



Regulatory and Economic Resources
Environmental Resources Management
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January 13, 2017

Salvatore Natoli, Manager
Miami Tires Wholesale, LLC
8683 NW 66 ST
Miami, FL 33166

CERTIFIED MAIL NO. 7014 1200 0002 0823 3795
RETURN RECEIPT REQUESTED

Re: Application for Transfer of Permit dated December 16, 2016 submitted on FDEP Form #62-701.900(8) pertinent to the transfer of the E.A Tires International Corp. Waste Tire Processing Facility to Miami Tires Wholesale, LLC (FDEP Project No. 304660-002-WT / WACS No. 99254 / DERM File No. SW-1711) pertinent to the facility located at, near, or in the vicinity of 3729 NW 71 Street, Hialeah, Miami-Dade County, Florida.

Dear Mr. Natoli:

The Environmental Permitting Section (EPS) of the Department of Regulatory and Economic Resources (RER)-Division of Environmental Resources Management (DERM), under delegation by the Florida Department of Environmental Protection (hereafter jointly referred to as the Department), hereby acknowledges receipt of the referenced application on December 16, 2016. Please see the item checked below for the status of your application.

- ☐ This letter constitutes notice that a permit will be required for your project pursuant to Chapter(s), Florida Statutes.
- ☐ Your application for permit is complete as of xx-xx-xxxx and processing has begun. You are advised that the Department under Chapter 120, Florida Statutes, must take final action on your application within ninety (90) days unless the time is tolled by administrative hearing.
- ☒ Your application for permit remains incomplete. Please provide the information requested on the attached sheet within forty-five (45) days of receipt of this letter. Evaluation of your proposed project will be delayed until all requested information has been received.
- ☐ The submittal to the referenced RAI was reviewed and deemed incomplete. Therefore, the additional information requested in the (attached) shall be submitted within forty five (45) days from the date of this letter. Further evaluation of the permit modification will be delayed until the outstanding RAI items have been addressed.
- ☐ At this time, no permit is required for your project by the Solid Waste Section. Any modifications in your plans should be submitted for review, as changes may result in permits being required. This letter does not relieve you from the need to obtain any other permits (local, state or federal) that may be required.

If you have any questions regarding the above, please contact Susana Palomino, P.E. or Johnny Vega, P.E. with the DERM Environmental Permitting Section at telephone number (305)372-6600 or via email respectively at paloms@miamidade.gov and vegajo@miamidade.gov.

Sincerely,

Rashid Z. Istambouli P.E., Chief
Pollution Regulation Division

cc: Patti Emad, Johnny Vega, P.E., Susana Palomino, P.E. – DERM
Salvatore Natoli – Miami Tires Wholesale, LLC (via e-mail: nlemporiotires@gmail.com)
Ernesto Alguera – E.A. Tires International Corp. (via email: eatires@yahoo.com)

DERM File No. SW-1711

**APPLICATION FOR TRANSFER OF PERMIT FOR A WASTE TIRE PROCESSING FACILITY
REQUEST FOR ADDITIONAL INFORMATION No.1 (RAI #1)**

In order to complete the review of the referenced application pursuant to Section 403.087(4), Florida Statutes (FS), Chapter 62-701 and 62-711, Florida Administrative Code (F.A.C.), please address the following Request for Additional Information (RAI) comments noted below.

1. Pursuant to Rule 62-701.320(11), F.A.C., please address the following:
 - (a) Provide written authorization from the property owner to operate the facility as a waste tire processing facility. This requirement is also stipulated under Rule 62-711.540(1)(h), F.A.C.
 - (b) Pursuant to Rule 62-701.320(11)(b), F.A.C., be advised that a transfer of the permit cannot occur before the sale or change of control of the facility. Accordingly, please indicate/clarify the effective date in which the sale/control of the facility will be transferred to Miami Tires Wholesale, LLC. The submittal included a copy of a sale/purchase agreement containing an incomplete Bill of Sale (Exhibit B of agreement) that does not reference an effective date for the transfer. Proper documentation indicating the completion of the transfer between both parties, as well the transfer effective date, shall be provided to satisfy the requirements of the rule.
2. Although E.A. Tires International Corp. obtained a waiver from waste tire financial assurance requirements from the Department on December 13, 2016, be advised that such mechanism is not transferable to Miami Tires Wholesale, LLC as part of the waste tire permit transfer process. Therefore, pursuant to the requirements of Rule 62-711.500(3), F.A.C, the proposed operator shall provide a closure cost estimate that addresses the following:
 - a) The estimate shall be based on the cost that would be expended to remove, transport and dispose of the maximum amount of waste tires (including used tires) that is permitted to be stored at the facility at any time (i.e., 30 tons or 3000 waste tires approximately). Please refer to the "Quantity of Tires" definition in Rule 62-701.200, F.A.C. for pertinent tonnage conversion criteria.
 - b) The cost estimate shall be based on a third party, who is not a subsidiary or parent company of the permittee that is able to provide services for the proper closure of the referenced facility (as noted above). The costs shall not be based on preferential or contractual rates established between the two parties.
 - c) The cost estimate shall be reported on a per unit basis and certified by a State of Florida registered Professional Engineer.

In the event that the proposed operator wishes to seek a similar waiver in lieu of complying with financial assurance requirements, be advised that such request shall be submitted directly to the FDEP Solid Waste Program Administrator in Tallahassee, FL. Please contact Cory Dilmore, P.E. of the FDEP (p: 850-245-8712; e: cory.dilmore@dep.state.fl.us) for additional guidance regarding the preparation of a formal waiver request.

Additionally, be advised of the following:

- The current waste tire processing facility permit (304660-001-WT) issued to E.A. Tires International Corp. is scheduled to expire on March 20, 2017. Be advised that regardless of the final disposition (denial or approval) or disposition date of the permit transfer application being requested by Miami Tires Wholesale, LLC, failure to comply with permit renewal provisions and timeframes of Rule 62-701.320(10) shall result in the permit being forfeited and the transfer process being terminated. Accordingly, it is strongly suggested that a timely permit renewal application be submitted to DERM for review (i.e. on or before January 18, 2017) along with the 5-year renewal fee of \$1,250.00 made payable to "Miami-Dade County". Please refer to the DERM courtesy letter issued to E.A. Tires International Corp. on December 2, 2016 for additional guidance regarding permit renewal requirements.
- If necessary, a meeting may be scheduled with DERM to discuss the comments of this letter. Said meeting shall be requested within seven (7) days of receipt of this letter. Please contact the reviewer listed at the end of page #1 to make the appropriate arrangements.
- Pursuant to Section 120.60(2), Florida Statutes, the Department may deny an application, if the applicant, after receiving timely notice, fails to correct errors and omissions, or supply additional information within a reasonable period of time.