

**THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Transmitted via email only to:** [polarbusiness01@outlook.com](mailto:polarbusiness01@outlook.com)

August 19, 2016

In the matter of an  
Application for Permit by:

Permit No. 346024-001-WT/06  
Hillsborough County  
WACS ID #102998

Donald Murray, Owner  
Polar Business Solutions, Inc.  
2123 Martin Rd.  
Dover, Florida 33527

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**INTENT TO ISSUE**

The Department of Environmental Protection hereby gives notice of its Intent to Issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below. The applicant, , known as Polar Business Solutions, Inc. Waste Tire Small Processing Facility, located at 911 S. Woodrow Wilson St., Bay #16, Plant City, Hillsborough County, Florida.

The Department has permitting jurisdiction under 403.707 and 403.861, Florida Statutes, and Rules 62-4, and 62-701, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a waste tire small processing facility permit is required for the proposed work.

The Department intends to issue this permit based on its belief that reasonable assurances have been provided to indicate that the proposed project will not adversely impact water quality and the proposed project will comply with appropriate provisions of Chapters 62-4 and 62-701, F.A.C., subject to the specific conditions attached in the permit.

Pursuant to Section 403.815, Florida Statutes and Chapters 62-110 and 28-106, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed

Agency Action on Permit Application. The notice must be published one time only within thirty (30) days of receipt of this intent in the legal ad section of a newspaper of general circulation in the area affected. Proof of publication must be provided to the Department within seven (7) days of publication of the notice. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit. The Department will issue the permit with the attached conditions unless petition for administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.569 and 120.57, Florida Statutes.

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) day of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. A petitioner must 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 (or a request for mediation, as discussed below) 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, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition that disputes the material facts on which the Department'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 Permit 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 affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the 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 that the petitioner wishes the Department to take with respect to the action or proposed action addressed in this notice of intent.

A petition that does not dispute the material facts on which the Department'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 Department'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 Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case under the provisions of that statute. This does not prevent any interested parties from agreeing to other forms of alternate dispute resolution.

Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within fourteen (14) days of receipt of this notice of intent.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order under 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 Boulevard, Mail Station 35, Tallahassee, Florida 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 thirty (30) days from the date the Final Order is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Pamala Vazquez  
Program Administrator  
Permitting & Waste Cleanup Program  
Southwest District

PV/sgm/admin

Attachments

ec: Ron Cope, EPCHC, [Cope@epchc.org](mailto:Cope@epchc.org)

Tor Bejnar, FDEP Tallahassee, [solid.waste.financial.coordinator@dep.state.fl.us](mailto:solid.waste.financial.coordinator@dep.state.fl.us)

Steve Tafuni, FDEP Compliance Assurance Program, [Steven.Tafuni@dep.state.fl.us](mailto:Steven.Tafuni@dep.state.fl.us)

**CERTIFICATE OF SERVICE**

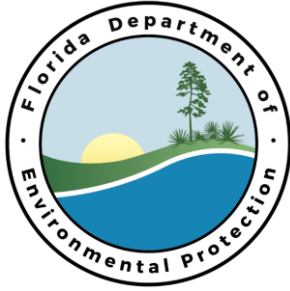
This undersigned duly designated deputy clerk hereby certifies that this **INTENT to ISSUE** was transmitted electronically to the listed persons before the close of business on August 19, 2016

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52(11), Florida Statutes., with the designated Department clerk, receipt of which is hereby acknowledged.

Mandakini Patel  
Clerk

August 19, 2016  
Date



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

## Permit Issued to:

Polar Business Solutions, Inc.  
2123 Martin Rd.  
Dover, Florida 33527  
(863) 838-7768

**Facility WACS ID No.: SWD-29-102998**

## Facility Name:

Polar Business Solutions, Inc.  
911 S. Woodrow Wilson St., Bay #16  
Plant City, Florida 33563

## Contact Person:

Donald Murray, Owner  
2123 Martin Rd.  
Dover, Florida 33527  
polarbusiness01@outlook.com  
(863) 838-7768

## Solid Waste Operation Permit – Waste Tire Small Processing Facility

Permit No.: 346024-001-WT/06  
Replaces Permit No.: N/A

Permit Issued: [date clerked]

Permit Renewal Application Due Date: [date prior to 61 days before expiration]

Permit Expires: [date clerked plus 5 years]

## Permitting Authority:

Florida Department of Environmental Protection  
Southwest District Office  
13051 N. Telecom Parkway  
Temple Terrace, Florida 33637  
Phone: (813) 470-5700  
Fax: (813) 470-5996

PERMITTEE NAME: Polar Business Solutions, Inc.  
FACILITY NAME: Polar Business Solutions, Inc.  
Waste Tire Small Processing Facility

PERMIT NO.: 346024-001-WT/06  
WACS Facility ID: SWD-29-102998

## **SECTION 1 - SUMMARY INFORMATION**

### **A. Authorization**

The permittee is hereby authorized to operate a waste tire processing facility in accordance with the specific and general conditions of this permit and any documents attached to this permit or specifically referenced in this permit and made a part of this permit.

This solid waste [construction/operation] permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4, 62-701, and 62-711.

This permit does not relieve the permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permit from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other sections within the Department or of the Water Management District.

### **B. Facility Location**

The facility location is Latitude 28°00'19.84" and Longitude 82°08'47.83" and the physical address is 911 S. Woodrow Wilson St, Bay #16, Plant City, Hillsborough County, Florida.

### **C. Facility Description**

The facility will process waste tires by cutting each tire into specifically designed pieces intended to represent parts of a winged flying bird to produce hanging planters. The permittee proposes to produce one planter per tire. The planters will then be marketed to local vendors. All storage and processing operations are performed indoors. Due to a restriction placed on the facility by the local fire authority, on-site waste tire storage is limited to 30 tires, and includes whole waste tires, tire pieces, finished planters, and waste tire residuals.

### **D. Appendices Made Part of This Permit**

APPENDIX 1 - General Conditions

APPENDIX 2 – List of Documents Incorporated into this Permit

## SECTION 2 - SPECIFIC CONDITIONS

### A. Administrative Requirements

1. Documents Part of This Permit. The permit application **as finally revised, replaced or amended** in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation or monitoring requirements of this permit may require a modification to this permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified in writing within 30 days: (1) of any sale or conveyance of the facility; (2) if a new or different person takes ownership or control of the facility; or (3) if the facility name is changed.

### B. Construction Requirements

1. General Construction Requirements. No construction, other than the placement of tire processing equipment identified in the permit document list in APPENDIX 2 is authorized at this facility. The Department shall be notified before any planned construction at the facility is implemented in order to determine whether a permit modification is required.

### C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the facility in accordance with the approved operation procedures described in permit application [ref. [APPENDIX 2, Para. 1.a.](#)]. The Department shall be notified before any changes, other than minor deviations, to the approved operation procedures are implemented in order to determine whether a permit modification is required.
2. Authorized Waste and Material Types. The facility is authorized to manage only the following:
  - a) Whole waste tires as defined in Rule 62-701.200, F.A.C.
3. Unauthorized Waste Types. The facility is not authorized to accept or manage any waste types not listed in C.2. above. Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved operation procedures.
4. Maximum Storage Quantities. The maximum storage at the facility for whole waste tires, processed tire parts, finished planters, and tire residuals shall be 30 tires in accordance with the permit documents [ref. [APPENDIX 2, Para. 1.d.](#)].



PERMITTEE NAME: Polar Business Solutions, Inc.  
FACILITY NAME: Polar Business Solutions, Inc.  
Waste Tire Small Processing Facility

PERMIT NO.: 346024-001-WT/06  
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5. Facility Capacity. If the facility has reached its permitted capacity for storage of waste tires, the permittee shall not accept additional waste tires until sufficient capacity has been restored.
6. Storage and Management. All waste tires will be stored indoors in accordance with the facility Site Plan [ref. [APPENDIX 2, Para. 1.c.](#)] and shall meet the fire department's standards [ref. [APPENDIX 2, Para. 1.d.](#)].
7. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan [ref. [APPENDIX 2, Para. 1.b.](#)]. Notification shall be made to the DEP's Southwest District Office Compliance Assurance Program at (813) 470-5700 or [SWD\\_Waste@dep.state.fl.us](mailto:SWD_Waste@dep.state.fl.us).
8. Processing Requirements.
  - a) At least 75% of the whole tires that are delivered to or are contained on the site at the beginning of each calendar year must be processed and removed for disposal or recycling from the facility during the year, or disposed in a permitted solid waste management facility, Rule 62-711.530(3), F.A.C.
  - b) As a "waste tire small processing facility", the facility shall process less than 1500 tires during any 30-day period, Rule 62-771.530(7), F.A.C.
9. Quarterly Reports. Owner or operators of waste tire processing facilities shall quarterly reports to the Department that summarize the information collected under Rule 62-711.530(4), F.A.C. The reports shall be submitted on DEP Form 62-701.900(21), on the 20<sup>th</sup> of the month following the close of each calendar quarter to the Southwest District Office Compliance Assurance Program at [SWD\\_Waste@dep.state.fl.us](mailto:SWD_Waste@dep.state.fl.us), with a copy to the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399, Rule 62-711.530(5), F.A.C.

#### **D. Water Quality Monitoring Requirements**

[There are no water quality monitoring requirements for this facility.]

#### **E. Gas Management System Requirements**

[There are no gas management requirements for this facility.]

#### **F. Closure Requirements**

[There are no closure requirements for this facility.]

PERMITTEE NAME: Polar Business Solutions, Inc.  
FACILITY NAME: Polar Business Solutions, Inc.  
Waste Tire Small Processing Facility

PERMIT NO.: 346024-001-WT/06  
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### **G. Financial Assurance and Cost Estimates**

1. In accordance with Rule 62-711.530(7), F.A.C., this waste tire small processing facility is exempt from the requirements of Rule 62-711.530(1), F.A.C. and therefore is exempt from the financial assurance requirements of Rule 62-711.500(3), F.A.C.

Executed in Hillsborough County, Florida.

#### **STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

\_\_\_\_\_  
Pamala Vazquez  
Program Administrator  
Permitting & Waste Cleanup Program  
Southwest District

FILED, on this date, pursuant to Section 120.52, F.S. with the designated Department Clerk, receipt of which is hereby acknowledged.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

PERMITTEE NAME: Polar Business Solutions, Inc.  
FACILITY NAME: Polar Business Solutions, Inc.  
Waste Tire Small Processing Facility

PERMIT NO.: 346024-001-WT/06  
WACS Facility ID: SWD-29-102998

## APPENDIX 1 – 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 403.861, Florida Statutes (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 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 reasonably necessary to assure compliance with this permit or Department rules.Reasonable time may depend on the nature of the concern being investigated.

**APPENDIX 1 – General Conditions (continued)**

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.
11. This permit or a copy thereof shall be kept at the work site of the permitted activity.
12. 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.
13. 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.

PERMITTEE NAME: Polar Business Solutions, Inc.  
FACILITY NAME: Polar Business Solutions, Inc.  
Waste Tire Small Processing Facility

PERMIT NO.: 346024-001-WT/06  
WACS Facility ID: SWD-29-102998

## APPENDIX 2 – Approved Application Documents

This permit is valid for the operation of the [Polar Business Solutions, Inc. Waste Tire Small Processing Facility](#) and related systems in accordance with all applicable requirements of Department rules, and in accordance with the reports, plans and other information prepared by Polar Business Solutions, Inc., or as otherwise noted, as follows:

1. Waste Tire Small Processing Facility Application, prepared by Polar Business Solutions, Inc., received July 20, 2016. This information includes but is not limited to:
  - a. Waste Tire Small Processing Facility Application – DEP Form #62-701.900(24), received July 20, 2016;
  - b. Emergency Preparedness Manual/Plan, received July 20, 2016;
  - c. Site Plan titled, 911 S. Woodrow Wilson St. Plant City, FL - Bay #16, received July 20, 2016 and;
  - d. Letter from Plant City Fire Rescue, dated July 15, 2016.

**State of Florida**  
**Department of Environmental Protection**  
**Notice of Proposed Agency Action on Permit Application**

The Department gives notice of its intent to issue a permit Polar Business Solutions, Inc., who applied on July 20, 2016 to the Department of Environmental Protection for an initial permit to operate a waste tire small processing facility (File No. 346024-001-WT/06), known as the Polar Business Solutions, Inc. Waste Tire Small Processing Facility, located at 911 S. Woodrow Wilson St., Bay #16, Plant City, Hillsborough County, Florida.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below, and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Blvd., MS#35, Tallahassee, Florida 32399-3000, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of Department's action, or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department'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 Department 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 in this proceeding.

Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rules 62-110.106, 28-106.201, and 28-106.301 F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at [13051 N. Telecom Parkway, Temple Terrace, Fl. 33637-0926](#).