE# Name * **PBS&J**

First Middle Title Suf

Address1 **492 SOUTH KELLER ROAD** Short Comments

Address2 S-SW **126654-002**

City **ORLAIDO** ST **FL** Zip **32810** Country

PAYMENT(S)

Payment#	Distr CL Area	Object Code/Description	Payment Amount	Reference#	Applic/ Fund *	status
564871	SWD	002207 WASTE TIRE-PROC	\$1,250.00		PA SWMTF	COMPLETE

COMMIT FREQUENTLY **\$1,250.00** Payment total

Press <TAB> to accept Collection Point or enter F&A.

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Oracle Developer Forms Runtime - Web

Permits Events Payment Site Facility Party Lct Help Exit Window

ORACLE

Permitting Application - Permit Detail and Log Permit

SITE Permit

Site Name **MAIATEE CO. LEHA RD. WTPF (WTPF)** Site # **0126654**

County **MAIATEE** Comments **II** RPAs **II** #Cases **0**

Project

Permit # Project # **002** Received **05/27/2003** CRA # **150014**

Permit Office **SWD (DISTRICT)** Agency Action **Pending**

Project Name **LEHA ROAD WTPF** Desc

Type/Sub/Des **WT / /02** W/T PROCESSING FACILITY COE #

Logged **05/28/2003** Issued Expires OGC

Fee **1250.00** Fee Recd **1250.00** Dela Override **NOIE**

Related Party

Role **APPLICANT** Begin **05/28/2003** End

Name **GRAY, DANIEL T.** Company **MAIATEE COUNTY UTILITY OPERATIONS DEPARTMENT**

Address **4110 66TH STREET WEST**

City **BRADENTON** State **FL** Zip **34210** Country **U.S.A.**

Phone **941-792-3611** Fax **941-795-3490**

Processors

Processor **FORD_K** Active **05/28/2003** Inactive Events

The current data has been committed to the database.

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