

Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road MS 4565
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

April 1, 2010

Via e-mail: tirebob@digital.net

Mr. Robert Reisig
Manager
Beck's Tire Service, Inc.
P.O. Box 1733
Avon Park, Florida 33826

Re: WACS 94452 – Florida Tire Terminal

Dear Mr. Reisig:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is functionally in order. Hartland National Bank letter of credit number 360040270, effective February 15, 2010, in the amount of \$28,704.50, is being treated as an amendment to the letter of credit originally issued on February 15, 2007 (and not as a separate letter of credit with a separate credit amount). It is in the amount of the Department approved closing cost estimate dated January 5, 2010. Therefore, Florida Tire Terminal is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-701.630, Florida Administrative Code (F.A.C.), at this time.

Pursuant to 40 CFR Part 264.143(d)(7), as adopted by reference in Rule 62-701.630, F.A.C., whenever the current closure cost estimate decreases, the amount of the credit may be reduced to the amount of the current closing cost estimate following written approval by the Secretary of the Department or the Secretary's written designee. DEP Directive 100 delegates the approval of all orders and documents relating to financial assurance for solid and hazardous waste facilities to the Director of the Division of Waste Management. DEP Directive 145 delegates these tasks to Program Administrators within the Division. In the Solid Waste Section, this is Richard Tedder. Any letter he signs will identify the financial instrument that may be decreased and the amount it may be decreased to. A letter signed by any other Program Administrator (such as anyone using South District letterhead) is not a direct subordinate of the above referenced Division Director and does not have the authority to authorize the reduction of any Solid Waste financial assurance instrument.

Therefore, in the future, please request from this office authorization to reduce your letter of credit after a decreased cost estimate is approved by the South District Office. I suggest that you direct your banker to reduce your letter of credit upon receipt of appropriate authorization. An unauthorized reduction in financial assurance is a major violation of Solid Waste rules and may lead to enforcement action. Remember that any increased cost estimate must be followed by an increase in financial assurance.

Please contact me at (850) 245-8743 if you have any questions.

Sincerely,

Tom JM Bejnar
Environmental Specialist
Solid Waste Section

cc: Fred Wick, DEP/TLH
Mel Reinhart, DEP/FTM
James Belflower, Heartland Bank

"More Protection, Less Process"

[HTTP://WWW.DEP.STATE.FL.US/WASTE/CATEGORIES/SWFR](http://www.dep.state.fl.us/waste/categories/swfr)



Florida Department of Environmental Protection

South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard, Jr.
Secretary

February 9, 2011

Beck's Tire Service, Inc.
d/b/a Florida Tire Terminal
c/o Robert A. Reisig
P.O. Box 1733
Avon Park, Florida 33825

Re: Highlands County - SW
Florida Tire Terminal
(Waste Tire Processing Facility)
Permit No. 0245850-001-WT/02, WACS ID No. 00094452
Closure Cost Estimate



Dear Mr. Reisig:

The Department hereby approves the closure cost estimate, dated January 27, 2011, certified by Clinton Howerton, Jr, P.E. on February 1, 2011, and received February 3, 2011 for the subject facility, and a copy of the approved estimate is enclosed for your records. Please submit the financial assurance documents (Escrow Account Audit Report, etc.) corresponding to the approved estimates to:

Solid Waste Financial Coordinator
Attention: Tor Bejnar
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station 4565
Tallahassee, Florida 32399-2400

The next closure and long-term care cost estimates or inflation adjustment statement, as applicable, will be due between January 1 and March 1, 2012.

Should you need further information, please call Albert D. McLaurin at (863) 314-5975, extension 101. Your cooperation in this matter is appreciated.

Sincerely,

Charles Emery III
Environmental Administrator

Enclosure
CE/ADM/se

cc: Eugene Beck, Jr. (w/enclosure)
Clinton Howerton, Jr, P.E. (w/enclosure)
Tor Bejnar, DEP (w/enclosure, emailed to tor.bejnar@dep.state.fl.us)
Bill Krumbholz, DEP (emailed to bill.krumbholz@dep.state.fl.us)
James Harcourt, DEP (emailed to james.harcourt@dep.state.fl.us)

Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on Jan 17, 2011

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Emanuel Tire Company (attached) stating the cost to load and remove all tires is \$110.00/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 1/05/10 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger Tires- 34 units at 25 lbs/unit=850lbs which is equivalent to .425 Tons.

Light Truck Tires- 1106 units at 35 lbs/unit =38,710 lbs which is equivalent to 19.36Tons.

Truck Tires- 1910 units at 120 lbs/unit = 229,200 lbs which is equivalent to tons 114.60 Tons

Large Truck Tires- 1756 units at 150 lbs/unit=263,400 lbs which is equivalent to 131.70 Tons.

The total of waste tires equals 266.10 tons.

The following calculation applies.

266.10 tons of waste tires x \$110.00 = \$29,271.00

The 266.10 tons represents 4806 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$29,271.00 represents the total closing cost using 110.00 as the per ton cost to remove the tires.

Signature _____

Date _____

Eugene Beck Jr.

President

~~Beck's Tire Service~~

~~4950 Stillwell Ave.~~

Kansas City, MO 64240

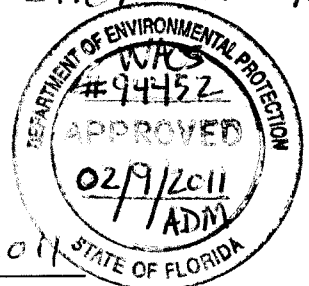
816-241-1155

Beck Tire International

2223 Manchester Trafficway

Kansas City, MO 64126-2850

Permit # 0245850-001-WT/02



Signature _____

Date _____

Clinton Howerton Jr #61021

Gator Howerton, PE

Polston Engineering

PO Box 588

Sebring, FL 33871-0588

863-385-2462

SEAL-

Florida Tire Terminal
P.O. Box 1733 | 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788
2-1-11

Dear Mr. McLaurin,

The purpose of this letter is to introduce myself. I am the Manager of Florida Tire Terminal of Avon Park, Fl. We have been in business since 1985 and I believe that we provide a valuable service to the recycling industry in the State of Florida and beyond. We provide tire removal services to many City, County, State and Federal entities. This service also provides FTT with an abundant quantity of used tires which we in turn sell to the public thereby lowering their tire costs.

The FTT 2011 Closing Costs Estimate is included with this letter. Please review and make any recommendations to my e-mail address.

tirebob@digital.net

Thank you,

Robert A. Reisig
Manager



Emanuel Tire Company

ALL SIZE CASING AND USED TIRES
SCRAP TIRE REMOVAL PROCESSING

1300 MORELAND AVENUE
BALTIMORE, MARYLAND 21216

(410)947-0660

(410)947-0725
FAX (410)947-3708

January 19, 2011

Beck's Tire Service
D.B.A. Florida Tire Terminal
P.O. Box 1733/400 Feagin Street
Avon, Florida 33826

Attention: Mr. Robert A. Reisig

Subject: Facility Clean Up

Dear Mr. Reisig:

Should a total facility clean up is ever needed at the Florida address listed above, the cost would be as follows: Emanuel Tire Company would provide loading and unloading of all remaining tires. These tires would be transported and shredded at a state licensed facility at a cost of \$110.00 per ton.

I thank you for the opportunity to quote your business and should you have any further questions or concerns, please feel free to contact me at the above phone number.

Sincerely,

Norman Emanuel, Owner
Emanuel Tire Company
Florida Registered Waste Tire Collector #1490
Maryland Scrap Tire Hauler License #2008-RTH-07066
Maryland Scrap Tire Recycler License #2010-RTR-00042



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, FL 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

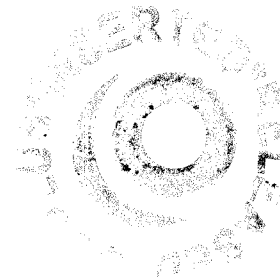
Michael W. Sole
Secretary

February 18, 2010

Beck's Tire Service, Inc.
d/b/a Florida Tire Terminal
c/o Robert Reisig
P.O. Box 1733
Avon Park, Florida 33826

Re: Highlands County - SW
Florida Tire Terminal
(Waste Tire Processing Facility)
Permit No. 0245850-001-WT/02, WACS ID No. 00094452
Closure Cost Estimate

FILE



Dear Mr. Reisig:

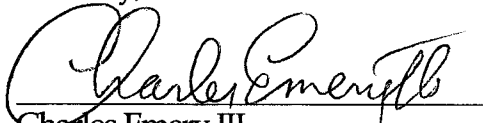
The Department hereby approves the closure cost estimate, dated January 5, 2010, certified by Clinton Howerton, Jr, P.E. on February 10, 2010, and received February 17, 2010 for the subject facility, and a copy of the approved estimate is enclosed for your records. Please submit proof of financial assurance corresponding to the approved estimate to:

Solid Waste Financial Coordinator
Attention: Tor Bejnar
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station 4565
Tallahassee, Florida 32399-2400

Please note that the next closure cost estimate will be due at least sixty (60) days prior to the anniversary date of the satisfactory financial assurance instrument for the approved estimate.

Should you need further information, please call Ghous Minhaj, Solid Waste Permitting Engineer at (239) 332-6975, extension 185. Your cooperation in this matter is appreciated.

Sincerely,


Charles Emery III
Environmental Administrator

Enclosure
CE/GAM/se

cc: Eugene Beck, Jr (w/enclosure)
Clinton E. Howerton, Jr, P.E. (w/enclosure)
Tor Bejnar, DEP Tallahassee (w/enclosure)
Bill Krumbholz, DEP Fort Myers (w/enclosure)

"More Protection, Less Process"
www.dep.state.fl.us

Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on Jan 5th, 2010

RECEIVED
FEB 17 2010

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Emanuel Tire Company (attached) stating the cost to load and remove all tires is \$110.00/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 1/05/10 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1993 units at 26 lbs/unit=51,818 lbs which is equivalent to 25.90 tons.

Truck Tires- 2558 units at 135 lbs/unit =345,384 lbs which is equivalent to 172.69 tons.

Large Truck Tires- 640 units at 195 lbs/unit=124,722 lbs which is equivalent to 62.36 tons.

The total of waste tires equals 260.96 tons.
The following calculation applies.

260.95 tons of waste tires x \$110.00 = \$28,704.50.

The 260.95 tons represents 5191 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$28,704.50 represents the total closing cost using 110.00 as the per ton cost to remove the tires.

Signature Eugene Beck Jr. Date 08-FEB-2010

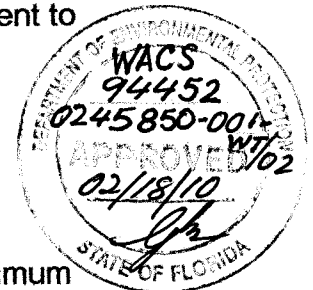
Eugene Beck Jr.
President
Beck's Tire Service
~~4950 Stillwell Ave~~
~~Kansas City, MO 64210~~
816-241-1155

BECK TIRE INTERNATIONAL
2223 Manchester Trafficway
Kansas City, MO 64126-2850

Signature Clinton E. Howerton, Jr. Date 2-10-2010

Gator Howerton, PE
Polston Engineering
PO Box 588
Sebring, FL 33871-0588
863-385-2462
SEAL-

Clinton E. Howerton, Jr.
P.E. #61021



Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on Jan 5th, 2010

RECEIVED

FEB 17 2010

DEP South District

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Emanuel Tire Company (attached) stating the cost to load and remove all tires is \$110.00/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 1/05/10 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1993 units at 26 lbs/unit=51,818 lbs which is equivalent to 25.90 tons.

Truck Tires- 2558 units at 135 lbs/unit =345,384 lbs which is equivalent to 172.69 tons.

Large Truck Tires- 640 units at 195 lbs/unit=124,722 lbs which is equivalent to 62.36 tons.

The total of waste tires equals 260.96 tons.
The following calculation applies.

260.95 tons of waste tires x \$110.00 = \$28,704.50.

The 260.95 tons represents 5191 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$28,704.50 represents the total closing cost using 110.00 as the per ton cost to remove the tires.

Signature

Eugene Beck Jr.

Date

08-FEB-2010

Eugene Beck Jr.

President

Beck's Tire Service

~~4950 Stillwell Ave~~

~~Kansas City, MO 64210~~

816-241-1155

BECK TIRE INTERNATIONAL

2223 Manchester Trafficway

Kansas City, MO 64126-2850

Signature

Clinton E. Howerton, Jr.

Date

2-10-2010

Gator Howerton, PE

Polston Engineering

PO Box 588

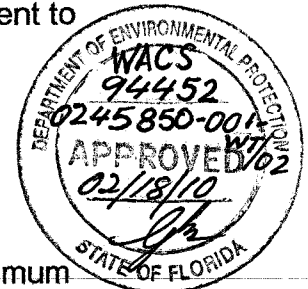
Sebring, FL 33871-0588

863-385-2462

SEAL-

Clinton E. Howerton, Jr.

P.E. #61021



**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788
02/12/10**

To: Ms Teresa Zilko-Miller
From: Mr. Robert A. Reisig
Subject: Closing Cost Estimate-2010

RECEIVED
FEB 17 2010
C.E.P. South Center

Dear Ms Zilko-Miller,

I included in this packet the following items.

- 1- The 2010 closing cost analysis signed by the business owner and the engineer responsible for the accurate count.
- 2- A letter is included from Emanuel Tire giving the costs for clean up of a closed FTT.
- 3- The qualified count from my engineer.

Thank you,



Robert A. Reisig

WO # 03153

GCH

Florida Tire Terminal

Tire Inventory Estimate

Inventory Date 1-5-10

RECEIVED

FEB 17 2010

O.E.P. South District

	Small	Passenger Light Truck	Truck	Large Truck
Total Each Type	0	1993	2558	640

Total All Tires 5191

Estimated Tire Weights (lbs each)	10	26	135	195
Estimated Total Tire Weights (lbs)	-	51,818	345,384	124,722

Estimated

Total Inventory Weight	521,924 lbs	260.96 tons
-------------------------------	--------------------	--------------------

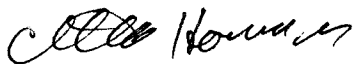
Truck Tires

Loading Dock	106
Lot 1 Yard	2419
Building Side	
Cell 3	673
<u>New Building</u>	
Total	3198

Passenger/Light Truck Tires

Passenger	257
<u>Light Truck</u>	<u>1736</u>
Total	1993

Tire totals are estimated and are subject to minor counting errors.
Tire weights were estimated by sampling average sized specimens from each group.
Off-road vehicle and aviation tires not included in inventory.


Date: 1-5-10

Clinton E. Howerton, Jr., P.E. #61021
Polston Engineering Inc.
BPE CA #5684

(Seal)



COPY

Emanuel Tire Company

ALL SIZE CASING AND USED TIRES
SCRAP TIRE REMOVAL PROCESSING
1300 MORELAND AVENUE
BALTIMORE, MARYLAND 21216

(410)947-0660

(410)947-0725
FAX (410)947-3708

RECEIVED

JAN 27 2010

3.55 PM EST

January 22, 2010

Beck's Tire Service
D.B.A. Florida Tire Terminal
P.O. Box 1733/400 Feagin Street
Avon, Florida 33826

Attention: Mr. Robert A. Reisig

Subject: Facility Clean Up

Dear Mr. Reisig:

Should a total facility clean up is ever needed at the Florida address listed above, the cost would be as follows: Emanuel Tire Company would provide loading and unloading of all remaining tires. These tires would be transported and shredded at a state licensed facility at a cost of \$110.00 per ton.

I thank you for the opportunity to quote your business and should you have any further questions or concerns, please feel free to contact me at the above phone number.

Sincerely,

Norman Emanuel, Owner
Emanuel Tire Company
Florida Registered Waste Tire Collector #1490
Maryland Scrap Tire Hauler License #2008-RTH-07066
Maryland Scrap Tire Recycler License #2005-RTR-00042

Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Monday, February 09, 2009 1:07 PM
To: Minhaj, Ghousuddin
Subject: FW: Florida Tire Terminal- LOC-Closure Cost Estimate

FYI

From: ROBERT A. REISIG [mailto:tirebob@digital.net]
Sent: Monday, February 09, 2009 9:26 AM
To: Bejnar, Tor; Zilko-Miller, Teresa; Krumbholz, Bill
Cc: Brian Bizzell
Subject: Florida Tire Terminal- LOC-Closure Cost Estimate

Eugene Beck Jr. is the owner of Florida Tire Terminal-Avon Park, FL and today he will be signing the LOC for the Closure Cost Estimate. Will I forward the signed copies to Teresa Zilko, Tor Bejnar, or both? I was told by Brian Bizzell of Salem Trust that my Standby trust is in effect for another few months.

Teresa, We had a successful fire inspection here on Jan 23rd and we have the proper signed documents in house.

Thank you,

ROBERT A. REISIG
FLORIDA TIRE TERMINAL
400 FEAGIN AVE
AVON PARK, FL, 33826
tirebob@digital.net
800-749-5788



Florida Department Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 13, 2009

Beck's Tire Service, Inc.
d/b/a Florida Tire Terminal
c/o Robert Reisig
P.O. Box 1733
Avon Park, Florida 33826

 **FILE**

Re: Highlands County - WT
Florida Tire Terminal
Permit No. 0245850-001-WT/02, WACS No. 00094452
Closure Cost Estimate

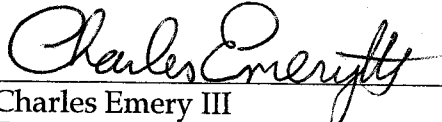
Dear Mr. Reisig:

The Department hereby approves the closure cost estimate (dated December 1, 2008, received December 15, 2008) for the subject facility, and a copy of the approved estimate is enclosed for your records. Please submit proof of financial assurance corresponding to the approved estimate to:

Solid Waste Financial Coordinator
Attention: Tor Bejnar
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station 4565
Tallahassee, Florida 32399-2400

Please note that the next closure cost estimate will be due at least sixty (60) days prior to the anniversary date of the satisfactory financial assurance instrument for the approved estimate. Should you need further information, please call Ghous Minhaj, Solid Waste Permitting Engineer, at (239) 332-6975, extension 185.

Sincerely,

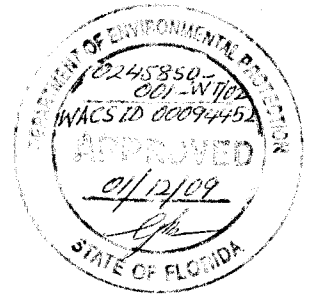

Charles Emery III
Environmental Administrator

Enclosure
PAB/GAM/se

cc: Eugene Beck, Jr. (w/enclosure)
Clinton E. Howerton, Jr., P.E. (w/enclosure)
Tor Bejnar, DEP (w/enclosure)
Bill Krumbholz, DEP

"More Protection, Less Process"
www.dep.state.fl.us

Closure Cost Estimate
For
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
12-01-08



If an unplanned closing should occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has received a letter from Macks Tire Recyclers (Attached) stating the cost to load and remove all tires is \$131.50 per ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 11-24-08 in cooperation with Polston Engineering. These figures reflect the actual inventory of tires in each of the storage areas that are indicated on the Facility Plan.

Passenger and Light Truck Tires-475 units at 26 lbs./unit=12,350 lbs which is equivalent to **6.17 tons**.

Truck Tires-2824 units at 135 lbs/unit=381,240 lbs which is equivalent to **190.62 tons**.

Large Truck Tires -618 Units at 195 lbs/unit=120,510 lbs which is equivalent to **60.25 tons**.

The total of waste tires equals 257.05 tons.

The following calculation applies.

257.05 tons of waste tires x \$131.50/ton of waste tire abatement costs = \$33,802.07.

The 3917 total tires is well below the 15,000 unit maximum limit that the alternative procedures plan dictates.

The Figure of \$33,802.07 represents the total closing cost using \$131.50/ton as the removal cost per ton stated in the letter from Macs Tire recycling.

Eugene Beck Jr.
President
Beck's Tire Service
2223 Manchester Tfwy
Kansas City, Mo. 64126
816-241-1155

Signature _____

Clinton E. Howerton, Jr. P.E. #61021
Polston Engineering Inc.
BPE CA #5684

Signature _____

RECEIVED - D.E.P.

DEC 15 2008

SOUTH DISTRICT

12/3/08

WO # 03153

GCH

Florida Tire Terminal

Tire Inventory Estimate

Inventory Date 11-24-08

	Small	Passenger Light Truck	Truck	Large Truck
Total Each Type	0	475	2824	618

Total All Tires 3917

Estimated Tire Weights (lbs each)	10	26	135	195
Estimated Total Tire Weights (lbs)	-	12,350	381,240	120,510

Estimated

Total Inventory Weight	514,100 lbs	257.05 tons
-------------------------------	--------------------	--------------------

Truck Tires

Loading Dock	635
Lot 1 Yard	1715
Building Side	
Cell 3	926
New Building	166
Total	3442

Passenger/Light Truck Tires

Passenger	265
Light Truck	210
Total	475

Tire totals are estimated and are subject to counting errors.

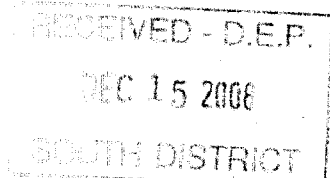
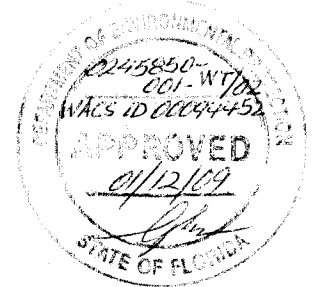
Tire weights were estimated by sampling average sized specimens from each group.

Off-road vehicle and aviation tires not included in inventory.

Clinton E. Howerton, Jr.
 Clinton E. Howerton, Jr., P.E. #61021
 Polston Engineering Inc.
 BPE CA #5684

Date: 12/3/08

(Seal)



March 26, 2008

Florida Tire Terminal
Bob Reisic
P.O. Box 1733
Avon Park, Fl. 33826

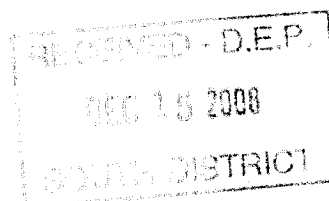
Ref: Tire Clean up

Dear Bob

If a clean up were ever needed at Tire Terminal, MTR Tire recyclers would be able to clean up your facility at a cost of \$131.50 per ton. GreenMan would bring in a loader/grapple for loading as well as open top trailers for transport.

If you have any question please feel free to contact me at 1-800-385-9844

Harry Griede
Marketing Mgr.
MTR Tire Recyclers





Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 25, 2008

CERTIFIED MAIL NO. 7007 1490 0003 7130 7478
RETURN RECEIPT REQUESTED

Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

Re: Highlands County - SW
Florida Tire Terminal
400 Feagin Street, Avon Park
Permit No. 0245850-001-WT/02

Dear Mr. Reisig:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A field inspection conducted on August 13, 2008 of the above referenced facility indicates that a violation of Florida Statutes and Rules may exist. Copies of the inspection report and photos are enclosed. Department of Environmental Protection personnel observed the following at the above-described facility:

1. F.A.C. Rule 62-711.500(3) and Specific Condition No. 11 of the facility permit state that owners or operators of waste tire sites shall provide closing cost estimates for the quantity of waste tires on their site, or the quantity they are permitted to have on their site, whichever is greater. The cost estimate shall be re-estimated at least annually and submitted to the Department District Office by December 24, 2007, and every year thereafter at least sixty (60) days prior to the anniversary date of the last financial instrument. Annual closure cost estimates were not submitted to the Department by the December due date.

Florida Tire Terminal
Permit No. 0245850-001-WT/02
August 25, 2008

2. Florida Administrative Code (F.A.C.) Rule 62-711.500(3)(a) and Specific Condition No. 11 of the facility permit state that owners or operators of waste tire sites shall provide the Department with proof of financial assurance in the amount of the closing cost estimate for the facility December 24, 2007, and every year thereafter, at least sixty (60) days prior to the anniversary date of the last financial instrument. The financial assurance instrument corresponding to the annual recalculated closure cost estimate was not submitted to the Department by the December due date.
3. Specific Condition No. 8 of the facility permit states that a fire survey shall be conducted semi-annually by the local fire authority showing that the facility does not represent a fire hazard to the local community. Results of the survey shall be submitted to the Department in January and July of each year. The facility has not submitted the July fire survey.
4. F.A.C. Rule 62-711.540(2)(b) states that all waste tire facilities which store tires indoors must maintain a main aisle width of not less than eight (8) feet. The width of the aisle in the north storage shed of the facility was less than eight (8) feet.
5. F.A.C. Rule 62-711.540(3)(c) states that all waste tire sites which store tires outdoors must maintain a fire lane with unobstructed access at all times. Further, Specific Condition No. 8 of the facility permit states that the Permittee shall comply with the fire control requirements of the City of Avon Park Fire Department. These requirements state that no storage will be allowed between the buildings, and that fire lanes within the outside storage will be maintained for firefighting access. Tires were observed stored between the buildings, and the fire lane was observed blocked with tires at the beginning of the inspection.

The activities observed during the Department's field inspection and any other activities at your facility that may be contributing to violations of the above-described statutes or rules should cease immediately.

You are requested to meet with the Department at the Sebring Branch office located at 2812 Kenilworth Blvd. on Thursday, September 18, 2008 at 11:00AM to discuss this matter. Potential penalties will be discussed at the meeting which may include monetary settlements. The Department is interested in reviewing any facts you may

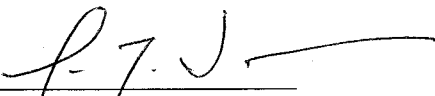
Florida Tire Terminal
Permit No. 0245850-001-WT/02
August 25, 2008

have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

If you have any questions concerning this matter, please contact **Teresa Zilko-Miller** or **Bill Krumbholz** at (239) 332-6975 regarding solid waste issues, or **Ghous Minhaj** at (239) 332-6975 x185 regarding financial assurance issues. Your cooperation is appreciated.

Sincerely,



Jon M. Iglehart
Director of District Management

Enclosure
JMI/TZM/se

cc: Junaid As-Salek, FDEP
✓ Ghous Minhaj, FDEP



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
INSPECTION CHECKLIST



Facility Information:

Facility Name: FLORIDA TIRE TERMINAL

On-Site Inspection Start Date: 08/13/2008

On-Site Inspection End Date: 08/13/2008

WACS No.: 94452

Facility Street Address: 400 FEAGIN STREET

City: AVON PARK

County Name: HIGHLANDS

Zip: 33825

Inspection Participants (Include ALL Landfill and Department Personnel with Corresponding Titles):

Principal Inspector: Teresa Zilko-Miller

Other Participants: Bill Newbould

TYPE OF FACILITY:

Landfill:

C&D Facility:

Waste Processing Facility:

Other Facilities:

Waste Tire Facility

TYPE OF INSPECTION:

Operation, Routine

ATTACHMENTS TO THE INSPECTION CHECK LIST:

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

SECTION 1.0 - FILE REVIEW

SECTION 9.0 - WASTE TIRE FACILITIES



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

SECTION 1.0 - FILE REVIEW

Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not Ok" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

Item No.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.) Completed	Ok	Not Ok	Unk	N/A
1.1	For landfills, is the method and sequence of filling wastes according to plans? 62-701.500(2)(f)				✓
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK.) <input type="checkbox"/> Waste reports (quarterly) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)				✓
1.3	Is leachate sampled, tested and disposed as required? 62-701.500(8)(a) & 62-701.510(6)(c)				✓
1.4	Is gas monitoring being performed as required by the permit? 62-701.500(9) & 62-701.530(2)				✓
1.5	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)				✓
1.6	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? See 62-701.510(2) for landfills; 62-701.730(4)(b) & (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.				✓
1.7	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) & (4)				✓
1.8	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.610(3) & 62-701.730(9)(c)				✓
1.9	Is financial assurance adequate? See 62-701.630 for landfills; 62-710(7)(a) & (10)(a) for WPFs; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.		✓		
1.10	Are cost estimates current and adjusted every year? See 62-701.630(4) for landfills; 62-701.710(7)(b) & (10)(a) for WPFs; 62-701.730(11)(b) for C&D debris facilities; 62-713.600(6)(b) & (c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.		✓		
1.11	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by April 1st of each year? 62-701.730(12)				✓
1.12	For C&D recycling facilities with no disposal, is an Annual Report for the recycling operation submitted to the Department by April 1st of each year? 62-701.710(9)(b)				✓
1.13	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.14	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

SECTION 9.0 - WASTE TIRE FACILITIES

Requirements:

This section provides an opportunity for the department inspector to add a narrative explaining any requirements identified as "Not Ok" at the time of the inspection. Some requirements may be identified as "Ok" but are discussed further in the "areas of concern" portion of the narrative section.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(16)) Completed	Ok	Not Ok	Unk	N/A
9.1	Unauthorized disposal/storage prohibited, except yard trash, within 500' of a potable water well? 62-701.300(2)(b)	✓			
9.2	Unauthorized disposal/storage prohibited, except yard trash, within 1000' of a potable water well serving a community water system? 62-701.300(2)(h)	✓			
9.3	Unauthorized storage/disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet for potable water wells (except on-site)? <input type="checkbox"/> 50 feet for water bodies? <input type="checkbox"/> 200 feet for community water supply wells?	✓			
9.4	Unauthorized disposal/storage prohibited in an area subject to frequent and periodic flooding unless flood protection measures in place? 62-701.300(2)(d)	✓			
9.5	Unauthorized disposal/storage prohibited in any natural or artificial body of water including ground water? 62-701.300(2)(e)	✓			
9.6	Unauthorized disposal/storage prohibited, except yard trash, within 200' of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(f)	✓			
9.7	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
9.8	Are the following prohibited wastes or special wastes properly managed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Yard trash 62-701.300(8)(c) <input type="checkbox"/> Whole waste tires 62-701.300(8)(e) <input type="checkbox"/> Used oil, except as exempted 62-701.300(11) <input type="checkbox"/> Lead-acid batteries, mercury-containing switches and lamps in WTEs 62-701.300(5) <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Lead-acid batteries 62-701.300(8)(a) <input type="checkbox"/> White goods 62-701.300(8)(d) <input type="checkbox"/> Liquids 62-701.300(10)	✓			

Item No.	WASTE TIRE FACILITY - GENERAL REQUIREMENTS FOR STORAGE Completed	Ok	Not Ok	Unk	N/A
9.9	If the facility accepts tires from the public, is a sign posted at the facility entrance stating operating hours, cost of disposal and site rules? 62-711.540(1)(a)	✓			
9.10	Are operations involving the use of open flames conducted no closer than 25 feet of a waste tire pile? 62-711.540(1)(b)	✓			
9.11	If the facility accepts tires from the public, is an attendant always present on site when the site is open for business? 62-711.540(1)(c)	✓			
9.12	Are fire protection services assured through notification to local fire protection authorities? 62-711.540(1)(d)	✓			
9.13	Is an annual fire safety survey conducted? 62-711.540(1)(d)		✓		
9.14	Is a copy of the annual fire safety report made part of the next quarterly report? 62-711.540(1)(d)	✓			
9.15	Does the facility have an Emergency Preparedness Manual (EPM) on-site? 62-711.540(1)(e)	✓			



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

Item No.	WASTE TIRE FACILITY - GENERAL REQUIREMENTS FOR STORAGE Completed	Ok	Not Ok	Unk	N/A
9.16	Does the EPM contain the following information? (Check all that are Not OK.) <input type="checkbox"/> Contact names and numbers 62-711.540(1)(e)1. <input type="checkbox"/> List of emergency response equipment and locations on-site 62-711.540(1)(e) <input type="checkbox"/> Procedures to be followed in the event of a fire 62-711.540(1)(e)3.	✓			
9.17	Is the operator at the facility maintaining records of the quantity of WT received at the site, stored at the site, and shipped from the site? 62-711.540(1)(g) and 62-711.400(5)	✓			
9.18	If the operator of the site is not the owner of the property, has written authorization been obtained from the property owner to operate the facility? 62-711.540(1)(h)	✓			
9.19	Is adequate communications equipment available at the site? 62-711.540(1)(i)	✓			
9.20	Is the owner or operator providing for control of mosquitoes and rodents so as to protect the public health and welfare? 62-711.540(1)(j)	✓			

Item No.	WASTE TIRE FACILITY - STORAGE INDOORS Completed	Ok	Not Ok	Unk	N/A
9.21	Are WT piles more than 50 feet in width? 62-711.540(2)(a)	✓			
9.22	Are WT piles along a wall more than 25 feet in width? 62-711.540(2)(a)				✓
9.23	Are widths of main aisles between piles less than 8 feet? 62-711.540(2)(b)		✓		
9.24	Is there less than 3 feet of clearance between the top of storage to sprinkler detectors or roof structures? 62-711.540(2)(c)				✓
9.25	Is there less than 3 feet of clearance between waste tire piles and unit heaters, etc.? 62-711.540(2)(c)	✓			
9.26	If waste tires are stored up to 15 feet in height, do walls have at least a 4-hour fire rating? 62-711.540(2)(e)				✓
9.27	If waste tires are stored >15 feet in height, do walls have a fire rating of not less than 6 hours and columns one hour FR? If > 20 feet, do columns and its connections with other structural members have two hour FR? 62-711.540(2)(f)				✓
9.28	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(2)(h)	✓			

Item No.	WASTE TIRE FACILITY - STORAGE OUTDOORS Completed	Ok	Not Ok	Unk	N/A
9.29	Is the waste tire site operated >200 feet from a body of water? 62-711.540(3)(a)	✓			
9.30	Does the waste tire pile have a width < 50 feet? 62-711.540(3)(b)	✓			
9.31	Does the waste tire pile have an area < 10,000 sq. ft? 62-711.540(3)(b)				✓
9.32	Does the waste tire pile have a height < 15 ft.? 62-711.540(3)(b)				✓
9.33	Is there a 50 ft. wide fire lane around the perimeter of the waste tire pile? 62-711.540(3)(c)				✓
9.34	Is there unobstructed access to the fire lane? 62-711.540(3)(c)		✓		
9.35	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(3)(d)	✓			
9.36	Is the site kept free of grass, underbrush, and other potentially flammable vegetation? 62-711.540(3)(f)	✓			
9.37	Is the site bermed or given other adequate protection to prevent liquid runoff from entering water bodies? 62-711.540(3)(e)	✓			
9.38	Are residuals contained on-site and disposed of in a permitted SW management facility? 62-711.540(5)	✓			
9.39	Does the waste tire site qualify for the exceptions to the technical and operational standards as allowed by rule? 62-711.540(6)				✓

Item No.	WASTE TIRE FACILITY - COLLECTION CENTER Completed	Ok	Not Ok	Unk	N/A
----------	---	----	--------	-----	-----



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

Item No	WASTE TIRE FACILITY - COLLECTION CENTER Completed	Ok	Not Ok	Unk	N/A
9.40	Are no more than 1500 tires at the CC at any one time? 62-711.550(1)(a)				✓
9.41	Are all waste tires, which are not used tires, removed from site yearly for recycling, processing, or disposal? 62-711.550(1)(b)				✓



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

Open Violations:

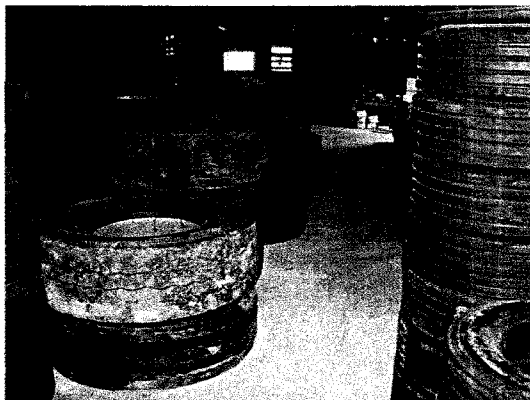
Significance Level: Minor
Harm Level: Minor
Deviation: Minor
Rule: 62-711.540(1)(d)
Section: WASTE TIRE FACILITY - GENERAL REQUIREMENTS FOR STORAGE
Question Number: 9.13
Question: Is an annual fire safety survey conducted? 62-711.540(1)(d)
Explanation: Results of the semiannual fire survey of the facility were not submitted to the Department in July, 2008 as required by the facility permit.
Corrective Action: As stated in Specific Condition No. 8 of the permit, a fire survey shall be conducted semi-annually by the local fire authority showing that the facility does not represent a fire hazard to the local community. Results of the survey shall be submitted to the Department in January and July of each year.

Significance Level: Minor
Harm Level: Moderate
Deviation: Moderate
Rule: 62-711.540(2)(b)
Section: WASTE TIRE FACILITY - STORAGE INDOORS
Question Number: 9.23
Question: Are widths of main aisles between piles less than 8 feet? 62-711.540(2)(b)
Explanation: Width of the main aisle in the north storage shed (Dario's building) is approximately three feet wide.
Corrective Action: Width of the main aisle between tire piles should not be less than eight feet. Please move stored tires to maintain this width.
Attachments:

Attachment Date: 08/21/2008

User: ZILKOMILLER_T

Description: Main aisle in north storage shed.





FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

Significance Level: SNC

Harm Level: Moderate

Deviation: Major

Rule: 62-713.600(6)(a), 62-701.710(7)(a), 62-701.730(11)(a), 62-701.630, 62-701.710(10)(a), 62-711.500(3)

Section: FILE REVIEW (Pre- or Post-Inspection, as appropriate.)

Question Number: 1.9

Question: Is financial assurance adequate? See 62-701.630 for landfills; 62-710(7)(a) & (10)(a) for WPFs; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.
NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.

Explanation: Proof of the financial assurance instrument for closure costs was not submitted to the Department by the December 24, 2007 due date in accordance with Specific Condition No. 11 of the permit or F.A.C. Rule 62-711.500(3)

Corrective Action: Please submit proof of financial assurance in the amount of the closing cost estimate for the facility as soon as possible.

Significance Level: Minor

Harm Level: Moderate

Deviation: Moderate

Rule: 62-711.540(3)(c)

Section: WASTE TIRE FACILITY - STORAGE OUTDOORS

Question Number: 9.34

Question: Is there unobstructed access to the fire lane? 62-711.540(3)(c)

Explanation: Tires were blocking the fire access lane closest to the facility entrance. In addition, tires were being stored in between buildings at the facility. This is in violation of the Avon Park Fire Department guidelines of November 9, 2004 which state that "no storage will be allowed between the buildings" and "fire lanes within the outside storage will be maintained for firefighting access".

Corrective Action: Please do not block the fire access lane or store tires between the facility buildings, in accordance with Specific Condition No. 8 of the permit which states that the Permittee shall comply with the fire control requirements of the City of Avon Park Fire Department.

Attachments:



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

Attachment Date: 08/21/2008

User: ZILKOMILLER_T

Description: Tires blocking the outside fire access lane.



Attachment Date: 08/21/2008

User: ZILKOMILLER_T

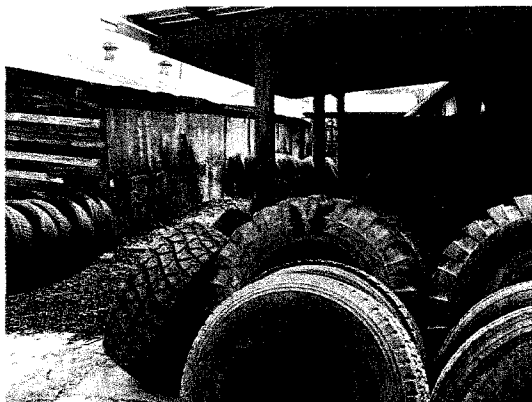
Description: Tires being stored between buildings.



Attachment Date: 08/21/2008

User: ZILKOMILLER_T

Description: Tires being stored between buildings.



Significance Level: Minor
Harm Level: Minor
Deviation: Major



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

INSPECTION CHECKLIST

Rule: 62-713.600(6)(b), 62-701.730(11)(b), 62-701.630(4), 62-713.600(6)(c), 62-701.710(7)(b), 62-711.500(3), 62-701.710(10)(a)

Section: FILE REVIEW (Pre- or Post-Inspection, as appropriate.)

Question Number: 1.10

Question: Are cost estimates current and adjusted every year? See 62-701.630(4) for landfills; 62-701.710(7)(b) & (10)(a) for WPFs; 62-701.730(11)(b) for C&D debris facilities; 62-713.600(6)(b) & (c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.

Explanation: Annual cost estimate updates for closure were not provided to the Department by the December 24, 2007 due date in accordance with Specific Condition No. 11 of the permit and F.A.C. Rule 62-711.500(3).

Corrective Action: Please submit annual closure cost estimates as soon as possible.

Inspection Comments:

Comment Date: 08/21/2008

User: ZILKOMILLER_T

Description: This facility, while permitted as a waste tire processing facility, receives and stores used tires for repairing and selling or transferring to a permitted facility for processing and/or disposal. They operate under an Alternate Procedure which allows exceptions for some of the storage requirements for waste tires under F.A.C. Rule Chapter 62-711. Alternative storage requirements have been set by the Avon Park Fire Department and the facility is required to adhere to these standards.

The storage violations noted in this report were also noted in the inspection of February 21, 2008.

Signed:

FDEP

ORGANIZATION

Environmental Specialist

PRINCIPAL INSPECTOR TITLE

Teresa Zilko-Miller

PRINCIPAL INSPECTOR NAME

No signature required

PRINCIPAL INSPECTOR SIGNATURE

Florida Tire Terminal

ORGANIZATION

Manager

REPRESENTATIVE TITLE

Bill Newbould

REPRESENTATIVE NAME

No signature required

REPRESENTATIVE SIGNATURE

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Not Ok" or areas of concern.

Minhaj, Ghousuddin

From: Hornbrook, Frank
Sent: Thursday, November 13, 2008 12:58 PM
To: Minhaj, Ghousuddin
Subject: Florida Tire Terminal (WACS 94452)
Attachments: 94452.pdf

Mr. Minhaj,

I received District approved 2008 cost estimates, approval dated 10/15/08. The facility had previously submitted a financial update in this approved amount. I was waiting for the approval prior to sending the attached letter.

Thank you

Frank Hornbrook

Send Correspondence to:
Solid Waste Financial Coordinator
Florida Department Of Environmental Protection
2600 Blair Stone Rd. MS 4565
Tallahassee, Florida 32399-2400
Att: Frank Hornbrook, Environmental Specialist

Contact Information:
☎ (850) 245-8745
☎ (850) 245-8811
✉ Frank.Hornbrook@dep.state.fl.us

Website References:

Financial Assurance Website (current inflation factor)

<http://www.dep.state.fl.us/waste/categories/swfr/>

Solid Waste Financial Assurance Forms / Cost Estimate Forms / Permit Forms / Change Forms

http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-701.htm

Used Oil Website

http://www.dep.state.fl.us/waste/categories/used_oil/default.htm

Used Oil Forms / Financial Assurance Forms / Cost Estimate Forms

http://www.dep.state.fl.us/waste/categories/used_oil/pages/forms.htm

Please note: Florida has a very broad public records law. Most written communications to or from state officials are public records and may be made available to the public or media upon request. This e-mail communication, your reply, and future e-mails to my attention may therefore be subject to public disclosure.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road MS 4565
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

November 13, 2008

Mr. Robert Reisig
Manager
Beck's Tire Service, Inc.
P.O. Box 1733
Avon Park, Florida 33826

Re: WACS 94452 – Florida Tire Terminal

Dear Mr. Reisig:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is in order. Hartland National Bank letter of credit number 360040270, effective February 15, 2008, is in the amount of the Department approved closing cost estimate of \$40,276. Therefore, Florida Tire Terminal is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-711, Florida Administrative Code, at this time.

If you have any questions, please contact me at (850) 245-8745.

Sincerely,

Frank Hornbrook
Environmental Specialist
Solid Waste Section

FH

cc: Fred Wick, DEP/TLH
Ghous Minhaj, DEP/FTM



Florida Department of Environmental Protection

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

South District
P.O. Box 2549

Fort Myers, Florida 33902-2549

October 15, 2008

Beck's Tire Service, Inc.
d/b/a Florida Tire terminal
c/o Robert Reisig
P.O. Box 1733
Avon Park, Florida 33826

Re: Highlands County - WT
Florida Tire Terminal
Application No. 0245850-001-WT/02
WACS No. 00094452
Closure Cost Estimate

FILE

Dear Mr. Reisig:

The Department hereby approves the closure cost estimate dated April 3, 2008, and received by the Department on October 9, 2008, for the subject facility. Please note that this estimate is for the Year 2007, and it was due in December 2007. A copy of the approved estimate is enclosed for your records. Please submit proof of financial assurance corresponding to the approved estimate to:

Solid Waste Financial Coordinator
Attention: Tor Bejnar
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station 4565
Tallahassee, Florida 32399-2400

Should you need further information, please call Ghous Minhaj at (239) 332-6975, extension 185.

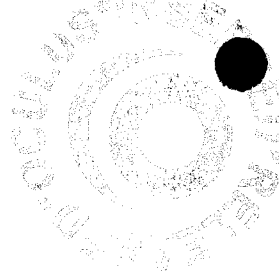
Sincerely,

Charles Emery III
Environmental Administrator

Enclosure
CE/GAM/se

cc: Clinton E. Howerton, Jr., P.E. (w/enclosure)
Tor Bejnar, DEP (w/enclosure)
Bill Krumbholz, DEP

"More Protection, Less Process"
www.dep.state.fl.us



Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on April, 1st, 2008

RECEIVED - DEP.
APR 09 2008
SAFETY DISTRICT

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Greenman Technologies (attached) stating the cost to load and remove all tires is \$131.50/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 3-16-06 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1902 units at 26 lbs/unit=49,452 lbs which is equivalent to 24.73 tons.

Truck Tires- 3170 units at 135 lbs/unit =427,950 lbs which is equivalent to 213.98 tons.

Large Truck Tires- 693 units at 195 lbs/unit=135,135 lbs which is equivalent to 67.57 tons.

The total of waste tires equals 306.28 tons.
The following calculation applies.

306.28 tons of waste tires x \$131.50 = \$40,275.82.

The 306.28 tons represents 5765 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$40,275.82 represents the total closing cost using 131.50 as the per ton cost to remove the tires.

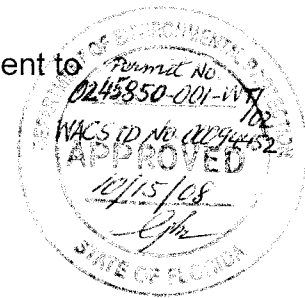
Signature Eugene Beck Jr. Date 03-April-08

Eugene Beck Jr.
President
Beck's Tire Service
2223 Manchester Trky
Kansas City, MO 64126
816-241-1155

Signature Eugene Beck Jr. Date 03-april-08

Howerton, PE
Polston Engineering
PO Box 588
Sebring, FL 33871-0588
863-385-2462
SEAL-

Clinton E. Howerton, Jr.
Clinton E. Howerton, Jr.
P.E. #61021



March 26, 2008

Florida Tire Terminal
Bob Reisic
P.O. Box 1733
Avon Park, Fl. 33826

Ref: Tire Clean up

Dear Bob

If a clean up were ever needed at Tire Terminal, MTR Tire recyclers would be able to clean up your facility at a cost of \$131.50 per ton. GreenMan would bring in a loader/grapple for loading as well as open top trailers for transport.

If you have any question please feel free to contact me at 1-800-385-9844

Harry Griede
Marketing Mgr.
MTR Tire Recyclers

Minhaj, Ghousuddin

From: Edwards, Susan
Sent: Thursday, September 06, 2007 3:34 PM
Cc: Tedder, Richard; McGuire, Chris; Chisolm, Jack; Bejnar, Tor; Minhaj, Ghousuddin; Barbaccia, Phil
Subject: BecksTireService-FloridaTireTerminal-Permit

Please see the Notice of Permit and Permit for Florida Tire Terminal, DEP File No. 0245850-001-WT/02:



BecksTireFloridaTire
TerNoticeo...



BecksTireFloridaTire
TerFinalPe...



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. <u>0245850-001</u> <i>WT/02</i>
(Filled in by DEP)

Waste Tire Processing Facility Permit Application

Permit No. _____

Renewal ☐ Modification ☐ Existing unpermitted facility ☒ Proposed new facility ☐

Part I-General Information:

A. Applicant Information:

1. Applicant Name: BECK'S TIRE SERVICE, INC.
2. Applicant Street Address: 400 Feagin Street
3. City: Avon Park County: Highlands Zip: 33825
4. Applicant Mailing Address: PO Box 1733
5. City: Avon Park County: Highlands Zip: 33826
6. Contact person: Robert Reisig Phone: (863) 452-5788 FEID No: 43-0864539
7. Have any enforcement actions been taken by the Department against the applicant relating to the operation of any solid waste management facility in this state? This includes any Complaint, Notice of Violation, or revocation of a permit or registration, as well as any Consent Order in which a violation of Department rules is admitted. It does not include a Warning Letter, Warning Notice, Notice of Noncompliance, or other similar document which does not constitute agency action.
Yes _____ No ☒ If yes, attach a history and description of the enforcement actions.

B. Facility Information:

1. Facility Name: Florida Tire Terminal
2. Facility Street Address (Main Entrance): 400 Feagin Street
3. City: Avon Park County: Highlands Zip: 33825
4. Facility Mailing Address: PO Box 1733
5. City: Avon Park State: Florida Zip: 33826
6. Contact Person: Robert A. Reisig Phone: (863) 452-5788
7. Facility Location Coordinates:
Section: 22 Township: 33 South Range: 28 East
Latitude: 27 35' 31" Longitude: 81 30' 18"
8. Anticipated date for starting construction 01/01/07 and for completion of construction 08/01/07
9. Anticipated date for receipt of tires Currently Active and for start of processing No Processing

Mail completed form to
appropriate district office listed below

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
561-681-8600

DE Form # 62-701.900(23) Waste Tire Processing Facility Form Title <u>Permit Application</u> Effective Date <u>3/22/00</u> DEP Application No. <u>0245850-001-WT</u> (Filed in by DEP)

C. Land Owner Information (if different from applicant):

- Owner's name: See Application Addendum
- Land owner's mailing address: See Application Addendum
- City: See Application Addendum State: See Application Addendum Zip: See Application A
- Authorized Agent: Robert A. Reisig Agent's phone (863) 452-5788
- Current lease expires: Open Ended

D. Facility Operator Information (if different from applicant):

- Operator's name: BECK'S TIRE SERVICE, INC. (dba Florida Tire Terminal)
- Operator's mailing address: PO Box 1733
- City: Avon Park State: Florida Zip: 33826
- Contact person: Robert A. Reisig, Manager Phone: (863) 452-5788

E. Preparer of Application:

- Name of person preparing application: Robert A. Reisig, Manager
- Mailing address: PO Box 1733
- City: Avon Park State: Florida Zip: 33826
- Phone: (863) 452-5788
- Affiliation with facility: Manager

Part II-Operations:

A. Facility type (check appropriate box):

- ☒ Waste tire processing facility.
- ☐ Waste tire processing facility with on-site disposal of processed tires or processing residuals.
See Attachment _____
- ☐ Waste tire processing facility with on-site consumption of waste tires or processing residuals.
See Attachment F
- ☐ Permitted solid waste management facility modification to allow waste tire site and processing.

B. Type of processing facility (check as many as apply):

- ☐ Shredder ☐ Cutter ☐ Chopper ☐ Incinerator only ☐ Incinerator with energy recovery
☐ Pyrolysis ☐ Supplemental fuel user ☒ Other, explain Transfer Station

C. Storage: Indicate the maximum quantities of whole waste tires, processed waste tires, and processing residuals, expressed in tons, to be stored at the facility, in accordance with Rule 62-711.530(2), F.A.C.

	Outdoor Storage(tons)	Outdoor Storage (sq.ft)	Indoor Storage (tons)	Indoor Storage (sq.ft)	Total Storage (tons)
Whole waste tires:	<u>195</u>	<u>29,000</u>	<u>35.21</u>	<u>7,000</u>	<u>230.21</u>
Processed tires:	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
Processing residuals:	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
TOTALS:	<u>195</u>	<u>29,000</u>	<u>35.21</u>	<u>7,000</u>	<u>230.21</u>

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. <u>245850-001-WT/02</u> (Filed in by DEP)

D. For reporting quantity of tires in tons, tires will be: weighed on site ☐ weighed off site ☐ weights will be calculated ☒

E. Facilities that will not be disposing of processed tires or processing residual on the facility site must indicate the permitted solid waste management facility where processed tires or residuals will be disposed.

1. Name of facility See Attachment Entitled (Disposal Facilities Attachment) Part II-E

2. Street address: _____

3. City: _____ County: _____ Zip: _____

F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.

Non Applicable, Florida Tire Terminal delivers no processed tires.

Part III-Attachments:

A. Facility design

NOTE: All maps, plan sheets, drawings, isometrics, cross sections, or aerial photographs shall be legible; be signed and sealed by a registered professional engineer responsible for their preparation; be of appropriate scale to show clearly all required details; be numbered, referenced to narrative, titled, have a legend of symbols used, contain horizontal and vertical scales (where applicable), and specify drafting or origination dates; and use uniform scales as much as possible, contain a north arrow and use NGVD for all elevations.

1. A topographic or section map of the facility, including the surrounding area for one mile, no more than one year old, showing land use and zoning within one mile of the facility
2. A plot plan of the facility on a scale of not less than one inch equals 200 feet. At a minimum, the plot plan shall include
 - a. The facility design, including the location and size of all storage and processing areas for used tires, unprocessed waste tires, processed waste tires, and waste tire processing residuals;
 - b. All wetlands and water bodies within the facility or within 200 feet of any storage area;
 - c. Stormwater control measures, including ditches, dikes, and other structures;
 - d. Boundaries of the facility, legal boundaries of the land containing the facility, and any easements or rights of way that are within the facility or within 200 feet of any storage area;
 - e. Location, size, and depth of all wells within the facility or within 200 feet of any storage area;
 - f. All structures and buildings that are, or will be, constructed at the facility; include those used in storage and processing operations;
 - g. All areas used for loading and unloading;
 - h. All access roads and internal roads, including fire lanes;
 - i. Location of all fences, gates, and other access control measures; and
 - j. Location of all disposal areas within the facility.

B. Facility operation.

1. A description of the facility's operation, process and products including how waste tires will be received and stored.
2. A description of the equipment used for processing tires. This description shall include the make, model, and hourly capacity of each piece of equipment.
3. Description of the waste from the process, the amount of waste expected and how and where this waste will be disposed of.
4. Statement of the maximum daily throughput and the planned daily and annual throughput.
5. A description of how the operator will maintain compliance with each of the storage requirements of Rule 62-711.540, F.A.C.
6. A copy of the emergency preparedness manual for the facility with a statement of the on site and off site locations where that manual will be maintained.
7. A copy of the fire safety survey
8. A description of how 75% of the annual accumulation of waste tires will be removed for disposal or recycling.

C. Completed closing plan for the facility as required by Rule 62-711.700(2) and (3), F.A.C.

Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. 0248850-001-WT/
(Filed in by DEP) 102

- D. Attach proof of financial responsibility as requirement by Rule 62-711.500(3) OR a calculation showing that financial assurance documents, currently on file with the Department, are sufficient to assure closing of the waste tire site as well as any other solid waste management facility at that location.
- E. A letter from the land owner (if different from applicant) authorizing use of the land as a waste tire processing facility.
- F. If waste tires will be consumed at the facility, attach a description of the other environmental permits that the applicant has for this use, including, permit number, date of issue, and name of issuing agency
- G. The permit fee as required in Rule 62-4, F.A.C.

Part IV-Certification:

A. Applicant:

The undersigned applicant or authorized representative of BECK'S TIRE SERVICE, INC.
 Is aware that statements made in this form and attached information are an application for a
Waste Tire Processor Permit from the Florida Department of Environmental Protection and certifies that
 The information in this application is true, correct and complete to the best of his knowledge and belief.
 Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules
 and regulations of the Department. It is understood that the Department will be notified prior to the sale or
 legal transfer of the facility.

<u>Robert A. Reisig</u>	Robert A. Reisig, Manager	08/16/06
Signature of Applicant or Authorized Agent	Name and Title	Date

B. Professional Engineer registered in Florida.

This is to certify that the engineering features of this waste tire processing facility have been
 Designed/Examined by me and found to conform to engineering principals applicable to such facilities. In my
 professional judgment, this facility, when properly maintained and operated will comply with all applicable
 statues of the State of Florida and rules of the Department. It is agreed that the undersigned will provide the
 applicant with a set of instructions for proper maintenance and operation of the facility.

<u>Roger Dale Polston</u>	PO Box 588
Signature	Mailing Address
Roger Dale Polston, Pres.	Sebring, Fl. 33871-0588
Name and Title	City, State, Zip
33222	863-385-5564
Florida Registration Number	Telephone number

(please affix seal)

10/19/06
 Date

Revised Permit Florida Tire Terminal

PERMIT WITH GENERAL CONDITIONS

Bill:
Florida Tire Terminal
Permit Final
Draft
for your
Review
Thanks
ghms

NOTE: Be sure to change "GENERAL" CONDITION CONDITIONS on header, as needed. Type on l

Saved as: WASTECOMMON/SOLIDWASTE/FORMS/
PERMIT-PermitWithGeneralConditions

PERMITTEE:

Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No.0245850-001-
WT/02
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
County: Highlands
Latitude: 27° 35' 31"
Longitude: 81° 30' 18"
Section/Township/Range: 22/33S/28E
Project: Florida Tire Terminal

This Permit is issued pursuant to Sections 403.061, 403.087 and 403.707, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-711. 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:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Permit is subject to the following fifteen (15) General and fourteen (14) Specific Conditions. An approved copy of the application package is enclosed for your records.

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTE MANAGEMENT PERMIT DATA ENTRY FORM**

This form must be completed and returned to the Data Processing Team within three (3) business days from the date the check was received, listed below.

PA SITE # <u>0245850</u>	PROGRAM AREA (Please Circle One) SW HW SB <u>WT</u>	LOG # <u>435</u>
PROJECT # <u>001</u>	PROCESSOR <u>Minha</u>	
APPLICATION # <u>28-0245850-001-WT02</u>	SUSPENSE DATE <u>3/9/05</u>	
COUNTY <u>28</u>	DATE RECEIVED <u>3/14/05</u>	

SITE INFORMATION

SITE NAME <u>FLORIDA TIRE TERMINAL</u>	NEW PA NUMBER? <u>YES</u> NO
PROJECT NAME <u>FLORIDA TIRE TERMINAL</u>	NEW PROJECT NAME? <u>YES</u> NO

CASH RECEIVING INFORMATION

Check # <u>07272</u>	Amount <u>1,250.00</u>	Date Received <u>3/14/05</u>
Check # _____	Amount _____	Date Received _____
SysReceipt # <u>491154</u>	SysPayment # <u>668822</u>	
SysApplication/Pa # <u>0245850-001-WT/02</u>	CRA # <u>210164</u>	

CODE INFORMATION

FEE INFORMATION

OVERRIDE

Type <u>WT</u>	Correct Fee <u>\$1,250</u>	OVERRIDE? YES <u>NO</u>
Subtype <u>02</u>	Fee Received <u>\$1,250</u>	Reason For Override _____
General Permit <u>_____</u>	To Be Refunded <u>0</u>	

PROJECT INFORMATION

Project Name <u>FLORIDA TIRE TERMINAL</u>	City <u>Avon Park</u>
Project Description <u>WASTE TIRE PROCESSING FACILITY</u>	
Project Location <u>400 Fernin St</u>	Longitude <u>81.505</u>
State & Zip Code <u>FL 33826</u>	Latitude <u>27.592</u>
Applicant Name <u>ROBERT A. REISIG</u>	Title <u>MANAGER</u>
Company Name <u>BECK TIRE SVC DBA FL TIRE TERMINAL</u>	
Mailing Address <u>400 Fernin St, Avon Park, FL 33826</u>	<u>PO BOX 1733, Avon Park, FL 33825</u>
Phone # <u>863-452-5788</u>	Fax _____ E-mail _____
Engineer Name <u>Roger Dale Polston</u>	Title <u>President</u>
Company Name <u>Polston Engineering, Inc.</u>	
Mailing Address <u>P O Box 588</u>	<u>Sebring, FL 33871</u>
Phone # <u>863-385-5564</u>	Fax <u>863-452-6293</u> E-mail <u>_____</u>

PROCESSING FLOW

**RECEIVED DATE
(Please Initial & Date)**

**COMPLETION DATE
(Please Initial & Date)**

Mailroom Processor (Stamping, Suspense Dating & Sorting)	<u>C.T.H. 3/14/05</u>	<u>C.T.H. 3/14/05</u>
Administrative Secretary (Mail Pickup)		
Permit Processor (Fee Verification & Coding)	<u>Jm 3/14/05</u>	<u>Jm 3/14/05</u>
Data Processing Team (Project Creation/Money Linking)	<u>YF 3/8/05</u>	<u>YF 3/8/05</u>
Permit Processor (Process Permit)	<u>Jm 3/8/05</u>	

COMMENTS: _____

March 07, 2005

Florida Tire Terminal Account Payable
P.O. Box 1733
400 Feagin Avenue
Avon Park Fl 33826

Dear Sir or Madam:

RE: Receipt Number 491154

Your remittance, check number 07272 in the amount of \$1,250.00, was received by the Department of Environmental Protection on March 04, 2005. Any future inquiries regarding this payment should reference the above receipt number.

Sincerely,

Yvonne Figueroa, Administration
Department of Environmental Protection

yf



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

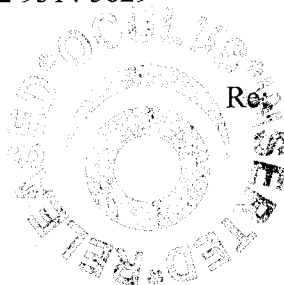
Michael W. Sole
Secretary

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PERMIT

CERTIFIED MAIL NO. 7005 3110 0002 9314 3829
RETURN RECEIPT REQUESTED

FILE

In the matter of an
Application for Permit by:
Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826



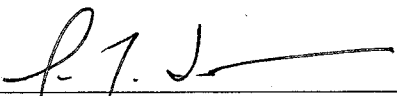
Re: Highlands County – SW
Florida Tire Terminal
DEP File No. 0245850-001-WT/02
WACS ID No. 00094452

Enclosed is Permit No.0245850-001-WT/02 to operate an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida. The permit is issued under Sections 403.061, 403.087 and 403.707 of the Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-711.

Any party to this order (permit) has the right to seek judicial review of the permit under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under Rule 9.110 of the 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 after this notice is filed with the Clerk of the Department.

Executed in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
Director of
District Management

Continued...

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency Clerk hereby certifies that this
NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on
August 31, 2007, to the listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52(7), Florida Statutes, with the designated
Department Clerk, receipt of which is hereby acknowledged.

Gwenn Edwards
(Clerk)

August 31, 2007
(Date)

Enclosure
JMI/GAM/MR/se

Copies furnished to:

The Honorable Sharon Schuler, Mayor, City of Avon Park
(Certified Mail No. 7005 3110 0002 9314 3805:)
Terry Feickert, Chief, Avon Park Fire Department
(Certified Mail No. 7005 3110 0002 9314 3812)
Roger Dale Polston, P.E., Polston Engineering, Inc.
Richard Tedder, DEP (via e-mail)
Chris McGuire, OGC DEP (via e-mail)
Jack Chisholm, OGC DEP (via e-mail)
Tor Bejnar, DEP Tallahassee (via e-mail)
Jack D. Myers, DEP
Bill Krumbholz, DEP



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452

Permit/Certification No. 0245850-001-WT/02

Date of Issue: August 31, 2007

Expiration Date: August 31, 2012

County: Highlands

Latitude: 27° 35' 31"

Longitude: 81° 30' 18"

Section/Township/Range: 22/33S/28E

Project: Florida Tire Terminal

This Permit is issued pursuant to Sections 403.061, 403.087 and 403.707, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-711. 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:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Permit is subject to the following fifteen (15) General and twelve (12) Specific Conditions. An approved copy of the application package is enclosed for your records.

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.

PERMITTEE:
Beck's Tire Service, Inc.

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
Project: Florida Tire Terminal

GENERAL CONDITIONS:

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 the Permit.
4. This Permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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 any order from the Department.
6. 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, as 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 credential 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 the 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.

PERMITTEE:
Beck's Tire Service, Inc.

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
Project: Florida Tire Terminal

GENERAL CONDITIONS:

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 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., 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 Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The Permittee shall be liable for any noncompliance 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:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)

PERMITTEE:
Beck's Tire Service, Inc.

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
Project: Florida Tire Terminal

GENERAL CONDITIONS:

- (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) 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 this Permit, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit.
 - (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 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.

SPECIFIC CONDITIONS:

- 1. Florida Tire Terminal (the Facility) is permitted to receive used tires for repairing and selling or transferring to a permitted facility for processing/disposal in accordance with all applicable requirements of Florida administrative Code (F.A.C.) Rule 62-711.

PERMITTEE:
Beck's Tire Service, Inc.

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
Project: Florida Tire Terminal

SPECIFIC CONDITIONS:

2. Appropriate signs indicating name of the Facility, operating agent and other pertinent information shall be posted at the entrance to the site. A sign indicating that the Facility accepts only used tires and not other solid or hazardous waste shall also be posted at the facility entrance.
3. The site of operations shall be easily accessible by trucks and cars, with all-weather access roads maintained in a clean condition.
4. The Permittee shall strictly abide by the indoor and outdoor storage capacities furnished in the application for permit and to the quantity for which the financial responsibility is submitted. For storage of larger quantity of used tires (by weight, volume or number), the Permittee shall demonstrate the indoor and outdoor capacities for storage available on the site and furnish the corresponding financial responsibility. However, the number of used tires stored shall not exceed 15,000 in accordance with the Approval of Alternate Procedures (Case SWAP-04-02).
5. At least seventy-five (75) percent of the used tires and waste tires that are delivered to or are stored by the facility at the beginning of each calendar year must be removed for proper use, recycling or disposal from the facility during the year.
6. All used tires shall be stored in a manner that does not create mosquito or rat harborage. Records documenting the type and quantity of insecticides and rodenticides (approved by the Department of Agriculture and Consumer Services) used to control vectors shall be kept on-site, and shall be made available to Department personnel upon request.
7. Tires shall not be processed on-site in a manner rendering them to be no longer whole.
8. The Permittee shall comply with the fire control requirements of the City of Avon Park Fire Department, which among other things includes compliance with the National Fire Protection Association (NFPA) Standard 2312D, Standard for Storage of Rubber Tires.

A fire survey shall be conducted semi-annually by the local fire authority showing that the Facility does not represent a fire hazard to the local community. Results of the survey shall be submitted to the Department in January and July of each year, beginning on January 15, 2008.
9. The operator shall keep a copy of the Emergency Preparedness Manual at the site at all times.

PERMITTEE:
Beck's Tire Service, Inc.

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
Project: Florida Tire Terminal

SPECIFIC CONDITIONS:

10. Stormwater and surface water runoff shall be managed as indicated in the construction/operation Permit application package approved by the Department.
11. **The Permittee shall submit a recalculated closure cost estimate certified by a Professional Engineer by December 24, 2007, and the corresponding financial assurance instrument pursuant to F.A.C. Rule 62-711.500(3) and every year thereafter, at least sixty (60) days prior to the anniversary date of the last financial instrument.** The recalculated closure cost estimate shall be submitted to the District office in Fort Myers and the corresponding financial assurance instrument to Solid Waste Financial Coordinator, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 4565, Tallahassee, Florida 32399-2400.
12. The Permittee shall notify the Department and Highlands County of the anticipated date of the Facility's closure and submit an updated closure plan to the Department at least ninety (90) days prior to the date when used tires will no longer be accepted.

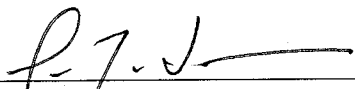
This Permit is issued for **five (5) years** and **will expire on August 31, 2012**. If a renewal of this Permit is desired, the Permittee shall apply on forms and in a manner prescribed by the Department, along with the appropriate fee, **sixty (60) days** before the expiration of the Permit.

These conditions do not exempt the Permittee from complying with requirements of other federal, state, municipal, county or regional pollution control rules, regulations, ordinances or codes.

Should you need further information regarding the above, please call Ghous Minhaj, Solid Waste Permitting Engineer, at (239) 332-6975, extension 185.

Note: In the event of an emergency, the Permittee shall contact the Department by calling (850) 413-9911 or toll free at (800) 320-0519. During normal business hours, the Permittee shall call (239) 332-6975.

Sincerely,



Jon M. Iglehart
Director of District Management

JMI/GAM/MHR/se

Minhaj, Ghousuddin

From: Crandall, Lea
Sent: Monday, August 27, 2007 1:08 PM
To: Minhaj, Ghousuddin
Subject: RE: Florida Tire Terminal, Application No. 0245850-001-WT/02, Notice of Intent to Issue Permit

Good Afternoon,

Nothing has been filed.

Thanks,
Lea

Lea Crandall

Agency Clerk
Department of Environmental Protection
3900 Commonwealth Boulevard, MS 35
Tallahassee, FL 32399-3000
Phone: (850) 245-2212 SC: 205-2212
Fax: (850) 245-2303

-----Original Message-----

From: Minhaj, Ghousuddin
Sent: Monday, August 27, 2007 1:00 PM
To: Crandall, Lea
Cc: Chisolm, Jack; McGuire, Chris; Barbaccia, Phil
Subject: Florida Tire Terminal, Application No. 0245850-001-WT/02, Notice of Intent to Issue Permit
Importance: High

Lea:

Please inform the District if you received any petition against the referenced Intent to Issue Permit. The Notice was published on August 8, 2007. Thanks.

Ghous

THE NEWS-SUN

2227 U.S. 27 SOUTH
Published three (3) times weekly
SEBRING, HIGHLANDS COUNTY, FLORIDA

STATE OF FLORIDA, COUNTY OF HIGHLANDS:

Before the undersigned authority personally appeared
Romona Washington, who on oath says that she is
Executive Editor of the News-Sun, a tri-weekly newspaper
Published at Sebring, in Highlands County, Florida; that the attached
copy of advertisement, being a Proof of Publication in the
matter of:

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT APPLICATION NO. 0245850-001-WT/02

Was published in said newspaper in the issue(s) of

AUGUST 8, 2007

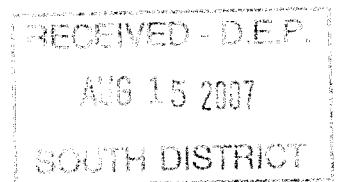
Affiant further says the News-Sun is a newspaper published
at Sebring, in Highlands County, Florida, and that the said
newspaper has heretofore been continuously published in said
County, Florida, Wednesday, Friday and/or Sunday and has
been entered as a second class mail matter at the post office
Sebring, in said county, Florida, for a period of one year next
preceding the first publication of the attached copy of advertise-
ment; and affiant further says that she has neither paid nor pro-
mised any person, firm or corporation any discount, rebate,
commission or refund of the purchase of securing this adver-
tisement of publication in the said newspaper.


Romona Washington, Executive Editor

Swore to and subscribed before me

On this 10th day of August
A.D. 2007


Notary Public, State of Florida



Anne Jackson
My Commission DD304257
Expires May 03, 2008

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives Notice of its Intent to grant a Construction/Operation Permit (No. 0245850-001-WT/02) for an existing facility, as detailed in the application (No. 0245850-001-WT/02) to the applicant, Beck's Tire Service, Inc. d/b/a Florida Tire Terminal c/o Robert Reisig, Manager, P.O. Box 1733, Avon Park, Florida 33826.

The Permit, when issued, will allow the Permittee to construct/operate:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Department's file on this matter 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 Florida Department of Environmental Protection, South District, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida.

The Department will issue the permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57 of the Florida Statutes, or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing, if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 102.60(3) of the Florida Statutes must be filed within fourteen (14) days of publication of this notice or receipt of the written notice, whichever occurs first. The 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 (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 of the 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 shall be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

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 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 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. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing). The agreement must contain all the information required by Rule 28-106.404 F.A.C. The agreement must be received by the Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail station 35, Tallahassee, Florida 32399-3000, within ten (10) days after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing, if mediation does not result in a settlement.

The agreement to mediate must include the following:

- (a) the names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) the name, address, and telephone number of the mediator selected by the parties, or a provision of selecting a mediation within a specified time;
- (c) the agreed allocation of the costs and fees associated with the mediation;
- (d) the agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) the date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) the name of each party's representative who shall have authority to settle or recommend settlement;
- (g) either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this action or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference; and
- (h) the signatures of all parties or their authorized representatives.

As provided in Section 120.573 of the Florida Statutes (F.S.), the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty (60) days of receipt of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. 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, or they shall be deemed to have waived their right to a proceeding under Sections 120.569 and 120.57 F.S. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. are resumed.

August 8, 2007

RECEIVED - D.E.P.
AUG 15 2007
SOUTH DISTRICT



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL NO. 7005 2570 0001 3276 3929
RETURN RECEIPT REQUESTED

FILE

In the Matter of an
Application for Permit by:

Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

Re: Highlands County - WT
Florida Tire Terminal
DEP File No. 0245850-001-WT/02
WACS ID No. 00094452

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a Permit (No. 0245850-001-WT/02, Draft enclosed) for the proposed project as detailed in the application specified above, for the reasons stated below:

The applicant, Beck's Tire Service, Inc. d/b/a Florida Tire Terminal, c/o Robert A. Reisig, Manager, P.O. Box 1733, Avon Park, Florida 33826 applied on March 4, 2005 to the Department of Environmental Protection for a Permit to construct/operate:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Department has permitting jurisdiction under Sections 403.061, 403.087 and 403.707 Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-711. The project is not exempt from permitting procedures. The Department has determined that an Operation 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 project will comply with appropriate provisions of Florida Administrative Code (F.A.C.) Rules 62-4, 62-25, 62-302, 62-701 and 62-711, as long as the conditions of the Permit are adhered to.

"More Protection, Less Process"
www.dep.state.fl.us

(94452)

NOTICE OF RIGHTS

Pursuant to Section 403.815, Florida Statutes (F.S.), you are required to publish at your own expense the enclosed Notice of Proposed Agency Action. The notice shall be published one time only within **thirty (30) days** in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.001 and 40.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. You must provide proof of publication to the Department by mail at P.O. Box 2549, Fort Myers, Florida 33902-2549, or by delivery to 2295 Victoria Avenue, Suite 364, Fort Myers, Florida, as soon as practical after publication.

The Department will issue the Permit (No. 0245850-001-WT/02, Draft enclosed), 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. Persons who have filed such a petition may seek to mediate the dispute, and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

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, F.S. 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 written notice. Petitions filed by other persons must be filed within **fourteen (14) days** of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.A.C., however, any person who asked the Department for notice of agency action may file

a petition within **fourteen (14) days** of receipt of such notice, regardless of the date of publication. The 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 (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 28-106.205, 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 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 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. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing). The agreement must contain all the information required by Rule 28-106.404, F.A.C. The agreement must be received by the clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within **ten (10) days** after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing, if mediation does of result in a settlement.

The agreement to mediate must include the following:

- (a) the names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) the name, address, and telephone number of the mediator selected by the parties, or a provision of selecting a mediator within a specified time;
- (c) the agreed allocation of the costs and fees associated with the mediation;
- (d) the agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) the date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) the name of each party's representative who shall have authority to settle or recommend settlement;
- (g) either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this action or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference; and
- (h) the signatures of all parties or their authorized representatives.

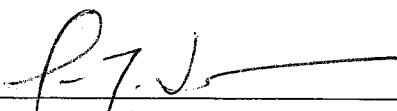
As provided in Section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise

agreed by the parties, the mediation must be concluded within **sixty (60) days** of receipt of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. 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. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. are resumed.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a Notice of Appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriated district court of appeal. The Notice of Appeal must be filed within **thirty (30) days** after this order is filed with the Clerk of the Department.

Executed in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
Director of
District Management

Continued...

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE, along with the NOTICE OF RIGHTS and all copies were mailed before the close of business on July 17, 2007, to the listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

July 17, 2007
DATE

Enclosure
JMI/GAM/MR/se

Copies furnished to:

The Honorable Sharon Schuler, Mayor, City of Avon Park
(Certified Mail: 7005 3110 0002 9314 3997)
Terry Feickert, Chief, Avon Park Fire Department
(Certified Mail: 7005 3110 0002 9314 3980)
Roger Dale Polston, P.E., Polston Engineering, Inc.
Richard Tedder, DEP (via e-mail)
Chris McGuire, OGC DEP (via e-mail)
Jack Chisholm, OGC DEP (via e-mail)
Tor Bejnar, DEP Tallahassee (via e-mail)
Jack D. Myers, DEP
Bill Krumbholz, DEP

**PUBLIC NOTICE OF INTENT TO ISSUE PERMIT
TO BE PUBLISHED IN A NEWSPAPER**

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT**

The Department of Environmental Protection gives Notice of its Intent to grant a Construction/Operation Permit (No. 0245850-001-WT/02) for an existing facility, as detailed in the application (No. 0245850-001-WT/02) to the applicant, Beck's Tire Service, Inc. d/b/a/ Florida Tire Terminal c/o Robert Reisig, Manager, P.O. Box 1733, Avon Park, Florida 33826.

The Permit, when issued, will allow the Permittee to construct/operate:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Department's file on this matter 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 Florida Department of Environmental Protection, South District, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida.

The Department will issue the permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57 of the Florida Statutes, or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing, if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for pursuing mediation.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35,

Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within **fourteen (14) days** of publication of this notice or receipt of the written notice, whichever occurs first. The 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 (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 of the 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 28-106.205 of the Florida Administrative Code.

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 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 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. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to requesting an administrative hearing, any petitioner may elect to pursue mediation. The election may be accomplished by filing with the Department a mediation agreement with all parties to the proceeding (i.e., the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing). The agreement must contain all the information required by Rule 28-106.404 F.A.C. The agreement must be received by the clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within **ten (10) days** after the deadline for filing a petition, as set forth above. Choosing mediation will not adversely affect the right to a hearing, if mediation does not result in a settlement.

The agreement to mediate must include the following:

- (a) the names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) the name, address, and telephone number of the mediator selected by the parties, or a provision of selecting a mediator within a specified time;
- (c) the agreed allocation of the costs and fees associated with the mediation;
- (d) the agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) the date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) the name of each party's representative who shall have authority to settle or recommend settlement;
- (g) either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this action or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference; and
- (h) the signatures of all parties or their authorized representatives.

As provided in Section 120.573 of the Florida Statutes (F.S.), the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within **sixty (60) days** of receipt of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. 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, or they shall be deemed to have waived their right to a proceeding under Sections 120.569 and 120.57 F.S. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. are resumed.



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE:

Beck's Tire Service, Inc.
Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No. 0245850-001-WT/02
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
County: Highlands
Latitude: 27° 35' 31"
Longitude: 81° 30' 18"
Section/Township/Range: 22/33S/28E
Project: Florida Tire Terminal

DRAFT

This Permit is issued pursuant to Sections 403.061, 403.087 and 403.707, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4 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:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Permit is subject to the following fifteen (15) General and fifteen (15) Specific Conditions. An approved copy of the application package is enclosed for your records.

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, 403.727, 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.

PERMITTEE:
Beck's Tire Service, Inc.
Robert A. Reisig, Manager
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
Project: Florida Tire Terminal

GENERAL 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 the Permit.
4. This Permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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 any order from the Department.
6. 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, as 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 credential 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:

PERMITTEE:
Beck's Tire Service, Inc.
Robert A. Reisig, Manager
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
Project: Florida Tire Terminal

GENERAL CONDITIONS:

- (a) Have access to and copy any records that must be kept under the 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 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

PERMITTEE:
Beck's Tire Service, Inc.
Robert A. Reisig, Manager
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
Project: Florida Tire Terminal

GENERAL CONDITIONS:

11. This Permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C, as applicable. The Permittee shall be liable for any noncompliance 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:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) 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 this Permit, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit.
 - (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.

PERMITTEE:
Beck's Tire Service, Inc.
Robert A. Reisig, Manager
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
Project: Florida Tire Terminal

GENERAL CONDITIONS:

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.

SPECIFIC CONDITIONS:

1. Florida Tire Terminal (the Facility) is permitted to receive used tires for repairing and selling or transferring to a permitted facility for processing/disposal in accordance with all applicable requirements of Florida administrative Code (F.A.C.) Rule 62-711.
2. Appropriate signs indicating name of the Facility, operating agent and other pertinent information shall be posted at the entrance to the site. A sign indicating that the Facility accepts only used tires and not other solid or hazardous waste shall also be posted at the facility entrance.
3. The site of operations shall be easily accessible by trucks and cars, with all-weather access roads maintained in a clean condition.
4. A trained supervisor or foreman shall be responsible for operating and maintaining the Facility in an orderly and safe manner. Sufficient personnel shall be employed to adequately operate the facility in compliance with this Permit. An attendant shall be present on the site when the facility receives used tires from independent haulers.
5. The Permittee shall strictly abide by the indoor and outdoor storage capacities furnished in the application for permit and to the quantity for which the financial responsibility is submitted. For storage of larger quantity of used tires (by weight, volume or number) the Permittee shall demonstrate the indoor and outdoor capacities for storage available on the site and furnish the corresponding financial responsibility. However, the number of used tires stored shall not exceed 15,000 in accordance with the Approval of Alternate Procedures (Case SWAP-04-02).
6. At least seventy-five (75) percent of the used tires and waste tires that are delivered to or are stored by the facility at the beginning of each calendar year must be removed for proper use, recycling or disposal from the facility during the year.

PERMITTEE:
Beck's Tire Service, Inc.
Robert A. Reisig, Manager
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
Project: Florida Tire Terminal

SPECIFIC CONDITIONS:

7. All used tires shall be stored in a manner that does not create mosquito or rat harborage. Records documenting the type and quantity of insecticides and rodenticides (approved by the Department of Agriculture and Consumer Services) used to control vectors shall be kept on-site, and shall be made available to Department personnel upon request.
8. Tires shall not be processed on-site in a manner rendering them to be no longer whole.
9. The Permittee shall comply with the fire control requirements of the City of Avon Park Fire Department, which among other things includes compliance with the National Fire Protection Association (NFPA) Standard 2312D, Standard for Storage of Rubber Tires.

A fire survey shall be conducted semi-annually by the local fire authority showing that the Facility does not represent a fire hazard to the local community. Results of the survey shall be submitted to the Department in January and July of each year, beginning on January 15, 2008.

10. The operator shall keep a copy of the Emergency Preparedness Manual at the site at all times.
11. Stormwater and surface water runoff shall be managed as indicated in the construction/operation Permit application package approved by the Department.
12. The Permittee shall submit a recalculated closure cost estimate by December 24, 2007, and the corresponding financial assurance instrument pursuant to F.A.C. Rule 62-711.500(3) and every year thereafter, at least sixty (60) days prior to the anniversary date of the last financial instrument. The recalculated closure cost estimate shall be submitted to the District office in Fort Myers and the corresponding financial assurance instrument to Solid Waste Financial Coordinator, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 4565, Tallahassee, Florida 32399-2400.
13. In the event the Permittee is temporarily unable to comply with any of the conditions of this Permit, he/she shall notify the DEP District office immediately. Notification

PERMITTEE:
Beck's Tire Service, Inc.
Robert A. Reisig, Manager
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No 0245850-001-WT/02.
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
Project: Florida Tire Terminal

SPECIFIC CONDITIONS:

shall include pertinent information as to cause of the problem and what corrective measures are being taken to prevent its reoccurrence.

14. The Permittee shall notify the Department and Highlands County of the anticipated date of the Facility's closure and submit an updated closure plan to the Department at least ninety (90) days prior to the date when used tires will no longer be accepted.

This Permit is issued for **five (5) years** and **will expire on Draft**. If a renewal of this Permit is desired, the Permittee shall apply on forms and in a manner prescribed by the Department, along with the appropriate fee, **sixty (60) days** before the expiration of the Permit.

These conditions do not exempt the Permittee from complying with requirements of other federal, state, municipal, county or regional pollution control rules, regulations, ordinances or codes.

Should you need further information regarding the above, please call Ghous Minhaj, Solid Waste Permitting Engineer, at (239) 332-6975, extension 185.

Note: In the event of an emergency, the Permittee shall contact the Department by calling (850) 413-9911 or toll free at (800) 320-0519. During normal business hours, the Permittee shall call (239) 332-6975.

Sincerely,

Jon M. Iglehart
Director of District Management

JMI/GAM/MHR

Reinhart / Beck's Tire Florida Tire Terminal Draft Per

DRAFT PERMIT WITH

ONS

NOTE: Be sure
C

CTIONS to "SPECIFIC"
on letterhead Stationery.

Saved as:

PERMITTEE:

Beck's Tire Service, Inc.
Robert A. Reisig, Manage
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

OK 7/12/07
0245850-001-WT/02
RAFT
ate: DRAFT
Highlands
Latitude: 27° 35' 31"
Longitude: 81° 30' 18"
Section/Township/Range: 22/33S/28E
Project: Florida Tire Terminal

This Permit is issued pursuant to Sections 403.061, 403.087 and 403.707, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4 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 operate an existing used tire dealer business as a Waste Tire Processing Facility (based on quantity of storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park, Highland's County, Florida.

The Permit is for the Department regulated waste tires (removed from vehicles which are operated on public roads) and is subject to the following fifteen (15) General and sixteen (16) Specific Conditions.

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, 403.727, 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.

Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Wednesday, July 11, 2007 1:32 PM
To: ZilkoMiller, Teresa
Cc: Barbaccia, Phil; Minhaj, Ghousuddin
Subject: FW: Suggested Specific Conditions for Florida Tire Terminal

Teresa,

This is an example of proposed specific conditions which should make compliance/ enforcement at this facility easier in the future. We need the input of the person most familiar with a facility.... and from now on that will normally be you.

-----Original Message-----

From: Krumbholz, Bill
Sent: Wednesday, July 11, 2007 10:35 AM
To: Minhaj, Ghousuddin
Cc: Reinhart, Mel; Barbaccia, Phil
Subject: Suggested Specific Conditions for Florida Tire Terminal

Ghous,

The following additional conditions are proposed .

- 1) - A fire safety survey shall be conducted semi-annually by the local fire authority showing that the facility does not represent a fire hazard to the local community. Results of the survey shall be submitted to the Department in January and July of each year, beginning on January 15, 2008.
- 2) - All waste tires shall be stored in a manner which does not create mosquito or rat haborage. Records documenting the type and quantity of insecticides and rodenticides (approved by the Department of Agriculture and Consumer Services) used to control vectors shall be kept on-site, and shall be made available to Department personnel upon request.
- 3) - Tires shall not be processed on-site in a manner rendering them to be no longer whole.

Reinhart / Beck's Tire Florida Tire Terminal Draft

DRAFT PERMIT WITH CONDITIONS

NOTE:

Be sure
to

CTIONS to "SPECIFIC"

on letterhead Stationery.

Saved as:

*Bill:
Re: Florida Tire Terminal
Draft Permit for your
review. Your suggested
Sp. conditions have been
incorporated at
Sp. Cond. 8, 9 & 10
Thanks.*

PERMITTEE:

Beck's Tire Service, Inc.
Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

J. 0245850-001-WT/02

DRAFT
Date: **DRAFT**

J. Highlands
Latitude: 27° 35' 31"
Longitude: 81° 30' 18"
Section/Township/Range: 22/33S/28E
Project: Florida Tire Terminal

This Permit is issued pursuant to Sections 403.061, 403.087 and 403.707, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4 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 operate an existing used tire dealer business as a Waste Tire Processing Facility (based on quantity of storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park, Highland's County, Florida.

The Permit is for the Department regulated waste tires (removed from vehicles which are operated on public roads) and is subject to the following fifteen (15) General and sixteen (16) Specific Conditions.

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, 403.727, 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.

CERTIFICATION

APPLICATION NO. CD45850-001-WT/02

PROJECT: Florida Tire Terminal

I HEREBY CERTIFY that the engineering features described in the above-referenced application provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapter 62. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, and geological features).

Ghousuddin Ahmed Minhaj, P.E.

Certificate No. 20415

Department of Environmental Protection
South District Office


(Signature)

July 12, 2007
(Date)

(Seal)



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road MS 4565
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary - Designee

July 6, 2007

*letter
entered into
OCULUS.*

Mr. Robert Reisig
Manager
Beck's Tire Service, Inc.
PO Box 1733
Avon Park, Florida 33826

Re: WACS 94452 - Florida Tire Terminal

Dear Mr. Reisig:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is in order. Hartland National Bank letter of credit number 360040270, effective February 15, 2007, is in the amount of the Department approved closing cost estimate of \$30,273. In addition, Salem Trust Company standby trust fund agreement, entered into as of May 7, 2007, is acceptable. Therefore, Florida Tire Terminal is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-711, Florida Administrative Code, at this time.

If you have any questions, please contact me at (850) 245-8743.

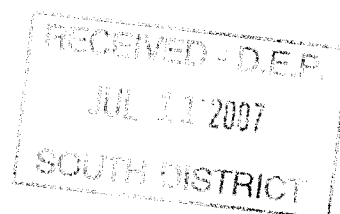
Sincerely,

Tor J.M. Bejnar

Tor J.M. Bejnar
Environmental Specialist
Solid Waste Section

TB

cc: Fred Wick, DEP/TLH
Ghous Minhaj, DEP/FTM



"More Protection, Less Process"

[HTTP://WWW.DEP.STATE.FL.US/WASTE/CATEGORIES/SWFR](http://www.dep.state.fl.us/waste/categories/swfr)
Printed on Recycled Paper

Minhaj, Ghousuddin

From: Bejnar, Tor
Sent: Friday, July 06, 2007 10:55 AM
To: Minhaj, Ghousuddin
Subject: Waste Tire Rule

Ghous,

The financial assurance portion of the Tire Rule is available at
http://www.dep.state.fl.us/waste/quick_topics/publications/shw/swfr/62-711.500.pdf

You may consider the following, if you want:

Possible suggested permit special conditions (not reviewed or approved)

The permittee shall maintain compliance with Rule 62-711.500(3), F.A.C. The permittee shall provide closing cost estimates based on the quantity of waste tires on their site or the quantity of waste tires that they are permitted to have on their site, whichever is greater. The cost estimate shall be the amount that would be expended to remove, process, and dispose of waste tires on the site and to close the site. The costs shall be based on a third party, who is not a subsidiary or parent company, performing the work, reported on a per unit basis. Quantity estimates shall be certified by a Professional Engineer. The closing cost estimate shall be re-estimated at least annually and submitted to the Department at least 60 days prior to the anniversary date of the instrument. At the time of permit issuance [or "As of [DATE]"], the instrument anniversary is [Month & Day]. Cost estimate submittals shall be sent to the _____ District Office (address below) with a copy to the Solid Waste Financial Coordinator (address below). All submittals in response to this specific condition of original signature financial assurance documents shall be submitted to the Solid Waste Financial Coordinator (address below).

Please contact me if you have any questions.

Tor Bejnar
Environmental Specialist
direct line: (850) 245-8743

Send correspondence to:
Solid Waste Financial Coordinator
Florida Dept. of Environmental Protection
2600 Blair Stone Road MS 4565
Tallahassee, FL 32399-2400
office fax (850) 245-8811

www.dep.state.fl.us/waste/categories/swfr (updated 4/07)

Please note: Florida has a very broad public records law. Most written communications to or from state officials are public records and may be made available to the public or media upon request. This e-mail communication, your reply, and future e-mails to my attention may therefore be subject to public disclosure.

7/6/2007

62-711.500 Waste Tire Site Notification and Requirements.

(1) The owner or operator of any waste tire site shall provide the Department with information concerning the site's size, location, and the quantity of waste tires accumulated at the site. Form 62-701.900(20) shall be used for such information, and shall include the following:

- (a) Name of owner and operator;
- (b) Mailing address of owner and operator, including the telephone number and county;
- (c) Location, including the street address, township, range and section, latitude and longitude;
- (d) Property size and the dimensions of the waste tire pile; and
- (e) Quantity of waste tires accumulated at the site.

(2) Owners or operators of waste tire sites shall meet the storage standards of Rule 62-711.540, F.A.C.

(3) Owners or operators of waste tire sites shall provide closing cost estimates for the quantity of waste tires on their site or the quantity of waste tires that they are permitted to have on their site, whichever is greater. The cost estimate shall be the amount that would be expended to remove, process, and dispose of waste tires on the site and to close the site. The costs shall be based on a third party, who is not a subsidiary or parent company, performing the work, reported on a per unit basis. Quantity estimates shall be certified by a Professional Engineer. The cost estimate shall be re-estimated at least annually and submitted to the Department at least 60 days prior to the anniversary date of the instrument.

(a) Owners or operators of waste tire sites shall provide the Department with proof of financial assurance issued in favor of the State of Florida in the amount of the closing cost estimate for the facility. This proof, along with the closing cost estimate, shall be submitted to the Department as part of the permit application for the facility. Proof of financial assurance shall consist of one or more of the following financial instruments: surety bonds, including performance bonds or financial guarantee bonds; irrevocable letters of credit; insurance; and trust funds. Financial documents shall be submitted on forms provided by the Department in accordance with the requirements of paragraphs (c) and (d) of this subsection.

(b) Landfills which meet the financial assurance requirements of Rule 62-701.630, F.A.C., or which are operating under a consent order that specifies how financial assurance shall be provided are not required to submit separate closing cost estimates or financial assurance documents under this rule.

(c) 40 CFR Part 264 Subpart H, which contains the United States Environmental Protection Agency (EPA) rules on financial requirements for owners and operators of hazardous waste facilities, is adopted as the financial requirements for purposes of this Rule and is incorporated by reference as it appears in 40 CFR 264, revised as of July 1, 1988, except:

1. The following sections of 40 CFR 264 Subpart H are specifically not adopted as part of this rule:

a. 264.140(a); 264.140(b); 264.141; 264.142; 264.143(f); 264.143(h); 264.144; 264.145; 264.146; 264.147; 264.149; 264.150; and 264.151.

b. All references to 40 CFR Part 265.

c. All references to 40 CFR Part 264 not contained in Subpart H.

d. All references to EPA Regions.

e. All references to RCRA, or Section 3008 of RCRA.

f. All references to Post-closure Care and Post-closure Cost Estimate.

2. References in 40 CFR 264 Subpart H to EPA shall mean the State of Florida Department of Environmental Protection; to Regional Administrator shall mean the Secretary of the Department; to RCRA permits shall mean waste tire processing facility permits; to closure shall mean closing the waste tire site; to EPA identification number shall mean the Department identification number; to hazardous waste shall mean waste tires; and to hazardous waste treatment, storage or disposal facilities shall mean waste tire sites.

(d) Forms 62-701.900(5)(a), (b), (c), (d), (g), and (h), as adopted in Rule 62-701.900, F.A.C., are incorporated by reference herein, and shall be used when submitting proof of financial assurance under this section.

(4) Any person owning or operating a waste tire site under a Consent Order with the Department which is less stringent than this rule shall modify the Consent Order to meet the requirements of this rule. The existence of such a Consent Order, unless modified, is not a defense to any enforcement action the Department may initiate for violations of this rule.

(5) Permitted solid waste management facilities which are not an integral part of a waste tire processing facility may maintain a waste tire site only if the site is used for the storage of waste tires prior to processing. If the facility has executed a bona fide contract with a waste tire processing facility or a mobile tire chopper, cutter, or shredder which assures that all waste tires on the site will be processed every three months, it is presumed that the site is used for storage prior to processing. If all waste tires are not processed every three months, the facility must demonstrate to the Department that the site is used for storage prior to processing rather than disposal.

Specific Authority 403.704, 403.717, FS.

Law Implemented 403.717, FS.

History -- New 2-19-89, Amended 2-28-94, Formerly 17-711.500, Amended 12-17-96, 3-22-00.

Minhaj, Ghousuddin

From: Bejnar, Tor
Sent: Friday, July 06, 2007 8:45 AM
To: Minhaj, Ghousuddin
Cc: Wick, Fred
Subject: WACS 94452 - Florida Tire Terminal

Ghous,

A compliance letter is going out today to Mr. Robert Reisig of Beck's Tire Service, Inc. includes the following:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is in order. Hartland National Bank letter of credit number 360040270, effective February 15, 2007, is in the amount of the Department approved closing cost estimate of \$30,273. In addition, Salem Trust Company standby trust fund agreement, entered into as of May 7, 2007, is acceptable. Therefore, Florida Tire Terminal is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-711, Florida Administrative Code, at this time.

Please contact me if you have any questions.

Tor Bejnar

Environmental Specialist
direct line: (850) 245-8743

Send correspondence to:
Solid Waste Financial Coordinator
Florida Dept. of Environmental Protection
2600 Blair Stone Road MS 4565
Tallahassee, FL 32399-2400
office fax (850) 245-8811

www.dep.state.fl.us/waste/categories/swfr (updated 4/07)

Please note: Florida has a very broad public records law. Most written communications to or from state officials are public records and may be made available to the public or media upon request. This e-mail communication, your reply, and future e-mails to my attention may therefore be subject to public disclosure.

7/6/2007

Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Wednesday, February 14, 2007 7:15 AM
To: 'Robert Reisig'
Cc: Zilko Miller, Teresa; Barbaccia, Phil; Minhaj, Ghousuddin
Subject: RE: Permit activity

Robert,

Thank you for keeping me informed. Bill

-----Original Message-----

From: Robert Reisig [mailto:tirebob@digital.net]
Sent: Tuesday, February 13, 2007 5:03 PM
To: Krumbholz, Bill
Subject: Permit activity

Hello Bill, The final version of the IROC was sent today from my bank to Eugene Beck (Owner) to be signed. I t should be back at the bank this week. I will let you know when it has been returned. I will forward it to Tor for his approval. The Bank is looking at the Stand by trust fund to see if they can duplicate that as well. Thanks, Robert A. Reisig

2/14/2007

**BECK'S TIRE SERVICE
PO BOX 1733
AVON PARK, FL, 33826
863-452-5788**

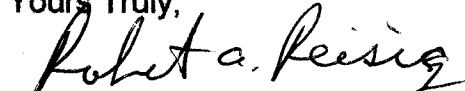
August 15, 2006

To: Florida Department of Environmental Protection
South District
2295 Victoria Avenue, Suite 264
Fort Myers, FL 33901-3881

Dear Mr. Minhaj,

I have enclosed two copies of the DEP Waste Tire Processor Application. I hope you find them complete. I have also enclosed a letter outlining the proposed changes you and I discussed at our meeting on or about 09/28/06. I will be out of the office from 10/23/06 thru 11/01/06. After my return I shall begin the process of securing financial assurance. I thank you for all of your assistance and I look forward to finalizing this application process.

Yours Truly,



Robert A. Reisig
President

RECEIVED - DEP
OCT 28 2006
SOUTH DISTRICT

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788
10/16/06**

To: Mr. Ghaus Minhaj. Florida Department of Environmental Protection.

From: Robert A. Reisig

Subject: Application Changes Needed.

The following is a list of the items that we discussed at our meeting on 09/28/06. I have made the changes as requested

Item # 1- The Application Address should be changed to BECK'S TIRE SERVICE, Avon Park, Fl 33826 in cover sheet.

Item #2- Change the address in the application so as the zip codes correspond with the proper addresses.

Item #3- Change the application to put parenthesis around dba Florida Tire Terminal on page 2.

Item #4- Change the application to add the word manager after the name Robert A. Reisig on page 2.

Item #5- Change the Addendum Table of Contents and the Application Table of Contents to make their line items consistent.

Item #6- Change the application and capitalize BECK'S TIRE SERVICE INC. on page 4 of the application.

Item #7- Change the date on the Table of Contents page 1 to 06/07/06.

Item #8- Provide a cover page for each Attachment and include the Attachment and Attachment Cover Page in the body of the application.

Item #9-Include a cover page for the Facility Operation section.

Item #10-Add page numbers to the Application Narrative.

RECEIVED - D.E.P.
OCT 18 2006
AVON PARK DISTRICT

Department of Environmental Regulation
Routing and Transmittal Slip

To: (Name, Office, Location) *Tor Bejnar*

1. *DEP SW MS 4565*

2. *Tallahassee*

3.

4.

Remarks: *Florida Tire Terminal
Application NO. 0245850-001-WT/02
WACS No. 00094452*

*Approval letter with Closure Cost Estimate,
Application Form, WACS sheet and
Corporate Papers for your file. Thanks*

From *Ghous Minkaj
DEP SD*

Date *10/17/06*

Phone *SC 748-6975x185*

tion

Colleen M. Castille
Secretary

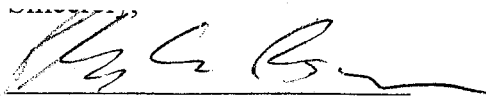
COPY

County - WT
Terminal
o. 0245850-001-WT/02
0094452
Estimate

dated August 31, 2006,
and an approved copy is
on file corresponding to the

Section
565

Minkaj at (239) 332-6975,



Philip A. Barbaccia
Environmental Administrator

Enclosure
PAB/GAM/se

cc: Clinton E. Howerton, Jr., P.E. (w/enclosure)
Tor Bejnar, DEP (w/enclosure)
Bill Krumbholz, DEP

"More Protection, Less Process"

Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on September 1st, 2006

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Greenman Technologies (attached) stating the cost to load and remove all tires is \$131.50/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 3-16-06 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1436 units at 26 lbs/unit=37,336 lbs which is equivalent to 18.67 tons.

Truck Tires- 2581 units at 135 lbs/unit =348,435 lbs which is equivalent to 174.2 tons.

Large Truck Tires- 383 units at 195 lbs/unit=74,685 lbs which is equivalent to 37.34 tons.

The total of waste tires equals 230.21 tons.
The following calculation applies.

230.21 tons of waste tires x \$131.50 = \$30,273.

The 230.21 tons represents 4400 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$30,273 represents the total closing cost using 131.50 as the per ton cost to remove the tires.

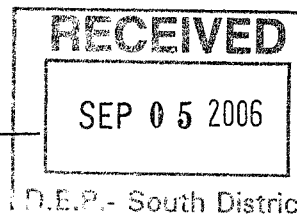
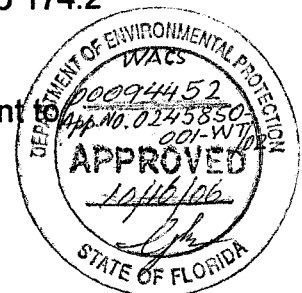
Signature SEE NEXT PAGE Date _____

Eugene Beck Jr.
President
Beck's Tire Service
4950 Stillwell Ave.
Kansas City, MO 64210
816-241-1155

Signature Clinton Howerton Jr Date 8-31-06

Gator Howerton, PE
Polston Engineering
PO Box 588
Sebring, FL 33871-0588
863-385-2462
SEAL-

Clinton E. Howerton, Jr.
P.E. #61021



Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on September 1st, 2006

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Greenman Technologies (attached) stating the cost to load and remove all tires is \$131.50/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 3-16-06 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1436 units at 26 lbs/unit=37,336 lbs which is equivalent to 18.67 tons.

Truck Tires- 2581 units at 135 lbs/unit =348,435 lbs which is equivalent to 174.2 tons.

Large Truck Tires- 383 units at 195 lbs/unit=74,685 lbs which is equivalent to 37.34 tons.

The total of waste tires equals 230.21 tons.
The following calculation applies.

230.21 tons of waste tires x \$131.50 = \$30,273.

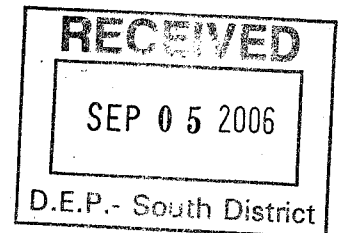
The 230.21 tons represents 4400 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$30,273 represents the total closing cost using 131.50 as the per ton cost to remove the tires.

Signature _____

Date 9-01-06

Eugene Beck Jr.
President
Beck's Tire Service
4850 Stillwell Ave.
Kansas City, MO 64210
816-241-1155



Signature _____

Date _____

Gator Howerton, PE
Polston Engineering
PO Box 588
Sebring, FL 33871-0588
883-385-2462
SEAL-



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. <u>0245850-001- WT/02</u> (Filled in by DEP)

WACS No. 00094452

Waste Tire Processing Facility Permit Application

Permit No. _____

Renewal ☐ Modification ☐ Existing unpermitted facility ☒ Proposed new facility ☐

Part I-General Information:

A. Applicant Information:

1. Applicant Name: BECK'S TIRE SERVICE, INC.
2. Applicant Street Address: 400 Feagin Street
3. City: Avon Park County: Highlands Zip: 33826⁵
4. Applicant Mailing Address: PO Box 1733
5. City: Avon Park County: Highlands Zip: 33826
6. Contact person: Robert A. Reisig Phone: (863) 452-5788 FEID No: 43-0864539
7. Have any enforcement actions been taken by the Department against the applicant relating to the operation of any solid waste management facility in this state? This includes any Complaint, Notice of Violation, or revocation of a permit or registration, as well as any Consent Order in which a violation of Department rules is admitted. It does not include a Warning Letter, Warning Notice, Notice of Noncompliance, or other similar document which does not constitute agency action.
Yes _____ No ☒ If yes, attach a history and description of the enforcement actions.

B. Facility Information:

1. Facility Name: Florida Tire Terminal
2. Facility Street Address (Main Entrance): 400 Feagin Street
3. City: Avon Park County: Highlands Zip: 33825
4. Facility Mailing Address: PO Box 1733
5. City: Avon Park State: Florida Zip: 33825⁶
6. Contact Person: Robert A. Reisig Phone: (863) 452-5788
7. Facility Location Coordinates:
Section: 22 Township: 33 South Range: 28 East
Latitude: 27 35' 31" Longitude: 81 30' 18"
8. Anticipated date for starting construction 10/01/06 and for completion of construction 05/01/07
9. Anticipated date for receipt of tires Currently Active and for start of processing No Processing

SEP 05 2006

D.E.P. - South District

Mail completed form to
appropriate district office listed below

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

Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. 0245358-001-WT/02
(Filled in by DEP)

C. Land Owner Information (if different from applicant):

1. Owner's name: See Application Addendum
2. Land owner's mailing address: See Application Addendum
3. City: See Application Addendum State: See Application Addendum Zip: See Application Addendum
4. Authorized Agent: Robert A. Reisig Agent's phone (863) 452 5788
5. Current lease expires: Open Ended

D. Facility Operator Information (if different from applicant):

1. Operator's name: BECK'S TIRE SERVICE, INC. dba Florida Tire Terminal
2. Operator's mailing address: PO Box 1733
3. City: Avon Park State: Florida Zip: 33826
4. Contact person: Robert A. Reisig Phone: (863) 452-5788

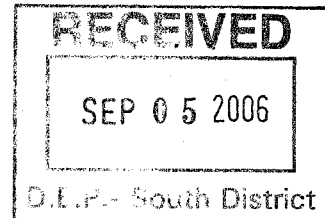
E. Preparer of Application:

1. Name of person preparing application: Robert A. Reisig, Manager
2. Mailing address: PO Box 1733
3. City: Avon Park State: Florida Zip: 33826
4. Phone: (863) 452-5788
5. Affiliation with facility: Manager

Part II-Operations:

A. Facility type (check appropriate box):

- ☒ Waste tire processing facility.
- ☐ Waste tire processing facility with on-site disposal of processed tires or processing residuals.
See Attachment _____
- ☐ Waste tire processing facility with on-site consumption of waste tires or processing residuals.
See Attachment F
- ☐ Permitted solid waste management facility modification to allow waste tire site and processing.



B. Type of processing facility (check as many as apply):

- ☐ Shredder ☐ Cutter ☐ Chopper ☐ Incinerator only ☐ Incinerator with energy recovery
- ☐ Pyrolysis ☐ Supplemental fuel user ☒ Other, explain Transfer Station, Tire Repair & Regroove

C. Storage: Indicate the maximum quantities of whole waste tires, processed waste tires, and processing residuals, expressed in tons, to be stored at the facility, in accordance with Rule 62-711.530(2), F.A.C.

	Outdoor Storage(tons)	Outdoor Storage (sq.ft)	Indoor Storage (tons)	Indoor Storage (sq.ft)	Total Storage (tons)
Whole waste tires:	<u>195</u>	<u>29,000</u>	<u>35.21</u>	<u>7000</u>	<u>230.21</u>
Processed tires:	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
Processing residuals:	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
TOTALS:	<u>195</u>	<u>29,000</u>	<u>35.21</u>	<u>7000</u>	<u>230.21</u>

Form # 62-701.900(23) Waste Tire Processing Facility Form Title <u>Permit Application</u> Effective Date <u>3/22/00</u> DEP Application No. <u>0245850-001-WT/102</u> (Filled in by DEP)

- D. For reporting quantity of tires in tons, tires will be: weighed on site ☐ weighed off site ☐ weights will be calculated ☒
- E. Facilities that will not be disposing of processed tires or processing residual on the facility site must indicate the permitted solid waste management facility where processed tires or residuals will be disposed.

1. Name of facility See Attachment Entitled (Disposal Facilities Attachment) Part II-E

2. Street address: _____

3. City: _____ County: _____ Zip: _____

- F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.
Non Applicable, Florida Tire Terminal delivers no processed tires.

Part III-Attachments:

A. Facility design

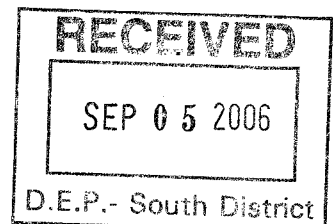
NOTE: All maps, plan sheets, drawings, isometrics, cross sections, or aerial photographs shall be legible; be signed and sealed by a registered professional engineer responsible for their preparation; be of appropriate scale to show clearly all required details; be numbered, referenced to narrative, titled, have a legend of symbols used, contain horizontal and vertical scales (where applicable), and specify drafting or origination dates; and use uniform scales as much as possible, contain a north arrow and use NGVD for all elevations.

1. A topographic or section map of the facility, including the surrounding area for one mile, no more than one year old, showing land use and zoning within one mile of the facility
2. A plot plan of the facility on a scale of not less than one inch equals 200 feet. At a minimum, the plot plan shall include
 - a. The facility design, including the location and size of all storage and processing areas for used tires, unprocessed waste tires, processed waste tires, and waste tire processing residuals;
 - b. All wetlands and water bodies within the facility or within 200 feet of any storage area;
 - c. Stormwater control measures, including ditches, dikes, and other structures;
 - d. Boundaries of the facility, legal boundaries of the land containing the facility, and any easements or rights of way that are within the facility or within 200 feet of any storage area;
 - e. Location, size, and depth of all wells within the facility or within 200 feet of any storage area;
 - f. All structures and buildings that are, or will be, constructed at the facility; include those used in storage and processing operations;
 - g. All areas used for loading and unloading;
 - h. All access roads and internal roads, including fire lanes;
 - i. Location of all fences, gates, and other access control measures; and
 - j. Location of all disposal areas within the facility.

B. Facility operation.

1. A description of the facility's operation, process and products including how waste tires will be received and stored.
2. A description of the equipment used for processing tires. This description shall include the make, model, and hourly capacity of each piece of equipment.
3. Description of the waste from the process, the amount of waste expected and how and where this waste will be disposed of.
4. Statement of the maximum daily throughput and the planned daily and annual throughput.
5. A description of how the operator will maintain compliance with each of the storage requirements of Rule 62-711.540, F.A.C.
6. A copy of the emergency preparedness manual for the facility with a statement of the on site and off site locations where that manual will be maintained.
7. A copy of the fire safety survey
8. A description of how 75% of the annual accumulation of waste tires will be removed for disposal or recycling.

- C. Completed closing plan for the facility as required by Rule 62-711.700(2) and (3), F.A.C.



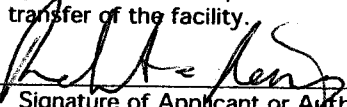
Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. 0245850-001-WT/102 (Filled in by DEP)

- D. Attach proof of financial responsibility as requirement by Rule 62-711.500(3) OR a calculation showing that financial assurance documents, currently on file with the Department, are sufficient to assure closing of the waste tire site as well as any other solid waste management facility at that location.
- E. A letter from the land owner (if different from applicant) authorizing use of the land as a waste tire processing facility.
- F. If waste tires will be consumed at the facility, attach a description of the other environmental permits that the applicant has for this use, including, permit number, date of issue, and name of issuing agency
- G. The permit fee as required in Rule 62-4, F.A.C.

Part IV-Certification:

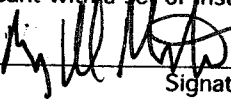
A. Applicant:

The undersigned applicant or authorized representative of Beck's Tire Service Inc.
 Is aware that statements made in this form and attached information are an application for a
Waste Tire Processor Permit from the Florida Department of Environmental Protection and certifies that
 The information in this application is true, correct and complete to the best of his knowledge and belief.
 Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules
 and regulations of the Department. It is understood that the Department will be notified prior to the sale or
 legal transfer of the facility.

	Robert A. Reisig, Manager	5-20-06
Signature of Applicant or Authorized Agent	Name and Title	Date

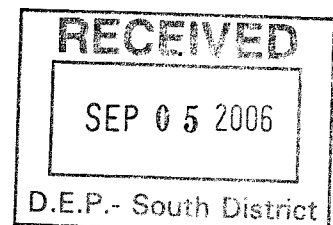
B. Professional Engineer registered in Florida.

This is to certify that the engineering features of this waste tire processing facility have been
 Designed/examined by me and found to conform to engineering principals applicable to such facilities. In my
 professional judgment, this facility, when properly maintained and operated will comply with all applicable
 statues of the State of Florida and rules of the Department. It is agreed that the undersigned will provide the
 applicant with a set of instructions for proper maintenance and operation of the facility.

	PO Box 588
Signature	Mailing Address
Roger Dale Polston, Pres.	Sebring, Fl. 33871-0588
Name and Title	City, State, Zip
33222	863-385-5564
Florida Registration Number	Telephone number

(please affix seal)

8/31/06
 Date

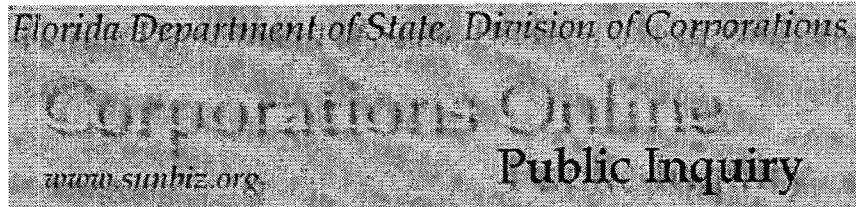


Facility Information

District/County * /Facility		SD	28	00094452	GMS ID		Updated	Updated By
FLORIDA TIRE TERMINAL					County	HIGHLANDS	Office	MINHAJ_G
400 FEAGIN STREET					DEP Dist	SOUTH	Latitude *	27 35 31.000
AVON PARK		FL	33825-		Fac Type *	3 SOLID WASTE	Longitude *	81 30 18.000
Status *	A ACTIVE	As of	10/10/2006		Owner Type *	P PRIVATE	Pop Served	
Section / Township / Range		22	33S	28E	Drinking well on site?		O	NO

Site Supervisor		Phone
Responsible Authority		Phone
Landowner		Phone

[illegible]



Foreign Profit

BECK'S TIRE SERVICE, INC.

PRINCIPAL ADDRESS

400 FEAGIN FL
AVON PARK FL 33825
Changed 03/22/2001

MAILING ADDRESS

P.O. BOX 1733
AVON PARK FL 33825

Document Number
F94000001427

FEI Number
430864539

Date Filed
03/21/1994

State
MO

Status
ACTIVE

Effective Date
NONE

Registered Agent

Name & Address
REISIG, ROBERT 400 FEAGIN ST. AVON PARK FL 33825

Officer/Director Detail

Name & Address	Title
BECK, EUGENE JR 8802 W. 142ND COURT OVERLAND PARK KS 66210	P
LANG, NANCY 11517 NEWTON ST. OVERLAND PARK KS 66210	S

Annual Reports

Report Year	Filed Date
2004	04/29/2004
2005	08/01/2005
2006	05/01/2006

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

[05/01/2006 -- ANN REP/UNIFORM BUS REP](#)
[08/01/2005 -- ANN REP/UNIFORM BUS REP](#)
[04/29/2004 -- ANN REP/UNIFORM BUS REP](#)
[05/02/2003 -- ANN REP/UNIFORM BUS REP](#)
[04/08/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
[03/22/2001 -- ANN REP/UNIFORM BUS REP](#)
[04/17/2000 -- ANN REP/UNIFORM BUS REP](#)
[04/29/1999 -- ANNUAL REPORT](#)
[02/12/1998 -- ANNUAL REPORT](#)
[01/29/1997 -- ANNUAL REPORT](#)
[04/22/1996 -- 1996 ANNUAL REPORT](#)

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)[Corporations Help](#)

2006 FOR PROFIT CORPORATION ANNUAL REPORT (AR)

DOCUMENT # F94000001427

1. Entity Name

BECK'S TIRE SERVICE, INC.



SEP 05 2006
D.E.P. - South District

Principal Place of Business

Mailing Address

400 FEAGIN FL
AVON PARK FL 33825

P.O. BOX 1733
AVON PARK FL 33825



2. Principal Place of Business

3. Mailing Address

State, Apt. #, etc.

Suite, Apt. #, etc.

City & State

City & State

4. FEI Number

43-0864539

Applied For

Not Applicable

5. Certificate of Status Desired ☐

\$8.75 Additional
Fee Required

1st MOORE

CR2E034 (10/05)

6. Name and Address of Current Registered Agent

7. Name and Address of New Registered Agent

REISIG, ROBERT
400 FEAGIN ST.
AVON PARK FL 33825

Name

Street Address (P.O. Box Number is Not Acceptable)

City

FL

Zip Code

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent

SIGNATURE

Signature (typed or printed name of registered agent and title if applicable)

(NOTE: Registered Agent signature required when re-appointing)

DATE

FILE NOW!!! FEE IS \$150.00
After May 1, 2006 Fee Will Be \$550.00
Make Check Payable to Florida Department of State

9. Election Campaign Financing
Trust Fund Contribution. ☐

\$5.00 May Be
Added to Fees

10. OFFICERS AND DIRECTORS

11. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 11

TITLE NAME STREET ADDRESS CITY- ST- ZIP	P BECK, EUGENE JR 8802 W. 142ND COURT OVERLAND PARK KS 66210	<input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY- ST- ZIP	S LANG, NANCY 11517 NEWTON ST. OVERLAND PARK KS 66210	<input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Delete
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Delete

TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Change <input type="checkbox"/> Addition
TITLE NAME STREET ADDRESS CITY- ST- ZIP		<input type="checkbox"/> Change <input type="checkbox"/> Addition

12. I hereby certify that the information supplied with this filing does not qualify for the exemptions contained in Section 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath, that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes, and that my name appears in Block 10 or Block 11 if changed, or on an attachment with an address with all other like empowered

SIGNATURE:

Robert A. Reisig

4-2506 863-452-5788

Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on September 1st, 2006

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Greenman Technologies (attached) stating the cost to load and remove all tires is \$131.50/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 3-16-06 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1436 units at 26 lbs/unit=37,336 lbs which is equivalent to 18.67 tons.

Truck Tires- 2581 units at 135 lbs/unit =348,435 lbs which is equivalent to 174.2 tons.

Large Truck Tires- 383 units at 195 lbs/unit=74,685 lbs which is equivalent to 37.34 tons.

The total of waste tires equals 230.21 tons.
The following calculation applies.

230.21 tons of waste tires x \$131.50 = \$30,273.

The 230.21 tons represents 4400 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$30,273 represents the total closing cost using 131.50 as the per ton cost to remove the tires.

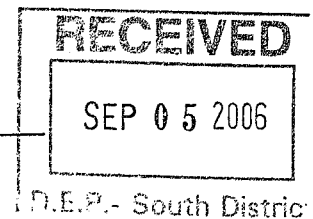
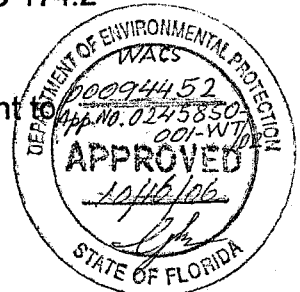
Signature SEE NEXT PAGE Date _____

Eugene Beck Jr.
President
Beck's Tire Service
4950 Stillwell Ave.
Kansas City, MO 64210
816-241-1155

Signature Clinton Howerton, Jr. Date 8-31-06

Gator Howerton, PE
Polston Engineering
PO Box 588
Sebring, FL 33871-0588
863-385-2462
SEAL-

Clinton E. Howerton, Jr.
P.E. #61021



Closure Cost Estimate
for
Florida Tire Terminal Facility
400 Feagin St.
Avon Park, FL 33825
Revised on September 1st, 2006

If a closing should have to occur at the Florida Tire Terminal facility in Avon Park, FL, the following costs would apply. Florida Tire Terminal has a letter from Greenman Technologies (attached) stating the cost to load and remove all tires is \$131.50/ ton.

The actual waste tire quantities on hand and the weights associated with each category are the results of an inventory taken on 3-16-06 in cooperation with Polston Engineering. These figures indicate the maximum capacities of the various tire storage cells that are indicated on the Facility Plan.

Passenger and Light Truck Tires- 1436 units at 26 lbs/unit=37,336 lbs which is equivalent to 18.67 tons.

Truck Tires- 2581 units at 135 lbs/unit =348,435 lbs which is equivalent to 174.2 tons.

Large Truck Tires- 383 units at 195 lbs/unit=74,685 lbs which is equivalent to 37.34 tons.

The total of waste tires equals 230.21 tons.
The following calculation applies.

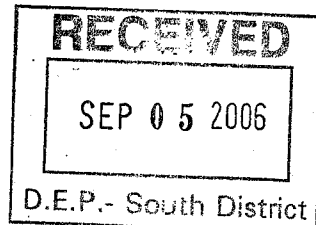
230.21 tons of waste tires x \$131.50 = \$30,273.

The 230.21 tons represents 4400 total units, which is well below the maximum 15,000 maximum units that are agreed to in the alternative procedures plan but maximum capacities will vary by the size of the tires inventoried.

This figure of \$30,273 represents the total closing cost using 131.50 as the per ton cost to remove the tires.

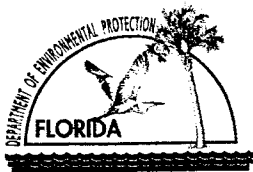
Signature Eugene Beck Jr. Date 9-01-06

Eugene Beck Jr.
President
Beck's Tire Service
4950 Stillwell Ave.
Kansas City, MO 64210
816-241-1155



Signature _____ Date _____

Gator Howerton, PE
Polston Engineering
PO Box 588
Sebring, FL 33871-0588
883-385-2462
SEAL-



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. <u>0245850-001-</u> WT/02 (Filled in by DEP)

WACS No. 00094452

Waste Tire Processing Facility Permit Application

Permit No. _____

Renewal ☐ Modification ☐ Existing unpermitted facility ☒ Proposed new facility ☐

Part I-General Information:

A. Applicant Information:

1. Applicant Name: BECK'S TIRE SERVICE, INC.
2. Applicant Street Address: 400 Feagin Street
3. City: Avon Park County: Highlands Zip: 33826⁵
4. Applicant Mailing Address: PO Box 1733
5. City: Avon Park County: Highlands Zip: 33826
6. Contact person: Robert A. Reisig Phone: (863) 452-5788 FEID No: 43-0864539
7. Have any enforcement actions been taken by the Department against the applicant relating to the operation of any solid waste management facility in this state? This includes any Complaint, Notice of Violation, or revocation of a permit or registration, as well as any Consent Order in which a violation of Department rules is admitted. It does not include a Warning Letter, Warning Notice, Notice of Noncompliance, or other similar document which does not constitute agency action.
Yes _____ No ✓ If yes, attach a history and description of the enforcement actions.

B. Facility Information:

1. Facility Name: Florida Tire Terminal
2. Facility Street Address (Main Entrance): 400 Feagin Street
3. City: Avon Park County: Highlands Zip: 33825
4. Facility Mailing Address: PO Box 1733
5. City: Avon Park State: Florida Zip: 33826⁶
6. Contact Person: Robert A. Reisig Phone: (863) 452-5788
7. Facility Location Coordinates:
Section: 22 Township: 33 South Range: 28 East
Latitude: 27 35' 31" Longitude: 81 30' 18"
8. Anticipated date for starting construction 10/01/06 and for completion of construction 05/01/07
9. Anticipated date for receipt of tires Currently Active and for start of processing No Processing

SEP 05 2006

D.E.P. - South District

Mail completed form to
appropriate district office listed below

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
561-881-6600

Form # 62-701.900(23)
Waste Tire Processing Facility
Title Permit Application
Effective Date 3/22/00
DEP Application No. 0245850-001-WT/02
(Filled in by DEP)

C. Land Owner Information (if different from applicant):

1. Owner's name: See Application Addendum
2. Land owner's mailing address: See Application Addendum
3. City: See Application Addendum State: See Application Addendum Zip: See Application Addendum
4. Authorized Agent: Robert A. Reisig Agent's phone (863) 452 5788
5. Current lease expires: Open Ended

D. Facility Operator Information (if different from applicant):

1. Operator's name: BECK'S TIRE SERVICE, INC. dba Florida Tire Terminal
2. Operator's mailing address: PO Box 1733
3. City: Avon Park State: Florida Zip: 33826
4. Contact person: Robert A. Reisig Phone: (863) 452-5788

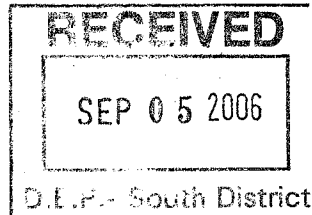
E. Preparer of Application:

1. Name of person preparing application: Robert A. Reisig, Manager
2. Mailing address: PO Box 1733
3. City: Avon Park State: Florida Zip: 33826
4. Phone: (863) 452-5788
5. Affiliation with facility: Manager

Part II-Operations:

A. Facility type (check appropriate box):

- ☒ Waste tire processing facility.
- ☐ Waste tire processing facility with on-site disposal of processed tires or processing residuals.
See Attachment _____
- ☐ Waste tire processing facility with on-site consumption of waste tires or processing residuals.
See Attachment F _____
- ☐ Permitted solid waste management facility modification to allow waste tire site and processing.



B. Type of processing facility (check as many as apply):

- ☐ Shredder ☐ Cutter ☐ Chopper ☐ Incinerator only ☐ Incinerator with energy recovery
☐ Pyrolysis ☐ Supplemental fuel user ☒ Other, explain Transfer Station, Tire Repair & Regroove

C. Storage: Indicate the maximum quantities of whole waste tires, processed waste tires, and processing residuals, expressed in tons, to be stored at the facility, in accordance with Rule 62-711.530(2), F.A.C.

	Outdoor Storage(tons)	Outdoor Storage (sq.ft)	Indoor Storage (tons)	Indoor Storage (sq.ft)	Total Storage (tons)
Whole waste tires:	<u>195</u>	<u>29,000</u>	<u>35.21</u>	<u>7000</u>	<u>230.21</u>
Processed tires:	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
Processing residuals:	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
TOTALS:	<u>195</u>	<u>29,000</u>	<u>35.21</u>	<u>7000</u>	<u>230.21</u>

Form # 62-701.900(23)
Waste Tire Processing Facility
Permit Title Permit Application
Effective Date 3/22/00
DEP Application No. 0245850-001-WT/102 (Filled in by DEP)

- D. For reporting quantity of tires in tons, tires will be: weighed on site ☐ weighed off site ☐ weights will be calculated ☒
- E. Facilities that will not be disposing of processed tires or processing residual on the facility site must indicate the permitted solid waste management facility where processed tires or residuals will be disposed.

1. Name of facility See Attachment Entitled (Disposal Facilities Attachment) Part II-E

2. Street address: _____

3. City: _____ County: _____ Zip: _____

- F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.

Non Applicable, Florida Tire Terminal delivers no processed tires.

Part III-Attachments:

A. Facility design

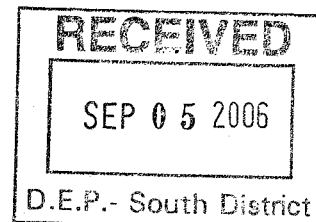
NOTE: All maps, plan sheets, drawings, isometrics, cross sections, or aerial photographs shall be legible; be signed and sealed by a registered professional engineer responsible for their preparation; be of appropriate scale to show clearly all required details; be numbered, referenced to narrative, titled, have a legend of symbols used, contain horizontal and vertical scales (where applicable), and specify drafting or origination dates; and use uniform scales as much as possible, contain a north arrow and use NGVD for all elevations.

1. A topographic or section map of the facility, including the surrounding area for one mile, no more than one year old, showing land use and zoning within one mile of the facility
2. A plot plan of the facility on a scale of not less than one inch equals 200 feet. At a minimum, the plot plan shall include
 - a. The facility design, including the location and size of all storage and processing areas for used tires, unprocessed waste tires, processed waste tires, and waste tire processing residuals;
 - b. All wetlands and water bodies within the facility or within 200 feet of any storage area;
 - c. Stormwater control measures, including ditches, dikes, and other structures;
 - d. Boundaries of the facility, legal boundaries of the land containing the facility, and any easements or rights of way that are within the facility or within 200 feet of any storage area;
 - e. Location, size, and depth of all wells within the facility or within 200 feet of any storage area;
 - f. All structures and buildings that are, or will be, constructed at the facility; include those used in storage and processing operations;
 - g. All areas used for loading and unloading;
 - h. All access roads and internal roads, including fire lanes;
 - i. Location of all fences, gates, and other access control measures; and
 - j. Location of all disposal areas within the facility.

B. Facility operation.

1. A description of the facility's operation, process and products including how waste tires will be received and stored.
2. A description of the equipment used for processing tires. This description shall include the make, model, and hourly capacity of each piece of equipment.
3. Description of the waste from the process, the amount of waste expected and how and where this waste will be disposed of.
4. Statement of the maximum daily throughput and the planned daily and annual throughput.
5. A description of how the operator will maintain compliance with each of the storage requirements of Rule 62-711.540, F.A.C.
6. A copy of the emergency preparedness manual for the facility with a statement of the on site and off site locations where that manual will be maintained.
7. A copy of the fire safety survey
8. A description of how 75% of the annual accumulation of waste tires will be removed for disposal or recycling.

- C. Completed closing plan for the facility as required by Rule 62-711.700(2) and (3), F.A.C.



Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. 0245850-001-WT/102
(Filled in by DEP)

- D. Attach proof of financial responsibility as requirement by Rule 62-711.500(3) OR a calculation showing that financial assurance documents, currently on file with the Department, are sufficient to assure closing of the waste tire site as well as any other solid waste management facility at that location.
- E. A letter from the land owner (if different from applicant) authorizing use of the land as a waste tire processing facility.
- F. If waste tires will be consumed at the facility, attach a description of the other environmental permits that the applicant has for this use, including, permit number, date of issue, and name of issuing agency
- G. The permit fee as required in Rule 62-4, F.A.C.

Part IV-Certification:

A. Applicant:

The undersigned applicant or authorized representative of Beck's Tire Service Inc.
Is aware that statements made in this form and attached information are an application for a
Waste Tire Processor Permit from the Florida Department of Environmental Protection and certifies that
The information in this application is true, correct and complete to the best of his knowledge and belief.
Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules
and regulations of the Department. It is understood that the Department will be notified prior to the sale or
legal transfer of the facility.

Robert A. Reisig Signature of Applicant or Authorized Agent
Robert A. Reisig, Manager Name and Title
5-20-06 Date

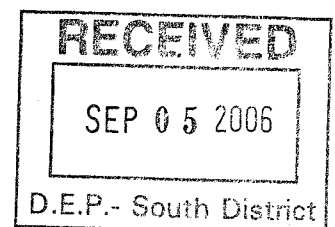
B. Professional Engineer registered in Florida.

This is to certify that the engineering features of this waste tire processing facility have been
Designed/Examined by me and found to conform to engineering principals applicable to such facilities. In my
professional judgment, this facility, when properly maintained and operated will comply with all applicable
statutes of the State of Florida and rules of the Department. It is agreed that the undersigned will provide the
applicant with a set of instructions for proper maintenance and operation of the facility.

Roger Dale Polston Signature
Roger Dale Polston, Pres. Name and Title
33222 Florida Registration Number
PO Box 588 Mailing Address
Sebring, Fl. 33871-0588 City, State, Zip
863-385-5564 Telephone number

(please affix seal)

8/31/06
Date



Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Wednesday, September 20, 2006 11:55 AM
To: Minhaj, Ghousuddin
Cc: Barbaccia, Phil
Subject: RE: Florida Tire Terminal, Application No. 0245850-001-Wt/02, Additional Information

Ghous,

I have no further comments on this RAI.

-----Original Message-----

From: Minhaj, Ghousuddin
Sent: Tuesday, September 05, 2006 4:58 PM
To: Krumbholz, Bill
Cc: Barbaccia, Phil
Subject: Florida Tire Terminal, Application No. 0245850-001-Wt/02, Additional Information

I have placed a copy of the above, received 09/05/06 at your desk for your review and comments. Please forward your comments by Friday, September 15, 2006. Thanks.

Ghous

Minhaj, Ghousuddin

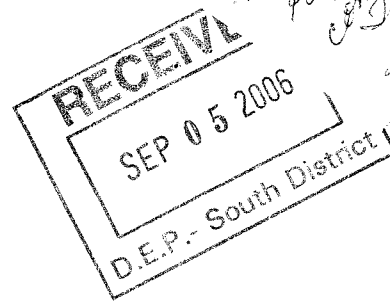
From: Minhaj, Ghousuddin
Sent: Tuesday, September 05, 2006 4:58 PM
To: Krumbholz, Bill
Cc: Barbaccia, Phil
Subject: Florida Tire Terminal, Application No. 0245850-001-Wt/02, Additional Information

I have placed a copy of the above, received 09/05/06 at your desk for your review and comments. Please forward your comments by

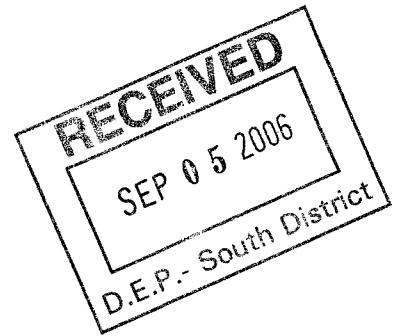
Friday, September 15, 2006. Thanks.

Ghous

Beck's Tire Service Inc.
Waste Tire Processing Permit Application
Florida Tire Terminal
Avon Park, Fl. Location
September 1st, 2006



Beck's Tire Service Inc.
Waste Tire Processing Permit Application
Florida Tire Terminal
Avon Park, Fl. Location
September 1st, 2006



Florida Tire Terminal
PO Box 1733
Avon Park, FL, 32819
863-452-5788, PH.
863-452-6293, FX.

, E-Mail

July 27, 2006

Florida Department of
Environmental Protection
South District
2295 Victoria Avenue, Suite 364
Fort Myers, FL, 33901-3881

Dear Mr. Phillip Barbaccia

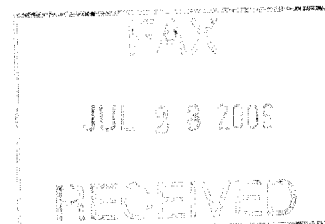
The purpose of this letter is to request an extension in filing the Waste Tire Processing Facility Permit application No. 0245850-001-WT/02. On June 12th, 2006 I received RAI No. 4 from Mr. Ghaus Minhaj concerning the aforementioned application. I responded to the RAI No. 4 by phone and also by sending a preliminary written response dated June 28th, 2006.

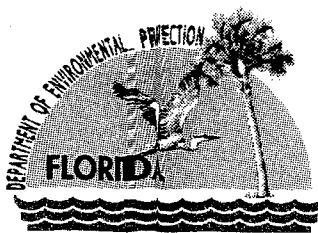
The written response was received in your office on or about July 1st, 2006 and on July 11th, 2006 I had a telephone conversation with Ghaus Minhaj and we discussed the shortcomings of the written response.

I will now resubmit the written response to RAI No. 4 by August 18th, 2006. I hope this date will be sufficient. I hope you find the response acceptable so that a final version of the above application can be submitted by Sept 1st, 2006.

Sincerely,

Robert A. Reisig, Manager





Jeb Bush
Governor

Department of Environmental Protection

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Colleen M. Castille
Secretary

June 7, 2006

Beck's Tire Service, Inc.
c/o Robert A. Reisig
P.O. Box 1733
Avon Park, Florida 33825

FILE

Re: Highlands County – WT
Florida Tire Terminal
Permit Application No. 0245850-001-WT/02
Request for Additional Information (RAI) No. 4

Dear Mr. Reisig:

The Department has reviewed the submittal, received May 17, 2006 in response to our RAIs and found it to be incomplete. Please submit additional information as addressed below to complete the application.

REPORT

Please submit a cover sheet stating the facility name, location, applicant's name and the engineer's name, address, signature, date of signature and seal. In your response to RAI 1, it is stated in B.7.A that the report has been signed and sealed by a certified engineer. Please note that the engineer's signature and seal appears only on Page 4/4 of the Application Form, not on the report [Florida Administrative Code (F.A.C.) Rule 62-701.320(7)(d)].

APPLICATION FORM

PART 1, A.1 and C.1: The applicant's and owner's name is not complete as it appears on the submitted copy of the Annual Report to the State of Florida. Please enter the complete name, Beck's Tire Service, Inc., and resubmit the application form. Please submit a complete copy of the Annual Report; the submitted one is missing the title (upper line) [F.A.C. Rule 62-701.900(23)].

PART II, B: Please add "including regrooving and repairing" after "Transfer Station" [F.A.C. Rule 62-701.900(23)].

"More Protection, Less Process"

Printed on recycled paper.

Florida Tire Terminal
Application No. 0245850-001-WT/02
June 7, 2006
Page 2

PART III, A.2.f: The statements regarding construction in Response to RAI 3, Item 8, and Application Narrative Part III, f, are not consistent; please clarify [F.A.C. Rule 62-701.900(23)].

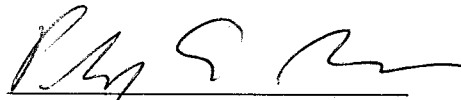
PART III, C.1: Please review the closure cost estimate, as it does not appear correct. Please submit the closure cost estimate with the name of the facility and its location at the top and the title "Closure Cost Estimate." Please do not use the abbreviations for its name, etc., in the text. The calculations shall reflect the maximum storage quantities reported on Page 2 of 4 of the application form, not the quantities on hand at the time of an inventory. The document shall be signed by the owner/operator, and signed, dated and sealed by the professional engineer [F.A.C. Rule 62-711.700(2) and (3)].

PART III, E: Please clarify who the land owner is and submit a letter from the land owner authorizing use of the land as a waste tire processing facility [F.A.C. Rule 62-701.900(23)].

PART IV, A: Please clearly write or type the complete name of the applicant, "Beck's Tire Service, Inc." The letter of authorization submitted in PART III-E-1 is not from the applicant; it shall be from the applicant, Beck's Tire Service, Inc., and signed by its president [F.A.C. Rule 62-71.900(23)].

Should you have any questions, please call Ghous Minhaj, Solid Waste Permitting Engineer, at (239) 332-6975, extension 185. Please submit at least three copies of your response, including revised application form, application narrative and attachments. Your cooperation in this matter is appreciated.

Sincerely,



Philip A. Barbaccia
Environmental Administrator

PAB/GAM/se

cc: Roger Dale Polston, P.E.
Bill Krumbholz, DEP

Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Friday, May 26, 2006 1:25 PM
To: Minhaj, Ghousuddin
Cc: Barbaccia, Phil
Subject: RE: Florida Tire Terminal, Application No. 0245850, Response to RAI No. 3 of April 20,2006

I have no further comments.

-----Original Message-----

From: Minhaj, Ghousuddin
Sent: Thursday, May 18, 2006 8:21 AM
To: Krumbholz, Bill
Cc: Barbaccia, Phil
Subject: Florida Tire Terminal, Application No. 0245850, Response to RAI No. 3 of April 20,2006

I have placed a copy of the above, received 05/17/06 at your desk for your review and comments. Please forward your comments by Tuesday, May 30, 2006. Thanks.

Ghous

**Beck's Tire Service Inc.
Waste Tire Processing Permit Application
Avon Park, Fl. Location
5-11-06**

*Bill: your
for review and
comments
Thanks
Grous*

RECEIVED-D.E.P.

MAY 17 2006

SOUTH DISTRICT

Minhaj, Ghousuddin

From: Minhaj, Ghousuddin
Sent: Thursday, May 18, 2006 8:21 AM
To: Krumbholz, Bill
Cc: Barbaccia, Phil
Subject: Florida Tire Terminal, Application No. 0245850, Response to RAI No. 3 of April 20,2006

I have placed a copy of the above, received 05/17/06 at your desk for your review and comments. Please forward your comments by

Tuesday, May 30, 2006. Thanks.

Ghous

Beck's Tire Service Inc.
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788
4-26-06

WTP Application narrative response, RAI No.3, 04-20-06

1. The letter in response to RAI No. 1 is included with this application and is submitted in the addendum part of the application packet.
2. The box for Existing unpermitted facility has been checked on page 1 of the application.
3. An application narrative has been included and is located immediately following the Table of contents.
4. The Proposed Construction has been detailed in the application Narrative that is included in the application package.
5. The term "& Son in Law of the owner" has been deleted from the application.
6. The term "PROCESSING" has been replaced with the term "TIRE REGROOVING AND REPAIRING" on the labeled PART III.A.2.
7. The Facility Area Map, Part III, A2.d.1 indicates the 200 foot radius and the right of ways and easements in question. The Facility Area Map also indicates the property boundaries versus the facility boundaries and are highlighted in green and red respectively.
8. The proposed construction is indicated on the Facility Plan and the additions are entitled "Proposed Shell Berm" and " Proposed Barrier Block".
9. The Waste Tire Storage Capacities are indicated within the attachment Part III.B.5 and I have also included a smaller plan showing the location and the capacities of the areas. This plan is adjacent to the above attachment. The capacities are also indicated on the Facility Plot Plan, Attachment III.A.2.a. These capacities are indicated within the outlined areas on the Facility Plot Plan.
10. The word "Processed" has been replaced with "Regrooved and Repaired".
11. The submitted "Tire Inventory Estimate" has been revised and the storage cells are properly entitled.
12. The letter of authorization has been changed to indicate that Beck's Tire Service Inc. is incorporated in the State of Florida and that it is registered annually with a form entitled "2006 FOR PROFIT CORPORATION ANNUAL REPORT (AR)". The 2006 copy is included. I have therefore changed the name on the application to **Beck's Tire Service Inc.**

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788**

Application Narrative, Florida DEP Waste Tire Processor Permit Application.

Part I- General Information.

- A. Applicant Information- This information is very basic and it reveals that Beck's Tire Service is the applicant of record with the address in Kansas City, Mo. This section also shows that no enforcement actions have been taken against the Florida location.
- B. Facility Information- This information indicates that Florida Tire Terminal (FTT) is the facility of record. The location coordinates are indicated along with the anticipated dates of construction.
 - 1. -The dates of construction are based solely on the date that this application is accepted or rejected. The construction is very low tech with a series of berms being installed to protect against run-off. These berms and there placement were approved by the Local Fire official and were included in the alternative procedures that were approved at the state level.
- C. Land Owner Information- This information indicates that Beck's Tire Service Inc. who is the applicant of record owns the property.
- D. Facility Operator Information- This information indicates that Robert A. Reisig is the operator of the facility
- E. Preparer of Application-This information indicates that Robert A. Reisig in conjunction with Polston Engineering is the preparer of the application

Part II-Operations

A- Facility Type-FTT is a waste tire processor that does not process waste tires. We repair and regroove tires for resale.

B-Type of Facility- This indicates that FTT is a transfer station. FTT buys and is paid for the tires that come into our facility. We then cull the tires and dispose of the bad tires. The good tires are put thru our regrooving and repairing facility.

C & D-Storage-This facility will be limited to 15,000 tires in storage. The figures in the application indicate a maximum of 230.23 tons. These figures were calculated based on available space. The formula used was created by figuring how many truckloads could fit into any given area while still maintaining compliance with the local fire officials needs. The average truckload weighs approximately 40,000 lbs (20 Tons) and that is what we based the figures on.

E- Disposal Facilities-I have attached a list of four facilities where we ship our waste tires.

F-There are no waste tires processed at FTT and in turn we have no markets for processed tires.

- i. Fences and gates- There are numerous gates surrounding the facility and all are controlled by lock and key. These gates and fences are indicated on the Facility Plan.
- j. Disposal Facilities- There are no disposal areas located within the facility

C-Completed Closing Plan- The closing plan is located within the application.

D.I have addressed the Financial Assurance issue and I was told by your people in Tallahassee to wait until the application is accepted and then try to secure financial assurance.

E. I have included a letter from the landowner and it is included in the application.

F. No waste tires will be consumed at the facility.

Part IV- Certification- The application is signed in the appropriate places.



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

April 20, 2006

FILE

CERTIFIED MAIL NO. 7005 0390 0005 8539 2822
RETURN RECEIPT REQUESTED

Beck's Tire Services
DBA Florida Tire Terminal
c/o Robert A. Reisig, Manager
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County – WT
Florida Tire Terminal
Permit Application No. 0245850-001-WT/02
Request for Additional Information (RAI) No. 3

Dear Mr. Reisig:

The Department has received an application package on April 11, 2006 and found it to be incomplete. Please note that the submittal does not include a response to our RAI No. 1, dated March 31, 2005; however, a general review was made. Please note that RAI No. 2, dated December 8, 2005, was regarding a meeting to discuss the storage data received by the Department on December 6, 2005. Please submit additional information as addressed below to complete the application.

1. Please submit a response (letter) to our RAI No. 1 addressing each item and furnishing exact reference(s) to the documents included in the application package.
2. Please check (✓) the box for "Existing unpermitted facility". This was the first comment in our RAI No. 1. Please note that the facility has been in operation for several years, but the box for "Proposed new facility" is checked (✓) on the revised application, submitted in the package received April 11, 2006.

"More Protection, Less Process"

Printed on recycled paper.

Mr. Robert A. Reisig, Manager
Florida Tire Terminal
Permit Application No. 024580-001-WT/02
RAI No. 3
Page 2

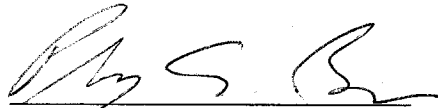
3. The submitted package does not include an Application Narrative. Please submit an Application Narrative addressing each item.
4. Please submit a description of the proposed construction in the Application Narrative and submit drawings/plans. Please note that PART I.B.8 indicates a date, "5-01-06" for starting the construction and a date, "12-01-06" for completion of construction. Please note that the submitted package does not include any information about the proposed construction.
5. Please delete, "& Son in Law of the owner..." from PART I.E.5, because the relationship of the Manager to any person is irrelevant. Moreover, please note that the owner is not a person but a business, "Beck's Tire Service", as entered at PART I.C.1 of the Application Form.
6. Application Form, PART III.A.2. Plot Plan: Please note that Florida Tire Terminal does not process waste tires as defined in Florida Administrative Code (F.A.C.) Rule 62-701.200(137); therefore, delete the word "PROCESSING" from the labels for the areas, probably used for retreading/repairing shown on the Facility Plan. Please use some appropriate word, other than processing.
7. As required by the application, PART III.A.2.d, please label "boundaries of the facility, legal boundaries of the land containing the facility and any easements or right-of-ways that are within the facility or within 200 feet of any storage area" on the Facility Plan.
8. Application Form, PART III.A.2.f: Please see Comment 4 above regarding the proposed construction and address it.
9. Application Form, PART III.B.5: The description in the attachment does not include the waste tire storage capacities of the designated areas, and the capacities are not indicated on the Facility Plan as stated. Please furnish the capacities in the designated areas with their identification and indicate them on the Facility Plan.
10. Application Form, PART III-B-1: Please modify the description in the attachment using an appropriate word, other than "Processed". Please modify the description accordingly in the attachment for PART III-B-8.

Mr. Robert A. Reisig, Manager
Florida Tire Terminal
Permit Application No. 024580-001-WT/02
RAI No. 3
Page 3

11. Application Form, PART III.C: The submitted "Tire Inventory Estimate" does not describe the storage cells as designated on the Facility Plan, TIRE CELL 1, TIRE CELL 2, etc.
12. Application Form, PART III-D: Please note that Beck's Tire Service DBA Florida Tire Terminal, is not "legally incorporated in the State of Florida" as stated in the attachment for PART III-E-1, Authorization letter; therefore, it is not entitled to assume the financial responsibility for closure of the facility. Please note that a permit cannot be issued to a business not registered in the State of Florida. Please see the attached Department's memo.

Should you need further assistance, please call Ghous Minhaj at (239) 332-6975, extension 185. Please submit at least three (3) copies of revised Application Form and the requested information within thirty (30) days of receipt of this letter. Please note that the Department will not have any option other than denying permit, if this time frame is not met.

Sincerely,



Philip A. Barbaccia
Environmental Administrator

Attachment
PAB/GAM/se

cc: Roger Dale Polston, P.E.
Bill Krumbholz, DEP

Memorandum

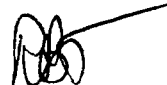
Florida Department of Environmental Protection

TO: District Waste Program Administrators
District Solid Waste Engineers

FROM: Chris McGuire
Senior Assistant General Counsel



Richard Tedder, P.E. Administrator
Solid Waste Section



DATE: May 14, 2002

SUBJECT: Solid Waste Permit Applicants

We have been asked whether we are authorized to accept permit applications, or applications for other licenses, from business entities that are not properly registered with the Department of State¹. A related question is whether we may approve a financial assurance mechanism if the name on the mechanism is different than the name on the permit.

Chapter 607, Florida Statutes (F.S.), requires corporations to register with the Florida Department of State, to maintain a registered agent in Florida, and to file annual reports. Corporations which are not registered in Florida, or which have been administratively dissolved by the Department of State for failure to pay fees or file reports, are not authorized to conduct business in this state. Similar provisions are found in Chapter 608 for limited liability companies and in Chapter 620 for limited partnerships.

A "person" is defined in Section 403.031, F.S., to include business entities, including corporations and partnerships. While there is no specific provision in Chapter 403 relating to registration of business entities, we believe that when Chapter 403 and Chapters 607, 608, and 620 are read together, the definition of person would not include business entities which are not authorized to conduct business in Florida. In that case, we would not be authorized to issue permits to business entities that are not registered to do business in Florida.

When the Department receives a permit or registration application, or a general permit notification, for a solid waste management facility or operation, the reviewing staff should conduct a quick search on the Department of State's web site to make sure that the applicant is properly registered. If a business entity is not registered, or has been administratively dissolved, you may include this as an RAI item rather than rejecting the application, since in many cases the registration problem may be easily cured. However, we should not issue the permit, including renewals, to a business entity that is not properly registered.

¹ This registration can be verified at the DOS web page: <http://ccfcorp.dos.state.fl.us/index.html>

MEMORANDUM

May 14, 2002

Page 2

Section 865.09, F.S., allows any person or business entity to transact business under a fictitious name. The only real limitations on this are that the fictitious name must be registered with the Secretary of State, and the fictitious name cannot contain the word "corporation" or "incorporated" (or their abbreviations) unless the person is actually a registered corporation. The fictitious name is not a person's legal name, and we cannot issue a permit to a fictitious name. For example, if John Brown, d/b/a Brown's Landfill, applies for a permit, we should issue the permit to John Brown or to John Brown d/b/a Brown's Landfill but not to Brown's Landfill. This also applies to the financial assurance mechanism.

It is important that the name on the permit be the same as the name on the permit application and on the financial assurance mechanism. Our financial assurance section will not approve any mechanism if the grantor is not either an individual or a registered business entity, nor if the grantor is not the permit applicant. Since this approval will be issued before the permit is issued, the District reviewing staff should make sure that the permit is issued in the correct name.

It would also be good practice to check a corporate permittee's status as part of the file review prior to inspections. If a permittee has changed its name without notifying the Department, or if a business entity has been administratively dissolved, this could be a noncompliance item and could also affect the usefulness of the financial assurance mechanism.

Finally, a reminder that a real person must sign an application, and that real person must be someone who is authorized to act on behalf of a business entity. Generally speaking, this means that only the president of a corporation can sign for that corporation; only a general partner can sign for a limited or general partnership; and only a managing member or manager can sign for a limited liability company. If you get an application signed by anyone else (e.g., a corporate vice president), you should request documentation that this person is authorized to act on behalf of the business entity.

cc: Fred Wick, Financial Coordinator

Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Wednesday, April 19, 2006 2:17 PM
To: Minhaj, Ghousuddin
Cc: Barbaccia, Phil
Subject: RE: Florida Tire Terminal, Application No. 0245850-001-WT/02, Response to RAI No. 1 dated March 31, 2005 and RAI No.2 dated December 8, 2005

I made no comments in the March 31, 2005 RAI. Therefore, I have no further comments.

For Clarification:

A.7. - No formal enforcement action has ever been taken against FTT.

Part II and Part III - It was agreed during our meeting with FTT that the closure cost estimate would be based only on the number of passenger tires on-site. Off-road tires would not be included in the count.

-----Original Message-----

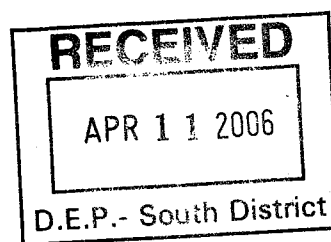
From: Minhaj, Ghousuddin
Sent: Tuesday, April 11, 2006 11:08 AM
To: Krumbholz, Bill
Cc: Barbaccia, Phil
Subject: Florida Tire Terminal, Application No. 0245850-001-WT/02, Response to RAI No. 1 dated March 31, 2005 and RAI No.2 dated December 8, 2005

I have placed a copy of the above, received 04/11/06 at your desk for your review and comments. Please forward your comments by Friday, April 21, 2006. Thanks.

Ghous

**Florida Tire Terminal Application for
Waste Tire Processing Permit
4-11-06**

*Bill:
For your
review and
comments
Thanks
Ghows*



**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788**

Dear Mr. Minhaj,

I am sending this request for a 1 week extension for our Waste Tire Processor Application. I have to leave the state unexpectedly and this will cause me to miss my deadline of April 3, 2006. The application is in it's finished form, but copying and collating cannot take place until I return next week. Please contact me if this extension is not accepted otherwise you will have the 4 copies in their finished form no later than April 11th, 2006. I thank you in advance of your decision.

Truly,



Robert A. Reisig

POLSTON ENGINEERING, Inc.

PROFESSIONAL ENGINEERING CONSULTANTS
ENVIRONMENTAL SOIL SCIENTIST

LAND PLANNING
DESIGN
SOIL SCIENCE
ROADS
WATER
WASTE WATER

P.O. BOX 588, SEBRING, FLORIDA 33871-0588 * (863) 385-5564 * FAX (863) 385-2462

January 18, 2006

JAN 20 2006
D.E.P. - SOUTH DISTRICT

Philip A. Barbaccia
Department of Environmental Protection
South District
P.O. Box 2549
Fort Myers, FL 33902-2549

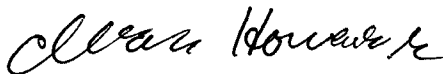
Re: Application No. 0245850-001-WT/02
Florida Tire Terminal

Dear Mr. Barbaccia:

Thank you for the opportunity to meet with your staff, Mr. Ghous Minhaj and Mr. Bill Krumbholz on Jan 5, 2006 to discuss this project with the applicant and myself. We were able to identify the items of concern for this project and are currently working on correcting and providing the information requested in that meeting and in your RAI letter dated March 31, 2005. We expect to have this information and the revised application submitted to your office on or before April 3, 2006.

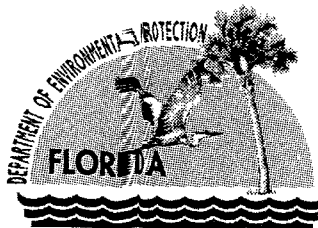
If you have any questions please contact me at 863-385-5564.

Sincerely,



"Gator" Clinton E. Howerton, Jr., P.E. #61021
Polston Engineering Inc.
BPE CA #5684

Cc: Robert Reisig - Florida Tire Terminal



Jeff Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

December 8, 2005

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

FILE

Re: Highlands County – WT
Florida Tire Terminal
Waste Tire Processing Facility
Application No. 0245850-001-WT/02
Request for Additional Information (RAI) 2

Dear Mr. Reisig:

Reference is made to the waste tire storage data received by FAX on December 6, 2005. Please call Bill Krumbholz of our office at (239) 332-6975, extension 155, to arrange a meeting with you and your consulting engineer at our office to discuss the required additional information, including the waste tire storage issue.

Should you need further information, please call Ghous Minhaj at (239) 332-6975, extension 185. Your cooperation in this matter is appreciated.

Sincerely,

Philip A. Barbaccia
Environmental Administrator

PAB/GAM/se

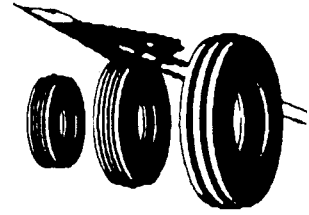
cc: Bill Krumbholz, DEP

ATTN: GHOUS MENHAJ

FLORIDA TIRE TERMINAL

P.O. Box 1733/400 Feagin St.
Avon Park, FL 33826

5-26-05



FAX

DEC 06 2005

RECEIVED

TO: MR PHILIP BARBACCA
FROM: MR. ROBERT REISZG, MANAGER
SUBJECT: EXTENSION OF APPLICATION DEADLINE

AFTER MEETING TODAY WITH
MR. MINHAJ AND MR. KRUMBHOLZ I
AM ASKING FOR ANOTHER EXTENSION.
THIS REQUEST IS DUE TO THE
15,000 LIMIT ON TIRES AT MY
FACILITY. THIS LIMIT SHOULD BE
QUALIFIED USING A INVENTORY WITH
MY ENGINEER PRESENT. I FEEL
THIS CAN BE ACCOMPLISHED IN MID JUNE
I WILL CONTACT YOU THEN TO ESTABLISH
A FINAL DEADLINE.

CC: GHOUS MENHAJ
BILL KRUMBHOLZ

Yours

ROBERT A. REISZG

*Letras MEXKAT***POLSTON ENGINEERING, INC.**PROFESSIONAL ENGINEERING CONSULTANTS
ENVIRONMENTAL SOIL SCIENTISTLAND PLANNING
DESIGN
SOIL SCIENCE
ROADS
WATER
WASTE WATER**P.O. BOX 588, SEBRING, FLORIDA 33871-0588 * (863) 385-5564 * FAX (863) 385-2462****FAX**

To: Bob Reisig
Fax #: 462-8293
Subject: Tire Count
Date: Thursday, November 17, 2005
Pages: 2 Pages (including this sheet)

☐ Original to follow by mail**Comments:**

Bob,
Let me know if you think this format will satisfy DEP's requirements and
I will get you some original signed and sealed copies.

If you have any questions please contact me at 863-385-5564.

Thanks,



"Gator" Clinton E. Howerton, Jr.
Polston Engineering Inc.

From the desk of...

Clinton E. Howerton, Jr.
P.E. # 61021
Polston Engineering, Inc.
P.O. Box 588
Sebring, FL 33871-0588
863- 385-5564
863- 385-2462
gator@polston.com

LOTS MENKAT

Florida Tire Terminal

Tire Inventory Estimate

Inventory Date 11-10-2005

WO # 03183

GCH

	Small	Passenger	Light Truck	Truck	Small Off Road	Medium Off Road	Large Off Road	TOT
Cell #1	0	0	0	1383	38	0	0	
Cell #2	0	0	230	48	513	84	87	
Rear Cell	0	88	109	814	98	0	0	
Finished Product	0	1244	463	1369	95	29	11	
Scrap Yard and Loading Dock	530	2352	1275	1473	247	99	0	
Total Each Type	530	3682	2087	4855	881	212	88	

Total All Tires

12416

Estimated Tire Weights (lbs each)

10

20

37

135

180

300

800

Estimated Total Tire Weights (lbs)

5,300

73,240

78,479

850,475

148,880

83,400

40,800

Estimated

Total Inventory Weight

1,087,844 lbs

533.77 tons

Tire totals are estimated and are subject to counting errors.

Tire weights were estimated by sampling average sized specimens from each group.

Clinton E. Howerton, Jr., P.E. #61021

Polston Engineering Inc.

SPR CA #8884

Date: _____

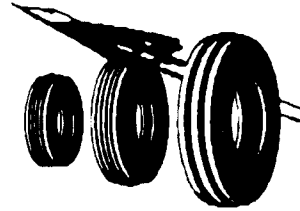
(Seal)

ATTN: GHOUS MENHAJ

FLORIDA TIRE TERMINAL

P.O. Box 1733/400 Feagin St.
Avon Park, FL 33826

5-26-05



TO: MR PHILIP BARBACCIA
FROM: MR. ROBERT RETZG, MANAGER
SUBJECT: EXTENSION OF APPLICATION DEADLINE
AFTER MEETING TODAY WITH
MR. MENHAJ AND MR. KRUMBHOLZ I
AM ASKING FOR ANOTHER EXTENSION.
THIS REQUEST IS DUE TO THE
15,000 LIMIT ON TIRES AT MY
FACILITY. THIS LIMIT SHOULD BE
QUALIFIED USING A INVENTORY WITH
MY ENGINEER PRESENT. I FEEL
THIS CAN BE ACCOMPLISHED IN MID JUNE
I WILL CONTACT YOU THEN TO ESTABLISH
A FINAL DEADLINE.

CC: GHOUS MENHAJ
BILL KRUMBHOLZ

Yours

ROBERT A. RETZG

Let's MEXKAT

POLSTON ENGINEERING, INC.

PROFESSIONAL ENGINEERING CONSULTANTS
ENVIRONMENTAL SOIL SCIENTIST

LAND PLANNING
DESIGN
SOIL SCIENCE
ROADS
WATER
WASTE WATER

P.O. BOX 588, SEBRING, FLORIDA 33871-0588 * (863) 385-5564 * FAX (863) 385-2462

FAX

To: Bob Relalg
Fax #: 462-6293
Subject: Tire Count
Date: Thursday, November 17, 2005
Pages: 2 Pages (including this sheet) ☐ Original to follow by mail

Comments:

Bob,
Let me know if you think this format will satisfy DEP's requirements and I will get you some original signed and sealed copies.

If you have any questions please contact me at 863-385-6684.

Thanks,



"Gator" Clinton E. Howerton, Jr.
Polston Engineering Inc.

From the desk of...

Clinton E. Howerton, Jr.
P.E. # 61021
Polston Engineering, Inc.
P.O. Box 588
Sebring, FL 33871-0588
863- 385-5564
863- 385-2462
gator@polston.com

6 Hours Market

Florida Tire Terminal

Tire Inventory Estimate

Inventory Date 11-10-2005

WO # 03183

GCH

	Small	Passenger	Light Truck	Truck	Small Off Road	Medium Off Road	Large Off Road	Total
Cell #1	0	0	0	1383	38	0	0	
Cell #2	0	0	230	46	513	84	57	
Rear Cell	0	88	109	514	98	0	0	
Finished Product	0	1244	453	1388	95	29	11	
Scrap Yard and Loading Dock	530	2352	1275	1473	247	99	0	
Total Each Type	530	3682	2087	4855	981	212	68	

Total All Tires 12415

Estimated Tire Weights (lbs each)	10	20	37	135	150	300	600
Estimated Total Tire Weights (lbs)	5,300	73,240	78,479	656,475	148,650	63,600	40,800

Estimated
Total Inventory Weight 1,087,544 lbs 533.77 tons

Tire totals are estimated and are subject to counting errors.
Tire weights were estimated by sampling average sized specimens from each group.

Clinton E. Howerton, Jr., P.E. #61021
Polston Engineering Inc
BPE CA #8884

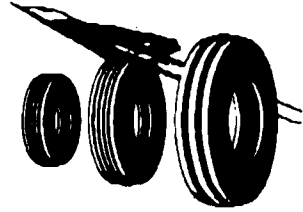
Date: _____

(Seal)

FLORIDA TIRE TERMINAL

P.O. Box 1733/400 Feagin St.
Avon Park, FL 33826

5-26-05



TO: MR. PHILIP BARBACCTA
FROM: MR. ROBERT REISZG, MANAGER
SUBJECT: EXTENSION OF APPLICATION DEADLINE
AFTER MEETING TODAY WITH
MR. MENHAJ AND MR. KRUMBHOLZ I
AM ASKING FOR ANOTHER EXTENSION.
THIS REQUEST IS DUE TO THE
15,000 LIMIT ON TIRES AT MY
FACILITY. THIS LIMIT SHOULD BE
QUALIFIED USING A INVENTORY WITH
MY ENGINEER PRESENT. I FEEL
THIS CAN BE ACCOMPLISHED IN MID JUNE
I WILL CONTACT YOU THEN TO ESTABLISH
A FINAL DEADLINE.

CC: GARYS MENHAJ
BILL KRUMBHOLZ

FAX YOU!

MAY 26 2005

RECEIVED

ROBERT A. REISZG

863
(844) 452-5788

(800) 749-5788

863
Fax (844) 452-6293

05/26/05 Florida Tire Terminal

Pictures

Lot 1 ① East Part looking S

② West Part Looking SW

③ From the fire lane looking W

④ Looking North
Finished product
(north)

⑤ From fire lane looking NW
Cell 3

⑥ Production Bldg
inside

⑦ from the driveway

⑧ Looking East
entrance from Fegan St

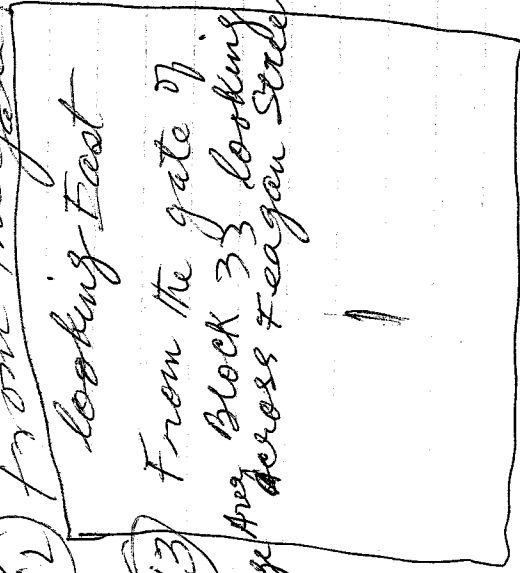
⑨ looking SE
loading & unloading area

⑩ NW

⑪ NE

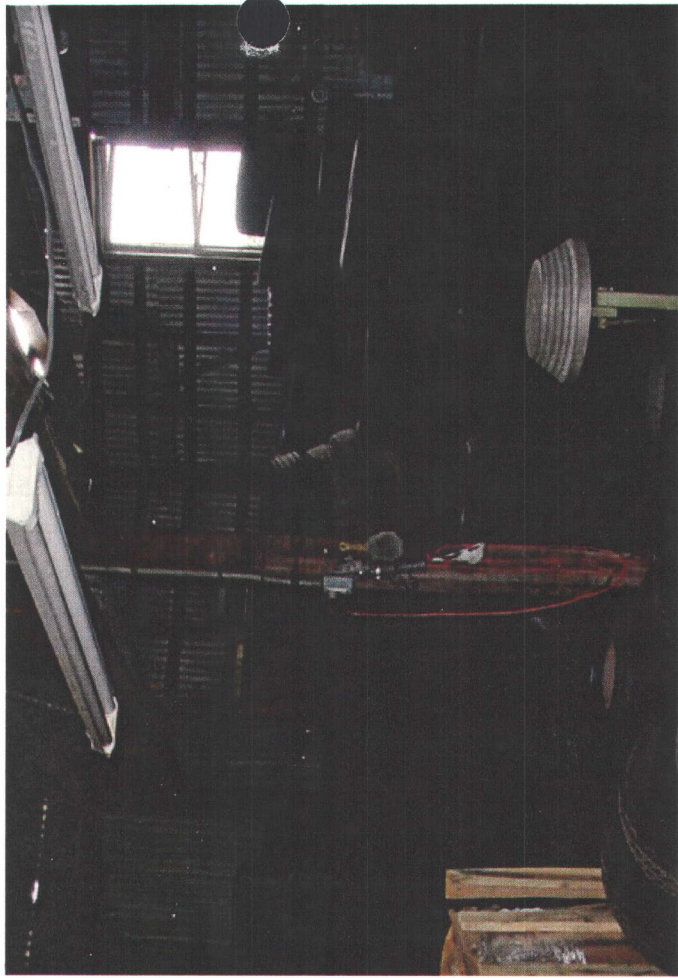
⑫ From the gate
looking East

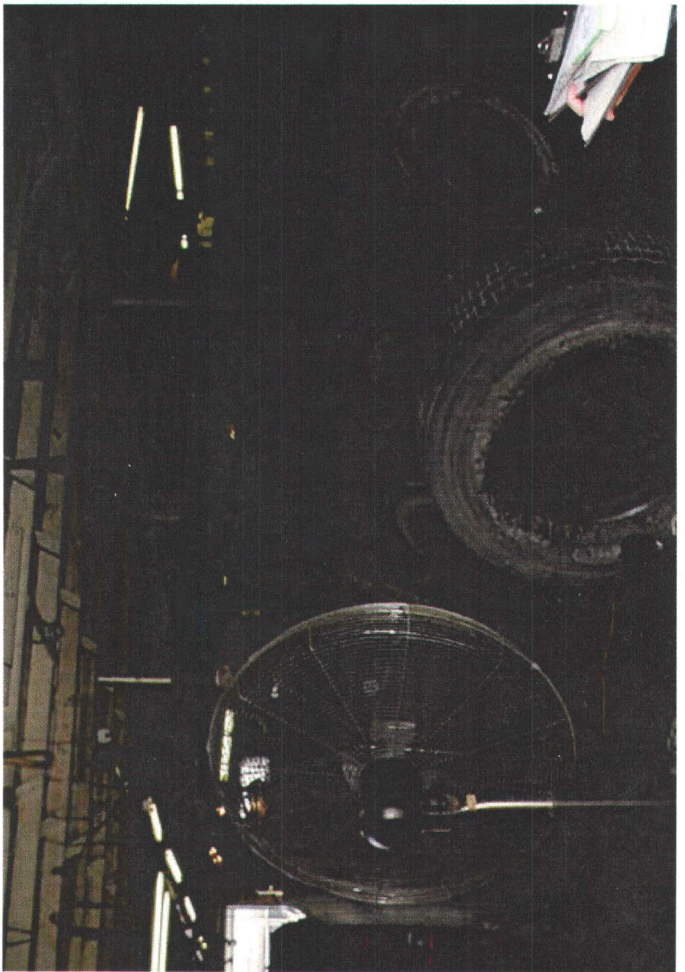
⑬ From the gate of
Block 33 looking West
Storage Area across Fegan Street











**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788**

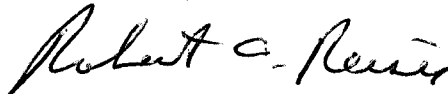
4-12-05

**Fl. Dept. of Environmental Protection
South District
P.O. Box 2549
Ft. Myers Fl. 33902-2549**

Dear Mr. Barbaccia,

I am formally requesting that my company be given a 30 day extension to revise our application No. 0245850-001-WT/02. The quantity of further information requested and time constraints makes it nearly impossible to adhere to your request in the time you have allotted us (April 30, 2005). The date of May 31, 2005 is a date that I feel will give F.T.T. and our engineer enough time to complete this task. I hope you will give my request strong consideration for the extra time needed will only enhance the finished product and reduce the need to submit further information in the future.

Thank You,

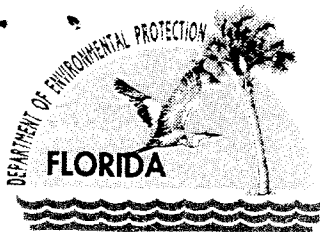


**Robert A. Reisig,
Manager, Florida Tire Terminal**

RECEIVED

APR 18 2005

D.E.P. - South District



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

March 31, 2005

FILE

Beck's Tire Service
d/b/a Florida Tire Terminal
c/o Robert Reisig, Manager
400 Feagin Street
Avon Park, Florida 33826

Re: Highlands County – WT
Florida Tire Terminal
Waste Tire Processing Facility
Application No. 0245850-001-WT/02
Request for Additional Information (RAI) No. 1
Lake Wales Ridge EMA

Dear Mr. Reisig:

The Department has reviewed your application with supporting data regarding a permit for the subject facility and found the submittal to be incomplete. Please submit additional information as addressed below to complete the application.

APPLICATION FORM, PART I

Please mark "x" in the box for "Existing unpermitted facility".

- A.1: i) Please clarify whether Beck's Tire Service or Florida Tire Terminal is a corporate legal entity registered with the State of Florida Department of State.
- ii) Please clarify which is the responsible operating authority of the Florida Tire Terminal and who is responsible for the financial affairs of the facility. Please note that only a corporate legal entity registered with the State of Florida Department of State can assume financial responsibility to provide financial assurance for facility closure. If an individual owns the entire facility, he/she can assume the responsibility for providing financial assurance for closure of the facility. A letter dated March 1, 2005 submitted with supporting data indicates that Eugene H. Beck, Jr. is President and owner of this company (Beck Tire International, 4950 Stilwell Avenue, Kansas City, Missouri 64120-1134) and property. Moreover, the letter authorizes "the current occupant of 400 Feagin Street in Avon Park, FL to continue in business there." The name

of the current occupant is not mentioned and the name of the responsible person is not described. As such, the authorization is not acceptable. A proof of land ownership is also required along with the authorization.

- iii) The application should be signed by the owner/operator of the business; however, an authorized agent can sign the application. The submitted application is signed by Robert A. Reisig, manager, and is submitted without an authorization letter by the owner of the business.

Please clarify the ownership of the business, registration with the State of Florida as a corporation, and re-submit the application signed by an authorized agent, along with a letter of authorization.

A.7: Please submit a history and description of the enforcement actions.

B.7: Please complete information regarding Township and Range, and enter the correct latitude and longitude in degrees, minutes, and seconds.

PART II and PART III: It appears that the report (supporting data) is not prepared by a professional engineer as the title (cover) sheet does not bear a signature and a seal. Moreover, the certification by the professional engineer on Page 4/4 of the application includes the words, "Tire Storage Only" which limits his certification, but it is not clear whether the tire storage is regarding the storage areas or the quantity of tire storage in tons. However, the drawings "Proposed Site Plan" is signed by the professional engineer.

As such, the submitted report/narrative cannot be accepted for review. However, a couple of comments are made.

The storage capacity of different areas (outdoor and indoor) is not marked on the plan and described in the narrative, and no calculations are submitted, the storage detailed on Page 4/4 of the application indicates the total storage as 230 tons, which is beyond the maximum storage allowed for 15,000 tires (150 tons). The submitted closure cost estimate is for 242 tons, which is in excess of the allowed amount. Moreover, the total closure cost is not correct.

It is to be noted that the submitted Section Map (revised Zoning Map) dates back to September 24, 2001. The city or the engineer has to certify that is the latest one.

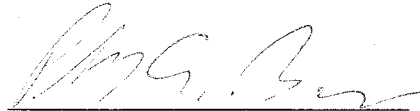
Florida Tire Terminal
Application No. 0245850-001-WT/02
RAI No. 1
Page 3

Please submit a revised application with a narrative/report and a complete table of contents, addressing each item of the application in accordance with applicable sections of Florida Administrative Code Rule 62-711 and the DEP approved Alternate Procedure. The narrative/report and drawing(s) shall be signed, dated and sealed by a professional engineer.

Should you need further assistance, please call Ghous Minhaj at (239) 332-6975, extension 185.

Please submit at least four (4) copies of your response as early as possible but by April 30, 2005. Your cooperation in this matter is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Philip A. Barbaccia", is written over a horizontal line.

Philip A. Barbaccia
Environmental Administrator

PAB/GAM/se

cc: Bill Krumbholz, DEP

BECK TIRE, INTERNATIONAL
4950 STILWELL AVENUE
KANSAS CITY, MO 64120-1134

March 8, 2005

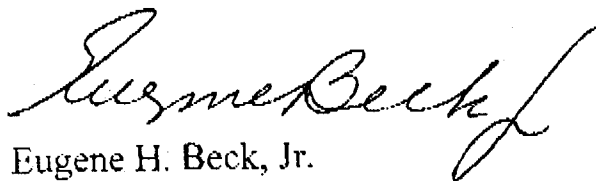
Attention: Mr. Phillip Barbaccia, State of Florida DEP, Fort Myers

Subject: Florida Tire Terminal's Waste Tire Processor Permit Application
400 Feagin Street Avon Park, FL 33825

Dear Mr. Barbaccia:

I am writing this letter to confirm that Florida Tire Terminal can apply for and act as a waste tire processor in the State of Florida. I feel this permit is a requisite to the future of our tire business in Avon Park, FL. Please feel free to contact me at 816-241-1155 if you have any future questions.

Sincerely,



Eugene H. Beck, Jr.

RECEIVED

MAR 9 2005

D.E. South District

THE NEWS-SUN
2227 U.S. 27 SOUTH
Published three (3) times weekly
SEBRING, HIGHLANDS COUNTY, FLORIDA

**STATE OF FLORIDA,
COUNTY OF HIGHLANDS:**

Before the undersigned authority personally appeared
Kim Young, who on oath says that she is Business Manager
of the News-Sun, a tri-weekly newspaper published
at Sebring, in Highlands County, Florida; that the attached
copy of advertisement, being a Proof of Publication in the
matter of:

**NOTICE OF APPLICATION TO FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION; BECK'S TIRE SERVICE
D.B.A. FLORIDA TIRE TERMINAL; APPLICATION NO.
0245850-001-WT/02**

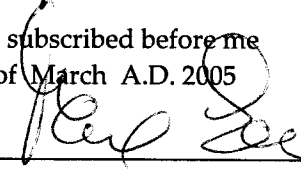
Was published in said newspaper in the issue(s) of

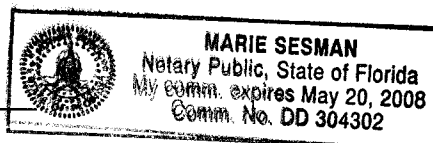
MARCH 23, 2005

Affiant further says the News-Sun is a newspaper published
at Sebring, in Highlands County, Florida, and that the said
newspaper has heretofore been continuously published in said
County, Florida, Wednesday, Friday and/or Sunday and has been
entered as a second class mail matter at the post office
Sebring, in said county, Florida, for a period of one year next
preceding the first publication of the attached copy of advertise-
ment; and affiant further says that she has neither paid nor promised
any person, firm or corporation any discount, rebate,
commission or refund of the purchase of securing this
advertisement of publication in the said newspaper.



Kim Young, Business Manager

Sworn to and subscribed before me
on 24TH day of March A.D. 2005




**NOTICE OF APPLICATION
SUBMITTED TO THE FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

The applicants, Beck's Tire Service D.B.A. as Florida Tire Terminal c/o Robert Reisig, Manager, P.O. Box 1733, Avon Park, Florida 33825, announces submittal of an application to the Department for a permit to construct and operate a Waste Tire Processing Facility specifically identified as Florida Tire Terminal.

This proposed project will be located at 400 Feagin Street, Avon Park, Florida 33826.

This application (No. 0245850-001-WT/02) is being processed by the Department and 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 2295 Victoria Avenue, Suite 364, Fort Myers, Florida. The application is also available for viewing at Florida Tire Terminal, 600 Feagin St., Avon Park, FL. Please call 863-452-5788 to schedule inspection. Any comments or objections should be filed in writing with the Department at this address or mailed to P.O. Box 2549, Fort Myers, Florida 33902-2549. Comments or objections should be submitted as soon as possible to ensure that there is adequate time for them to be considered in the Department's decision on the application.

March 23, 2005



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

March 8, 2005

Robert A. Reisig, Manager
Beck's Tire Service D.B.A
Florida Tire Terminal
P.O. Box 1733
Avon Park, FL 33825


Re: Highlands County – WT
Florida Tire Terminal
DEP File No. 0245850-001-WT/02
Public Notice of Application
Lake Wales Ridge EMA

Dear Mr. Reisig:

Enclosed is a suggested public notice of application for the subject project to be published in a newspaper serving the local affected community, in accordance with Florida Administrative Code (F.A.C.) Rule 62-701.320(8)(a). The notice shall be published within fourteen (14) days of submittal of the application to the Department, and proof of publication shall be provided to the Department.

Should you need further assistance, please call Ghous Minhaj at (239) 332-6975, extension 185. Your cooperation in this matter is appreciated.

Sincerely,


Philip A. Barbaccia
Environmental Administrator

Enclosure
PAB/GAM/red

cc: Roger Dale Polston, P.E.
Bill Krumbholz, DEP
Jack D. Myers, DEP
Jeff Gould, DEP

"More Protection, Less Process"

Printed on recycled paper.

1050

Legals

L.E. "LUKE" BROOKER
CLERK OF THE CIRCUIT COURT
BY: /s/ Annette E. Daff
Deputy Clerk
March 23, 30, 2005

IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT,
IN AND FOR HIGHLANDS COUNTY, FLORIDA
CASE NO. GC 04-736

SUN 'N LAKE OF SEBRING IMPROVEMENT
DISTRICT, a special district and a public
corporation of the State of Florida,
Plaintiff,

vs.
GUENTHER E. KLEIHauer and JANET L.
KLEIHauer, if alive and if not, their unknown
spouses, heirs, devisees, grantees, creditors,
or other parties claiming by, through, under or
against GUENTHER E. KLEIHauer and JANET
L. KLEIHauer, and all claimants under any of
such party;
Defendants.

NOTICE OF SALE

NOTICE is hereby given that pursuant to a
final decree of foreclosure entered in the
above-titled cause in the Circuit Court of High-
lands County, Florida, I will sell the property
situate in Highlands County, Florida, described
as:

Lot 18, Block 439, Unit 20, Sun 'n Lake Es-
tates of Sebring, according to the plat thereof
recorded in Plat Book 10, Page 32, of the Pub-
lic Records of Highlands County, Florida,
at public sale to the highest and best bidder
for cash, in the Jury Assembly Room in the
basement of the Highlands County Court-
house located at 430 South Commerce Ave-
nue, in Sebring, Florida at 11:00 A.M. on the
8th day of April, 2005.

SIGNED this 10th day of March, 2005.

L.E. "LUKE" BROOKER
Clerk of the Circuit Court
By: /s/ E. Frazier
Deputy Clerk
March 16, 23, 2005

IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HIGHLANDS COUNTY, FLORIDA
CIVIL DIVISION

CASE NUMBER: GC 05-58

SUN 'N LAKE OF SEBRING IMPROVEMENT
DISTRICT, a special district and a public
corporation of the State of Florida,
Plaintiff,

vs.
WING C. KWAN and JANE KWAN, HIS WIFE, if
alive and if not, their unknown spouses, heirs,
devisees, grantees, creditors, or other parties
claiming by, through, under or against WING
C. KWAN and JANE KWAN, HIS WIFE, and all
claimants under any of such party;
CLIFFORD FIFE, if alive and if not, his
unknown spouse, heirs, devisees, grantees,
editors, or other parties claiming by,
rough, under or against CLIFFORD FIFE, and
all claimants under any of such party;
NORM BJORNDAHL and SHARON
BJORNDAHL, HIS WIFE, if alive and if not,
eir unknown spouses, heirs, devisees,
antees, creditors, or other parties claiming
through, under or against NORM
BJORNDAHL and SHARON BJORNDAHL, HIS
WIFE, and all claimants under any of such
party;
MERVIN SYMES and MURIEL SYMES, HIS
WIFE, if alive and if not, their unknown
spouses, heirs, devisees, grantees, creditors,

1050

Legals

IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT,
IN AND FOR HIGHLANDS COUNTY, FLORIDA
CASE NO. FC05-316

DEBORAH S. WATLEY,
Petitioner,
and
JAMES W. WATLEY,
Respondent.

NOTICE OF ACTION
FOR DISSOLUTION OF MARRIAGE
TO: JAMES W. WATLEY

APT. 10A LOTELA AVENUE, AVON PARK, FL
YOU ARE NOTIFIED that an action has
been filed against you and that you are re-
quired to serve a copy of your written defens-
es, if any, to it on Deborah S. Watley, whose
address is P.O. Box 6891, Avon Park, FL
33826 on or before April 15, 2005, and file the
original with the clerk of this Court at 590 S.
Commerce or (location) 430 S. Commerce,
Sebring, FL 33870, before service on Petition-
er or immediately thereafter. If you fail to do
so, a default may be entered against you for
the relief demanded in the petition.

Copies of all court documents in this
case, including orders, are available at the
Clerk of the Circuit Court's office. You may re-
view these documents upon request.

You must keep the Clerk of the Circuit
Court's office notified of your current address.
(You may file Notice of Current Address, Flor-
ida Supreme Court Approved Family Law
Form 12.915.) Future papers in this lawsuit
will be mailed to the address on record at the
clerk's office.

WARNING: Rule 12.285, Florida Family
Law Rules of Procedure, requires certain au-
tomatic disclosure of documents and informa-
tion. Failure to comply can result in sanctions,
including dismissal or striking of pleadings.

Dated: March 10, 2005.

CLERK OF THE CIRCUIT COURT

By: /s/ Lisa M. Osha
Deputy Clerk
March 16, 23, 30; April 6, 2005

IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HIGHLANDS COUNTY, FLORIDA
CIVIL DIVISION

CASE NUMBER: GC 05-58

SUN 'N LAKE OF SEBRING IMPROVEMENT
DISTRICT, a special district and a public
corporation of the State of Florida,
Plaintiff,

vs.
WING C. KWAN and JANE KWAN, HIS WIFE, if
alive and if not, their unknown spouses, heirs,
devisees, grantees, creditors, or other parties
claiming by, through, under or against WING
C. KWAN and JANE KWAN, HIS WIFE, and all
claimants under any of such party;
CLIFFORD FIFE, if alive and if not, his
unknown spouse, heirs, devisees, grantees,
creditors, or other parties claiming by,
through, under or against CLIFFORD FIFE, and
all claimants under any of such party;
NORM BJORNDAHL and SHARON
BJORNDAHL, HIS WIFE, if alive and if not,
their unknown spouses, heirs, devisees,
grantees, creditors, or other parties claiming
by, through, under or against NORM
BJORNDAHL and SHARON BJORNDAHL, HIS
WIFE, and all claimants under any of such
party;
MERVIN SYMES and MURIEL SYMES, HIS
WIFE, if alive and if not, their unknown
spouses, heirs, devisees, grantees, creditors,
or other parties claiming by, through, under
or against MERVIN SYMES and MURIEL SYMES,
HIS WIFE, and all claimants under any of such
party;
WILLIAM JORDALE and JEANNINE JORDALE

1050

Legals

NOTICE OF SHERIFF'S SALE

NOTICE IS HEREBY GIVEN THAT pursuant
to a Writ of Execution issued in the County
Court in and for Okeechobee County, Florida,
on the 8th day of February, 2005, in the cause
wherein World's Finest Chocolate, Inc., is
plaintiff, and Emmaline Harris d/b/a 'Jesus
Holy Ghost Crusade, is defendant, being Case
No. 99-58-SP in said court, I, Susan Benton,
as Sheriff of Highlands County, Florida have
levied upon all of the right, title and interest
of the above defendant, Emmaline Harris, and to
the following described real property to-wit:

Lot 2, 3 and 4, Block 160, SEBRING HIGH-
LANDS, according to the Plat thereof, as re-
corded in Plat Book 1, Page 97, of the Public
Records of Highlands County, Florida, a/k/a
1619 Wolfe Drive, Sebring, Florida,
and on the 13th day of April, 2005 at the Com-
merce Avenue entrance to the Highlands
County Courthouse, in the City of Sebring,
Highlands County, Florida, at the hour of
11:00 a.m., or as soon thereafter as possible,
I will offer for sale all of the said defendant,
Emmaline Harris', right, title and interest in
aforesaid property at public outcry and will
sell the same, subject to all prior liens, en-
cumbrances and judgments, if any, to the
highest and best bidder or bidders for CASH,
the proceeds to be applied as far as may be to
the payment of costs and the satisfaction of
the above-described execution.

Dated this 7th day of March, 2005.

SUSAN BENTON, SHERIFF
OF HIGHLANDS COUNTY, FLORIDA

BY: /s/ H. Miller-Carr
DEPUTY SHERIFF

In accordance with the American With Disabil-
ities Act, persons with disabilities needing a
special accommodation to participate in this
proceeding should contact the agency sending
this notice at 434 Fernleaf Ave., Sebring, FL
33870, Telephone 863/402-7228 not later
than seven days prior to the proceeding. If
hearing impaired, (TTD) 1-800-955-8771, or
Voice (V) 1-800-955-8770, via Florida Relay
Service.

March 9, 16, 23, 30, 2005

IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HIGHLANDS COUNTY, FLORIDA
CIVIL DIVISION

CASE NUMBER: GC 05-58

SUN 'N LAKE OF SEBRING IMPROVEMENT
DISTRICT, a special district and a public
corporation of the State of Florida,
Plaintiff,

vs.
WING C. KWAN and JANE KWAN, HIS WIFE, if
alive and if not, their unknown spouses, heirs,
devisees, grantees, creditors, or other parties
claiming by, through, under or against WING
C. KWAN and JANE KWAN, HIS WIFE, and all
claimants under any of such party;
CLIFFORD FIFE, if alive and if not, his
unknown spouse, heirs, devisees, grantees,
creditors, or other parties claiming by,
through, under or against CLIFFORD FIFE, and
all claimants under any of such party;
NORM BJORNDAHL and SHARON
BJORNDAHL, HIS WIFE, if alive and if not,
their unknown spouses, heirs, devisees,
grantees, creditors, or other parties claiming
by, through, under or against NORM
BJORNDAHL and SHARON BJORNDAHL, HIS
WIFE, and all claimants under any of such
party;
MERVIN SYMES and MURIEL SYMES, HIS
WIFE, if alive and if not, their unknown
spouses, heirs, devisees, grantees, creditors,

1050

Legals

NOTICE OF APPLICATION

SUBMITTED TO THE FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

The applicants, Beck's Tire Service D.B.A.
as Florida Tire Terminal c/o Robert Reisig,
Manager, P.O. Box 1733, Avon Park, Florida
33825, announces submittal of an application
to the Department for a permit to construct
and operate a Waste Tire Processing Facility
specifically identified as Florida Tire Terminal.

This proposed project will be located at
400 Feagin Street, Avon Park, Florida 33826.

This application (No. 0245850-001-WT/02)
is being processed by the Department and is
available for public inspection during normal
business hours, 8:00 a.m. to 5:00 p.m., Mon-
day through Friday, except legal holidays, at
2295 Victoria Avenue, Suite 364, Fort Myers,
Florida. The application is also available for
viewing at Florida Tire Terminal, 600 Feagin
St., Avon Park, FL. Please call 863-452-5788
to schedule inspection. Any comments or ob-
jections should be filed in writing with the De-
partment at this address or mailed to P.O. Box
2549, Fort Myers, Florida 33902-2549. Com-
ments or objections should be submitted as
soon as possible to ensure that there is ade-
quate time for them to be considered in the
Department's decision on the application.

March 23, 2005

1055

Highlands
County Legals

NOTICE OF APPLICATION FOR TAX DEED
(CHAPTER 197.512-FLORIDA STATUTES)
TAX DEED SALE: 04/20/2005

CERT. NO.: 00/11375
TAX DEED NO.: 04000415TDS
NOTICE IS HEREBY GIVEN THAT GEORGE MCKEE,
HOLDER OF TAX CERTIFICATE NUMBER 00/11375
ISSUED 06/01/2000, HAS FILED SAME IN MY OFFICE
AND HAS MADE AN APPLICATION FOR TAX DEED TO
BE ISSUED THEREON. SAID CERTIFICATE EMBRACES
THE FOLLOWING DESCRIBED PROPERTY IN
THE COUNTY OF HIGHLANDS, STATE OF FLORIDA,
TO WIT:
C213629-05029400100
LOT 10, BLOCK 294, OF LEISURE LAKES SECTION 5,
ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 6, PAGE 30, OF THE PUBLIC RE-
CORDS OF HIGHLANDS COUNTY, FLORIDA.
THE ASSESSMENT OF SAID PROPERTY UNDER SAID
CERTIFICATE ISSUED WAS IN THE NAME(S) OF
DOLORES L. MCDANIEL AND BOBBY W. MCDANIEL
JR.

UNLESS THE SAID CERTIFICATE SHALL BE RE-
DEEMED ACCORDING TO LAW, THE PROPERTY DE-
SCRIBED THEREIN WILL BE SOLD TO THE HIGHEST
BIDDER IN THE MAIN HIGHLANDS COUNTY COURT-
HOUSE, 2ND FLOOR, COURT ROOM 8, ON
04/20/2005 AT THE LEGAL HOUR OF SALE, 11:00
A.M.

DATED THIS 03/16/2005

L.E. "LUKE" BROOKER
CLERK OF COURTS
BY: /s/ MARIA SIMPSON
DEPUTY CLERK

MARCH 16, 23, 30; APRIL 6, 2005

NOTICE OF APPLICATION FOR TAX DEED
(CHAPTER 197.512-FLORIDA STATUTES)
TAX DEED SALE: 04/20/2005

CERT. NO.: 00/11583
TAX DEED NO.: 04000416TDS
NOTICE IS HEREBY GIVEN THAT GEORGE MCKEE,
HOLDER OF TAX CERTIFICATE NUMBER 00/11583
ISSUED 06/01/2000, HAS FILED SAME IN MY OFFICE
AND HAS MADE AN APPLICATION FOR TAX DEED TO
BE ISSUED THEREON. SAID CERTIFICATE EMBRACES
THE FOLLOWING DESCRIBED PROPERTY IN
THE COUNTY OF HIGHLANDS, STATE OF FLORIDA,
TO WIT:
C213629-11012200080
LOT 8, BLOCK 122, OF LEISURE LAKES SECTION 11,
ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 7, PAGE 25, OF THE PUBLIC RE-
CORDS OF HIGHLANDS COUNTY, FLORIDA.
THE ASSESSMENT OF SAID PROPERTY UNDER SAID
CERTIFICATE ISSUED WAS IN THE NAME(S) OF
JOAO DE GOVEIA
UNLESS THE SAID CERTIFICATE SHALL BE RE-
DEEMED ACCORDING TO LAW, THE PROPERTY DE-
SCRIBED THEREIN WILL BE SOLD TO THE HIGHEST
BIDDER IN THE MAIN HIGHLANDS COUNTY COURT-
HOUSE, 2ND FLOOR, COURT ROOM 8, ON
04/20/2005 AT THE LEGAL HOUR OF SALE, 11:00
A.M.



STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTH DISTRICT

POST OFFICE BOX 2549, FORT MYERS FLORIDA 33902-2549
OFFICE TELEPHONE #: 239.332.6975 - OFFICE SUNCOM: 748.6975
FAX TELEPHONE #: 239.332.6969 - FAX SUNCOM #: 748.6969

FAX TRANSMITTAL FORM

DATE: 3/8/05 # OF PAGES INCLUDING COVER SHEET 3

TO: Robert Reesig

AGENCY: Florida Tire Terminal

TELEPHONE #: 863-452-5788 FAX #: 863-452-6293

FROM: Ghous M. Minhaj

COMMENTS: Florida Tire Terminal - Notice of Application
Suggested Notice to be published
in a newspaper

PLEASE CONTACT IMMEDIATELY IF PAGES ARE NOT RECEIVED CLEARLY.

FAXED
12:52 P 3/8/05
Gm



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

March 8, 2005

Robert A. Reisig, Manager
Beck's Tire Service D.B.A
Florida Tire Terminal
P.O. Box 1733
Avon Park, FL 33825

COPY

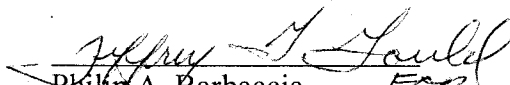
Re: Highlands County – WT
Florida Tire Terminal
DEP File No. 0245850-001-WT/02
Public Notice of Application
Lake Wales Ridge EMA

Dear Mr. Reisig:

Enclosed is a suggested public notice of application for the subject project to be published in a newspaper serving the local affected community, in accordance with Florida Administrative Code (F.A.C.) Rule 62-701.320(8)(a). The notice shall be published within fourteen (14) days of submittal of the application to the Department, and proof of publication shall be provided to the Department.

Should you need further assistance, please call Ghous Minhaj at (239) 332-6975, extension 185. Your cooperation in this matter is appreciated.

Sincerely,


Philip A. Barbaccia
Environmental Administrator

Enclosure
PAB/GAM/rcd

cc: Roger Dale Polston, P.E.
Bill Krumbholz, DEP
Jack D. Myers, DEP
Jeff Gould, DEP

"More Protection, Less Process"

Printed on recycled paper.

**SUGGESTED
PUBLIC NOTICE OF SUBMITTAL OF APPLICATION
TO BE PUBLISHED IN A NEWSPAPER**

**Notice of Application
Submitted to the Florida Department of Environmental Protection**

The applicant, Beck's Tire Service D.B.A as Florida Tire Terminal c/o Robert Reisig, Manager, P.O. Box 1733, Avon Park, Florida 33825, announces submittal of an application to the Department for a permit to construct and operate a Waste Tire Processing Facility specifically identified as Florida Tire Terminal.

This proposed project will be located at 400 Feagin Street, Avon Park, Florida 33826.

This application (No. 0245850-001-WT/02) is being processed by the Department and 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 2295 Victoria Avenue, Suite 364, Fort Myers, Florida. Any comments or objections should be filed in writing with the Department at this address or mailed to P.O. Box 2549, Fort Myers, Florida 33902-2549. Comments or objections should be submitted as soon as possible to ensure that there is adequate time for them to be considered in the Department's decision on the application.



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

March 8, 2005

FILE

Robert A. Reisig, Manager
Beck's Tire Service D.B.A
Florida Tire Terminal
P.O. Box 1733
Avon Park, FL 33825

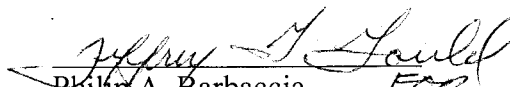
Re: Highlands County – WT
Florida Tire Terminal
DEP File No. 0245850-001-WT/02
Public Notice of Application
Lake Wales Ridge EMA

Dear Mr. Reisig:

Enclosed is a suggested public notice of application for the subject project to be published in a newspaper serving the local affected community, in accordance with Florida Administrative Code (F.A.C.) Rule 62-701.320(8)(a). The notice shall be published within fourteen (14) days of submittal of the application to the Department, and proof of publication shall be provided to the Department.

Should you need further assistance, please call Ghous Minhaj at (239) 332-6975, extension 185. Your cooperation in this matter is appreciated.

Sincerely,


Philip A. Barbaccia
Environmental Administrator

Enclosure
PAB/GAM/rcd

cc: Roger Dale Polston, P.E.
Bill Krumbholz, DEP
Jack D. Myers, DEP
Jeff Gould, DEP

"More Protection, Less Process"

Printed on recycled paper.

**SUGGESTED
PUBLIC NOTICE OF SUBMITTAL OF APPLICATION
TO BE PUBLISHED IN A NEWSPAPER**

**Notice of Application
Submitted to the Florida Department of Environmental Protection**

The applicant, Beck's Tire Service D.B.A as Florida Tire Terminal c/o Robert Reisig, Manager, P.O. Box 1733, Avon Park, Florida 33825, announces submittal of an application to the Department for a permit to construct and operate a Waste Tire Processing Facility specifically identified as Florida Tire Terminal.

This proposed project will be located at 400 Feagin Street, Avon Park, Florida 33826.

This application (No. 0245850-001-WT/02) is being processed by the Department and 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 2295 Victoria Avenue, Suite 364, Fort Myers, Florida. Any comments or objections should be filed in writing with the Department at this address or mailed to P.O. Box 2549, Fort Myers, Florida 33902-2549. Comments or objections should be submitted as soon as possible to ensure that there is adequate time for them to be considered in the Department's decision on the application.

Minhaj, Ghousuddin

From: Edwards, Susan
Sent: Thursday, February 03, 2005 2:36 PM
To: 'tirebob@digital.net'
Cc: Minhaj, Ghousuddin
Subject: Application for Waste Tire Processor Permit

Please see the attached with regards to your recent letter:



ReisigApprovalLetter.pdf

D. For reporting quantity of tires in tons, tires will be: weighed on site ☐ weighed off site ☐ weights will be calculated ☐

E. Facilities that will not be disposing of processed tires or processing residual on the facility site must indicate the permitted solid waste management facility where processed tires or residuals will be disposed.

1. Name of facility See attachment entitled " Tire Recyclers"

2. Street address:

3. City: _____ County: _____ Zip: _____

F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.

Passenger Tires sent to Greenman are being consumed at the Cemex Plant in Brooksville, Fl.

Radial steel tires are being shredded for crumb rubber at the Jackson, Ga. plant.

Oddball tires (OTR) are being sent to Integrated Waste Tire in Birmingham, Al for processing.

Bias Truck tires are being sent to Benson Tire in Benton, La. for recycling.

Part III-Attachments:

A. Facility design

NOTE: All maps, plan sheets, drawings, isometrics, cross sections, or aerial photographs shall be legible; be signed and sealed by a registered professional engineer responsible for their preparation; be of appropriate scale to show clearly all required details; be numbered, referenced to narrative, titled, have a legend of symbols used, contain horizontal and vertical scales (where applicable), and specify drafting or origination dates; and use uniform scales as much as possible, contain a north arrow and use NGVD for all elevations.

1. A topographic or section map of the facility, including the surrounding area for one mile, no more than one year old, showing land use and zoning within one mile of the facility
2. A plot plan of the facility on a scale of not less than one inch equals 200 feet. At a minimum, the plot plan shall include:
 - a. The facility design, including the location and size of all storage and processing areas for used tires, unprocessed waste tires, processed waste tires, and waste tire processing residuals;
 - b. All wetlands and water bodies within the facility or within 200 feet of any storage area;
 - c. Stormwater control measures, including ditches, dikes, and other structures;
 - d. Boundaries of the facility, legal boundaries of the land containing the facility, and any easements or rights of way that are within the facility or within 200 feet of any storage area;
 - e. Location, size, and depth of all wells within the facility or within 200 feet of any storage area;
 - f. All structures and buildings that are, or will be, constructed at the facility; include those used in storage and processing operations;
 - g. All areas used for loading and unloading;
 - h. All access roads and internal roads, including fire lanes;
 - i. Location of all fences, gates, and other access control measures; and
 - j. Location of all disposal areas within the facility.

B. Facility operation.

1. A description of the facility's operation, process and products including how waste tires will be received and stored.
2. A description of the equipment used for processing tires. This description shall include the make, model, and hourly capacity of each piece of equipment.
3. Description of the waste from the process, the amount of waste expected and how and where this waste will be disposed of.
4. Statement of the maximum daily throughput and the planned daily and annual throughput.
5. A description of how the operator will maintain compliance with each of the storage requirements of Rule 62-711.540, F.A.C.
6. A copy of the emergency preparedness manual for the facility with a statement of the on site and off site locations where that manual will be maintained.
7. A copy of the fire safety survey
8. A description of how 75% of the annual accumulation of waste tires will be removed for disposal or recycling.

[REDACTED] for the facility as required by Rule 62-711.700(2) and (3), F.A.C.

DEP # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. _____ (Filled in by DEP)

C. Land Owner Information (if different from applicant):

- Owner's name: Beck's Tire Service
- Land owner's mailing address: 4950 Stillwell
- City: Kansas City State: Mo. Zip: 64120
- Authorized Agent: Eugene Beck Jr. Agent's phone (816) 241-1155
- Current lease expires: Open Ended

D. Facility Operator Information (if different from applicant):

- Operator's name: Robert A. Reisig
- Operator's mailing address: PO Box 1733
- City: Avon Park State: Fl. Zip: 33826
- Contact person: Robert A. Reisig Phone: (863) 452-5788

E. Preparer of Application:

- Name of person preparing application: Robert A. Reisig
- Mailing address: PO Box 1733
- City: Avon Park State: Fl. Zip: 33826
- Phone: (863) 452-5788
- Affiliation with facility: Manager & Son in Law of Owner, Eugene Beck Jr.

Part II-Operations:

A. Facility type (check appropriate box):

- ☒ Waste tire processing facility.
- ☐ Waste tire processing facility with on-site disposal of processed tires or processing residuals.
See Attachment _____
- ☐ Waste tire processing facility with on-site consumption of waste tires or processing residuals.
See Attachment F
- ☐ Permitted solid waste management facility modification to allow waste tire site and processing.

B. Type of processing facility (check as many as apply):

- ☐ Shredder ☐ Cutter ☐ Chopper ☐ Incinerator only ☐ Incinerator with energy recovery
- ☐ Pyrolysis ☐ Supplemental fuel user ☐ Other, explain Transfer Station

C. Storage: Indicate the maximum quantities of whole waste tires, processed waste tires, and processing residuals, expressed in tons, to be stored at the facility, in accordance with Rule 62-711.530(2), F.A.C.

	Outdoor Storage(tons)	Outdoor Storage (sq.ft)	Indoor Storage (tons)	Indoor Storage (sq.ft)	Total Storage (tons)
Whole waste tires:	<u>180</u>	<u>23000</u>	<u>50</u>	<u>10,000</u>	<u>15,000 tires</u>
Processed tires:	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
Processing residuals:	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
TOTALS:	<u>180</u>	<u>23,000</u>	<u>50</u>	<u>10,000</u>	<u>230 TONS</u>



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. <u>0245850-001</u> <i>WTJ02</i>
(Filled in by DEP)

Waste Tire Processing Facility Permit Application

Permit No. _____

Renewal ☐ Modification ☐ Existing unpermitted facility ☐ Proposed new facility ☐

Part I-General Information:

A. Applicant Information:

1. Applicant Name: Beck's Tire Service DBA Florida Tire Terminal
2. Applicant Street Address: 400 Feagin St.
3. City: Avon Park County: Highlands Zip: 33825
4. Applicant Mailing Address: PO Box 1733
5. City: Avon Park County: Highlands Zip: 33826
6. Contact person: Robert A. Reisig Phone: (863) 452-5788 FEID No: 43-0864539
7. Have any enforcement actions been taken by the Department against the applicant relating to the operation of any solid waste management facility in this state? This includes any Complaint, Notice of Violation, or revocation of a permit or registration, as well as any Consent Order in which a violation of Department rules is admitted. It does not include a Warning Letter, Warning Notice, Notice of Noncompliance, or other similar document which does not constitute agency action.
Yes ☒ No ☐ If yes, attach a history and description of the enforcement actions.

B. Facility Information:

1. Facility Name: Florida Tire Terminal
2. Facility Street Address (Main Entrance): 400 Feagin St
3. City: Avon Park County: Highlands Zip: 33826
4. Facility Mailing Address: PO Box 1733
5. City: Avon Park State: Fl. Zip: 33825
6. Contact Person: Robert A. Reisig Phone: (863-) 452-5788
7. Facility Location Coordinates:
Section: 22 Township: Avon Park Range: NA
Latitude: 27.592 Longitude: 81.505
8. Anticipated date for starting construction 4-01-05 and for completion of construction 9-30-05
9. Anticipated date for receipt of tires NA and for start of processing NA

RECEIVED

MAR 04 2005

D.E.P. - SOUTH DISTRICT

Mail completed form to
appropriate district office listed below

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

DEP # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. _____ (Filled in by DEP)

- D. Attach proof of financial responsibility as requirement by Rule 62-711.500(3) OR a calculation showing that financial assurance documents, currently on file with the Department, are sufficient to assure closing of the waste tire site as well as any other solid waste management facility at that location.
- E. ~~Consent~~ from the land owner (if different from applicant) authorizing use of the land as a waste tire processing facility.
- F. If waste tires will be consumed at the facility, attach a description of the other environmental permits that the applicant has for this use, including, permit number, date of issue, and name of issuing agency
- G. The permit fee as required in Rule 62-4, F.A.C.

Part IV-Certification:

A. Applicant:

The undersigned applicant or authorized representative of BECK'S TIRE SVC DBA
FL TIRE TERMINAL is aware that statements made in this form and attached information are an application for a
Permit from the Florida Department of Environmental Protection and certifies that
 The information in this application is true, correct and complete to the best of his knowledge and belief.
 Further, the undersigned agrees to comply with the provisions of Chapter 403, Florida Statutes, and all rules
 and regulations of the Department. It is understood that the Department will be notified prior to the sale or
 legal transfer of the facility.

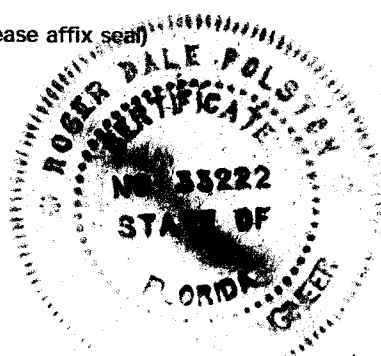
Robert A. Reising ROBERT REISING 3-04-05
 Signature of Applicant or Authorized Agent Name and Title Date

B. Professional Engineer registered in Florida.

Tire Storage Only
 This is to certify that the engineering features of this waste tire processing facility have been
 Designed/examined by me and found to conform to engineering principals applicable to such facilities. In my
 professional judgment, this facility, when properly maintained and operated will comply with all applicable
 statues of the State of Florida and rules of the Department. It is agreed that the undersigned will provide the
 applicant with a set of instructions for proper maintenance and operation of the facility.

Roger Dale Polston P.O. Box 588
 Signature Mailing Address
Roger Dale Polston, President Sebring, FL 33871
 Name and Title City, State, Zip
33222 863 385 5564
 Florida Registration Number Telephone number

(please affix seal)



3/3/05
 Date

Roger Dale Polston, PE#33222
 Polston Engineering, Inc. BPECA#5684
 2925 Kenilworth Boulevard
 Sebring, Florida 33870



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

February 3, 2005

FILE

VIA ELECTRONIC MAIL

Robert A. Reisig, Manager
E:mail: tirebob@digital.net
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County – WT
Application for
Waste Tire Processor Permit
Lake Wales Ridge EMA

Dear Mr. Reisig:

The Department hereby approves the additional time requested in your recent letter received January 31, 2005, for submitting an application for permit by March 1, 2005, instead of February 1, 2005.

Please adhere to the deadline of March 1, 2005. If you need assistance regarding application, please call Ghous Minhaj or Bill Krumbholz at (239) 332-6975. Your cooperation in this matter is appreciated.

Sincerely,

Philip A. Barbaccia
Environmental Administrator

PAB/GAM/se
cc: Bill Krumbholz, DEP

Edwards, Susan

From: Robert A Reisig [tirebob@digital.net]
Sent: Thursday, February 03, 2005 8:08 PM
To: Edwards, Susan
Subject: Read: Application for Waste Tire Processor Permit



ATT02881.txt

FILE

This is a receipt for the mail you sent to
<tirebob@digital.net> at 2/3/2005 2:35 PM

This receipt verifies that the message has been displayed on the
recipient's computer at 2/3/2005 8:08 PM

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

IN RE: FLORIDA TIRE TERMINAL
REQUEST PURSUANT TO
FLORIDA ADMINISTRATIVE CODE
RULE 62-701.310

CASE NO. SWAP-04-02

APPROVAL OF ALTERNATE PROCEDURES

This cause comes before me upon receipt of a request by Florida Tire Terminal. for the approval of alternate procedures and requirements under Rule 62-701.310, Florida Administrative Code (F.A.C.), for use of an alternate procedure for managing waste tires. The petitioner requests that an exception be granted from compliance with provisions of Rules 62-701.200 and 62-711.530, F.A.C., which require a waste tire processing facility to cut, burn, or otherwise alter waste tires so that they are no longer whole. The petitioner also requests an exemption from the following rules regarding the storage of waste tires:

- Rule 62-711.540(2)(e), F.A.C., which requires fire walls in certain locations;
- Rule 62-711.540(2)(g), F.A.C., which requires sprinkler systems in certain locations in lieu of fire walls; and
- Rule 62-711.540(3)(c), F.A.C., which requires a 50 foot fire lane around each waste tire pile.

FINDINGS OF FACT

1. The petitioner currently operates a business that procures, repairs and sells used tires, retreaded, regrooved and new tires in Avon Park, Highlands County, Florida. The business receives shipments of used tires and sells used tires and retreaded or regrooved tires to the public. The petitioner has stated that an inventory of 15,000 tires is necessary to support the projected level of business.

2. The petitioner maintains some equipment to alter waste tires in preparation for retreading or to regroove them, but does not maintain equipment to cut, shred, burn, or otherwise alter waste tires so that they are no longer whole. However, the petitioner's operation does result in the removal of waste tires from the solid waste stream in Florida and the recycling, reuse, or disposal of those tires.

3. The Avon Park Fire Department has inspected the facility and set out fire control guidelines for the petitioner to follow to comply with NFPA Standard 231D, Standard for Storage of Rubber Tires, including the exceptions for existing buildings. This standard contains requirements, among others, that are equivalent to or more stringent than those found in Rules 62-711.540(2) and (3), F.A.C. In addition, the requirements imposed by this standard provide fire protection equivalent to that found in Rule 62-711.540(3)(c), F.A.C. The Avon Park Fire Department has notified the applicant it will require him to adhere to these standards.

CONCLUSIONS OF LAW

Rule 62-701.310, F.A.C., authorizes the approval by the Department of alternate procedures and requirements concerning solid waste management facilities. Based upon the above findings and the information contained in the Request for Alternate Procedures the Department makes the following conclusions.

1. The petitioner manages waste tires, which are defined in Rule 62-701.200(134), F.A.C., as including used tires. The petitioner is therefore prohibited by Rule 62-711.400, F.A.C., from maintaining more than 1500 used tires except as an integral part of a waste tire processing facility.

2. A waste tire processing facility is defined in Rule 62-701.200(137), F.A.C., as a site where equipment is used to recapture reusable by-products from waste tires or to cut, burn, or otherwise alter waste tires so that they are no longer whole. The petitioner's facility contains some equipment for altering tires in preparation for retreading or to regroove them, but no equipment that would alter them so they are no longer whole. However, the petitioner has demonstrated that its facility serves the same purpose as would a waste tire processing facility that does use equipment to alter waste tires so that they are no longer whole, and will provide an equal degree of protection for the public and the environment. The petitioner has also demonstrated that its facility is expected to be at least as effective in removing waste tires from the solid waste stream as would a facility containing processing equipment. Therefore, the

Department concludes that the petitioner's facility should be regulated as a waste tire processing facility under Chapter 62-711, F.A.C.

3. The Department also concludes that compliance with NFPA Standard 213D, Standard for Storage of Rubber Tires, as required by the Avon Park Fire Department in its letter of November 9, 2004, will provide an equivalent degree of fire protection as would strict compliance with Department rules. For this reason, the relief requested from the provisions of Rules 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c), F.A.C., is warranted.

Upon consideration of the foregoing it is therefore ORDERED that the request for alternate procedures from Rules 62-701.200, 62-711.530, 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c), F.A.C., is GRANTED, so that the petitioner's facility may be considered a waste tire processing facility, subject to the following conditions:

CONDITIONS

1. This Order does not authorize the petitioner to operate the facility or to maintain more than 1500 used tires at the facility. Instead, the petitioner must obtain a separate waste tire processing facility permit from the South District Office of the Department. Failure of the petitioner to obtain such a permit may result in enforcement actions for operating a waste tire processing facility without a permit.

2. The petitioner shall submit a permit application for a Waste Tire Processing Facility that conforms to Chapter 62-711, F.A.C., to the South District Office of the Department within 30 days after receipt of this Order. If such a permit is issued, this

Order will be incorporated into that permit and will be reviewed at the time of permit renewal. However, unless the Department takes affirmative action to revoke or modify this Order, it will have an unlimited duration.

3. The petitioner may apply for a storage limit not to exceed 15,000 used tires. The storage limit shall not exceed the quantity for which financial assurance is provided as part of the waste tire processing facility permit. The facility shall not accept any waste tires if it has reached its permitted storage limit.

4. The petitioner shall not receive any waste tires if the tire selling business closes for any reason, unless the petitioner can demonstrate that the permitted storage limit for this facility will not be exceeded and that the proof of financial assurance is sufficient to close the site.

5. The petitioner shall comply with the fire control requirements set forth in the November 9, 2004 letter from the Avon Park Fire Department, which among other things, requires compliance with the NFPA Standard 231D, Standard for Storage of Rubber Tires.

NOTICE OF RIGHTS

Pursuant to Section 403.815, F.S., and Rule 62-110.106, F.A.C., you are required to publish at your own expense the enclosed Notice of Proposed Agency Action. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. You must provide proof of publication to the Department at the address listed below within seven days of publication.

In the alternative, you may include the following language in the notice of proposed agency action for the waste tire processing facility permit, provided that the public notice allows 21 days for the filing of any petition:

The Department of Environmental Protection also gives Notice of its intent to grant approval of alternate procedures pursuant to Rule 62-701.310, Florida Administrative Code (F.A.C.), to Florida Tire Terminal, as part of the proposed permit. The approval is for an alternative to Rules 62-701.200, 62-711.530, 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c) F.A.C., and will authorize Florida Tire Terminal, to operate a waste tire processing facility that does not cut, burn, or otherwise alter waste tires so that they are no longer whole, subject to several specific conditions.

The Department's Intent to Grant Approval of Alternate Procedures shall become final 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.

A person whose substantial interests are affected by the Department's proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. 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 21 days of receipt of this written notice. Petitions filed by other persons must be filed within 21 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.A.C., however, any person who asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The 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 (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 28-106.205, 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 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 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. Persons whose substantial interests will be affected by any such final decision of the Department 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.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 days after this order is filed with the clerk of the Department.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



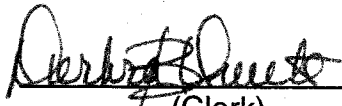
Mary Jean Yon, Director
Division of Waste Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

CERTIFICATE OF SERVICE

I, the undersigned designated Department clerk, HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by United States Mail to Mr. Robert A. Reisig, Manager, Florida Tire Terminal, 400 Feagin Street, Avon Park, , FL 33825, on this 31st day of January, 2005, in Tallahassee, Florida.

FILING AND ACKNOWLEDGMENT

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



(Clerk)

1/31/05

(date)

Copies furnished to:

Chris McGuire

☒ Bill Krumbholz

Jan Rae Clark

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Protection gives Notice of its Intent to grant approval of alternate procedures pursuant to Rule 62-701.310, Florida Administrative Code (F.A.C.), to Florida Tire Terminal for operation of a Waste Tire Processing Facility at 400 Feagin Street, Avon Park, Highlands County, Florida. This facility sells new tires, used tires, retreaded and regrooved tires to the public but does not process tires into pieces. The applicant requests that an exception be granted from compliance with provisions of Rules 62-701.200, 62-711.530, 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c) F.A.C., which require a waste tire processing facility to cut, burn, or otherwise alter waste tires so that they are no longer whole and to store tires in a certain manner.

The Department's file on this matter 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 the Division of Waste Management, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of this notice or receipt of the written notice, whichever occurs first. The 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 (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 28-106.205, 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 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 all material facts disputed by petitioner or a statement that there are no disputed facts;

(e) A statement of facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which 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 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. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above

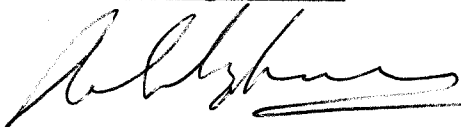
In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case as an alternative to filing a petition for an administrative determination.

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788**

**To: Mr. Phil Barbaccia
CC: Mr. Bill Krumbholz
From: Robert A. Reisig, Mgr. Florida Tire Terminal
Subject: Waste Tire Processor Application**

I am writing this letter to ask for an extension on our deadline to file the above application. Your letter dated October 5th, 2004 required us to file this application on or before February 1st, 2005. We would like to extend that date to March 1st, 2005. We need this deadline extension to fully prepare the application for acceptance. If you can agree to this extension then please contact me by phone or e-mail. I thank you in advance for your consideration on this matter.

**Thank you,
Robert A. Reisig, Mgr., Florida Tire Terminal
tirebob@digital.net or 800-749-5788**



Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Friday, January 21, 2005 1:00 PM
To: Minhaj, Ghousuddin
Subject: FW: Final Alternate Procedure-Florida Tire Terminal

FYI

-----Original Message-----

From: Clark, Jan Rae
Sent: Friday, January 21, 2005 11:18 AM
To: Tedder, Richard; McGuire, Chris
Cc: Barbaccia, Phil; Krumbholz, Bill; Clark, Jan Rae; Carpenter, Jessie
Subject: Final Alternate Procedure-Florida Tire Terminal

Folks;

This is the final alternate procedure sent for signature today.

Jan Rae Clark

Minhaj, Ghousuddin

Full Name: Clark, Jan Rae
Last Name: Clark
First Name: Jan Rae
Job Title: Environmental Manager
Department: Waste Management
Company: FL Dept. of Environmental Protection

Business Address: FL Dept. of Environmental Protection
Division of Waste Management
Twin Towers Office Building MS# 4565
2600 Blair Stone Road
Tallahassee, FL 32399-2400
UNITED STATES

Business: 850/245-8744

E-mail: Jan.Rae.Clark@dep.state.fl.us

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

IN RE: FLORIDA TIRE TERMINAL
REQUEST PURSUANT TO
FLORIDA ADMINISTRATIVE CODE
RULE 62-701.310

CASE NO. SWAP-04-02

APPROVAL OF ALTERNATE PROCEDURES

This cause comes before me upon receipt of a request by Florida Tire Terminal. for the approval of alternate procedures and requirements under Rule 62-701.310, Florida Administrative Code (F.A.C.), for use of an alternate procedure for managing waste tires. The petitioner requests that an exception be granted from compliance with provisions of Rules 62-701.200 and 62-711.530, F.A.C., which require a waste tire processing facility to cut, burn, or otherwise alter waste tires so that they are no longer whole. The petitioner also requests an exemption from the following rules regarding the storage of waste tires:

- Rule 62-711.540(2)(e), F.A.C., which requires fire walls in certain locations;
- Rule 62-711.540(2)(g), F.A.C., which requires sprinkler systems in certain locations in lieu of fire walls; and
- Rule 62-711.540(3)(c), F.A.C., which requires a 50 foot fire lane around each waste tire pile.

FINDINGS OF FACT

1. The petitioner currently operates a business that procures, repairs and sells used tires, retreaded, regrooved and new tires in Avon Park, Highlands County, Florida. The business receives shipments of used tires and sells used tires and retreaded or regrooved tires to the public. The petitioner has stated that an inventory of 15,000 tires is necessary to support the projected level of business.

2. The petitioner maintains some equipment to alter waste tires in preparation for retreading or to regroove them, but does not maintain equipment to cut, shred, burn, or otherwise alter waste tires so that they are no longer whole. However, the petitioner's operation does result in the removal of waste tires from the solid waste stream in Florida and the recycling, reuse, or disposal of those tires.

3. The Avon Park Fire Department has inspected the facility and set out fire control guidelines for the petitioner to follow to comply with NFPA Standard 231D, Standard for Storage of Rubber Tires, including the exceptions for existing buildings. This standard contains requirements, among others, that are equivalent to or more stringent than those found in Rules 62-711.540(2) and (3), F.A.C. In addition, the requirements imposed by this standard provide fire protection equivalent to that found in Rule 62-711.540(3)(c), F.A.C. The Avon Park Fire Department has notified the applicant it will require him to adhere to these standards.

CONCLUSIONS OF LAW

Rule 62-701.310, F.A.C., authorizes the approval by the Department of alternate procedures and requirements concerning solid waste management facilities. Based upon the above findings and the information contained in the Request for Alternate Procedures the Department makes the following conclusions.

1. The petitioner manages waste tires, which are defined in Rule 62-701.200(134), F.A.C., as including used tires. The petitioner is therefore prohibited by Rule 62-711.400, F.A.C., from maintaining more than 1500 used tires except as an integral part of a waste tire processing facility.

2. A waste tire processing facility is defined in Rule 62-701.200(137), F.A.C., as a site where equipment is used to recapture reusable by-products from waste tires or to cut, burn, or otherwise alter waste tires so that they are no longer whole. The petitioner's facility contains some equipment for altering tires in preparation for retreading or to regroove them, but no equipment that would alter them so they are no longer whole. However, the petitioner has demonstrated that its facility serves the same purpose as would a waste tire processing facility that does use equipment to alter waste tires so that they are no longer whole, and will provide an equal degree of protection for the public and the environment. The petitioner has also demonstrated that its facility is expected to be at least as effective in removing waste tires from the solid waste stream as would a facility containing processing equipment. Therefore, the

Department concludes that the petitioner's facility should be regulated as a waste tire processing facility under Chapter 62-711, F.A.C.

3. The Department also concludes that compliance with NFPA Standard 213D, Standard for Storage of Rubber Tires, as required by the Avon Park Fire Department in its letter of November 9, 2004, will provide an equivalent degree of fire protection as would strict compliance with Department rules. For this reason, the relief requested from the provisions of Rules 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c), F.A.C., is warranted.

Upon consideration of the foregoing it is therefore ORDERED that the request for alternate procedures from Rules 62-701.200, 62-711.530, 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c), F.A.C., is GRANTED, so that the petitioner's facility may be considered a waste tire processing facility, subject to the following conditions:

CONDITIONS

1. This Order does not authorize the petitioner to operate the facility or to maintain more than 1500 used tires at the facility. Instead, the petitioner must obtain a separate waste tire processing facility permit from the South District Office of the Department. Failure of the petitioner to obtain such a permit may result in enforcement actions for operating a waste tire processing facility without a permit.

2. The petitioner shall submit a permit application for a Waste Tire Processing Facility that conforms to Chapter 62-711, F.A.C., to the South District Office of the Department within 30 days after receipt of this Order. If such a permit is issued, this

Order will be incorporated into that permit and will be reviewed at the time of permit renewal. However, unless the Department takes affirmative action to revoke or modify this Order, it will have an unlimited duration.

3. The petitioner may apply for a storage limit not to exceed 15,000 used tires. The storage limit shall not exceed the quantity for which financial assurance is provided as part of the waste tire processing facility permit. The facility shall not accept any waste tires if it has reached its permitted storage limit.

4. The petitioner shall not receive any waste tires if the tire selling business closes for any reason, unless the petitioner can demonstrate that the permitted storage limit for this facility will not be exceeded and that the proof of financial assurance is sufficient to close the site.

5. The petitioner shall comply with the fire control requirements set forth in the November 9, 2004 letter from the Avon Park Fire Department, which among other things, requires compliance with the NFPA Standard 231D, Standard for Storage of Rubber Tires.

NOTICE OF RIGHTS

Pursuant to Section 403.815, F.S., and Rule 62-110.106, F.A.C., you are required to publish at your own expense the enclosed Notice of Proposed Agency Action. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. You must provide proof of publication to the Department at the address listed below within seven days of publication.

In the alternative, you may include the following language in the notice of proposed agency action for the waste tire processing facility permit, provided that the public notice allows 21 days for the filing of any petition:

The Department of Environmental Protection also gives Notice of its intent to grant approval of alternate procedures pursuant to Rule 62-701.310, Florida Administrative Code (F.A.C.), to Florida Tire Terminal, as part of the proposed permit. The approval is for an alternative to Rules 62-701.200, 62-711.530, 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c) F.A.C., and will authorize Florida Tire Terminal, to operate a waste tire processing facility that does not cut, burn, or otherwise alter waste tires so that they are no longer whole, subject to several specific conditions.

The Department's Intent to Grant Approval of Alternate Procedures shall become final 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.

A person whose substantial interests are affected by the Department's proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. 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 21 days of receipt of this written notice. Petitions filed by other persons must be filed within 21 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.A.C., however, any person who asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The 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 (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 28-106.205, 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 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 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. Persons whose substantial interests will be affected by any such final decision of the Department 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.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 days after this order is filed with the clerk of the Department.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mary Jean Yon, Director
Division of Waste Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

CERTIFICATE OF SERVICE

I, the undersigned designated Department clerk, HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by United States Mail to Mr. Robert A. Reisig, Manager, Florida Tire Terminal, 400 Feagin Street, Avon Park, , FL 33825, on this ____ day of January, 2005, in Tallahassee, Florida.

FILING AND ACKNOWLEDGMENT

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

(Clerk)

(date)

Copies furnished to:

Chris McGuire

Bill Krumbholz

Jan Rae Clark

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Protection gives Notice of its Intent to grant approval of alternate procedures pursuant to Rule 62-701.310, Florida Administrative Code (F.A.C.), to Florida Tire Terminal for operation of a Waste Tire Processing Facility at 400 Feagin Street, Avon Park, Highlands County, Florida. This facility sells new tires, used tires, retreaded and regrooved tires to the public but does not process tires into pieces. The applicant requests that an exception be granted from compliance with provisions of Rules 62-701.200, 62-711.530, 62-711.540(2)(e), 62-711.540(2)(g), and 62-711.540(3)(c) F.A.C., which require a waste tire processing facility to cut, burn, or otherwise alter waste tires so that they are no longer whole and to store tires in a certain manner.

The Department's file on this matter 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 the Division of Waste Management, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of this notice or receipt of the written notice, whichever occurs first. The 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 (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 28-106.205, 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 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 all material facts disputed by petitioner or a statement that there are no disputed facts;

(e) A statement of facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which 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 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. Persons whose substantial interests will be affected by any such final decision of the Department 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 as an alternative to filing a petition for an administrative determination.

Minhaj, Ghousuddin

From: Barbaccia, Phil
Sent: Thursday, December 16, 2004 4:30 PM
To: Tedder, Richard; Krumbholz, Bill
Cc: Minhaj, Ghousuddin; Briggs, Doris; Clark, Jan Rae
Subject: RE: Florida Tire Terminal

RT, we received our copy today too. Bill was out in the field all day so he may get a chance to look at it tomorrow.

Cheers!
Phil B.

-----Original Message-----

From: Tedder, Richard
Sent: Thursday, December 16, 2004 4:24 PM
To: Krumbholz, Bill
Cc: Minhaj, Ghousuddin; Barbaccia, Phil; Briggs, Doris; Clark, Jan Rae
Subject: FW: Florida Tire Terminal

Bill,

We just got the request for an Alternate Procedure for this facility today. Jan will start working on it and will no doubt be in touch with you folks. Thanks. - RT

Richard B. Tedder, P.E.
Program Administrator
Solid Waste Section
Department of Environmental Protection
2600 Blair Stone Road, MS# 4565
Tallahassee, FL 32399-2400
Phone: 850/245-8735
FAX: 850/245-8811
Email: richard.tedder@dep.state.fl.us <<mailto:richard.tedder@dep.state.fl.us>>

-----Original Message-----

From: Krumbholz, Bill
Sent: Friday, December 10, 2004 9:54 AM
To: Tedder, Richard
Cc: Minhaj, Ghousuddin; Barbaccia, Phil; Briggs, Doris
Subject: Florida Tire Terminal

Richard,

Have you received an alternative procedure request from Robert Reisig in accordance with the attached letter?

<< File: ReisigWTPFbk10104-.pdf >>

Minhaj, Ghousuddin

From: Tedder, Richard
Sent: Thursday, December 16, 2004 4:24 PM
To: Krumbholz, Bill
Cc: Minhaj, Ghousuddin; Barbaccia, Phil; Briggs, Doris; Clark, Jan Rae
Subject: FW: Florida Tire Terminal

Bill,

We just got the request for an Alternate Procedure for this facility today. Jan will start working on it and will no doubt be in touch with you folks. Thanks. - RT

Richard B. Tedder, P.E.
Program Administrator
Solid Waste Section
Department of Environmental Protection
2600 Blair Stone Road, MS# 4565
Tallahassee, FL 32399-2400
Phone: 850/245-8735
FAX: 850/245-8811
Email: richard.tedder@dep.state.fl.us <<mailto:richard.tedder@dep.state.fl.us>>

-----Original Message-----

From: Krumbholz, Bill
Sent: Friday, December 10, 2004 9:54 AM
To: Tedder, Richard
Cc: Minhaj, Ghousuddin; Barbaccia, Phil; Briggs, Doris
Subject: Florida Tire Terminal

Richard,

Have you received an alternative procedure request from Robert Reisig in accordance with the attached letter?



ReisigWTPFbk1010
4-.pdf

Minhaj, Ghousuddin

From: Krumbholz, Bill
Sent: Friday, December 10, 2004 9:54 AM
To: Tedder, Richard
Cc: Minhaj, Ghousuddin; Barbaccia, Phil; Briggs, Doris
Subject: Florida Tire Terminal

Richard,

Have you received an alternative procedure request from Robert Reisig in accordance with the attached letter?



ReisigWTPFbk1010
4-.pdf



Department of Environmental Protection

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

October 5, 2004

CERTIFIED MAIL NO. 7004 0750 0003 9120 5803
RETURN RECEIPT REQUESTED

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County ^{WT} ~~-SW-~~
Florida Tire Terminal
400 Feagin Street
Unpermitted Waste Tire Processing Facility
Lake Wales Ridge EMA

Dear Mr. Reisig:

This is a follow up to your September 14, 2004 meeting with Department personnel concerning the referenced facility.

History

On November 6, 1995, Florida Tire Terminal was issued a Waste Tire Beneficial Use Agreement that allowed the facility to continue to operate without obtaining a waste tire processing facility permit. The Agreement was signed by your company and specified that the facility should not be modified without prior approval from the Department. Conversation with you, as well as recent inspections, have disclosed the following:

1. The facility has expanded laterally to the east, beyond the boundary depicted in your Waste Tire Beneficial Use Agreement. This significant modification violates the first paragraph of the Agreement.
2. The expanded facility is now storing over 15,000 waste/used tires on-site, significantly exceeding the 10,000 waste/used tire limit specified in Condition No. 6 of the Agreement.

Therefore, the aforementioned Waste Tire Beneficial Use Agreement issued for your facility is no longer valid. During a meeting held with the Department on August 7, 2003, you agreed to

More Protection, Less Process"

Printed on recycled paper

Mr. Robert Reisig, Manager
Florida Tire Terminal
October 5, 2004
Page 2

apply for a waste tire processing facility permit. To date, we have not received an application from you.

On September 14, 2004, you met with the Department to discuss violations at the facility and the permitting requirements for a waste tire processing facility. During the meeting you re-emphasized that waste tires are still not processed at the facility. Additionally, you expressed concern that, due to the limited size of the facility, all of the fire safety provisions for indoor and outdoor storage listed in the Waste Tire Rule; Chapter 62-711 of the Florida Administrative Code (F.A.C.) could not be met. It is now your position that your business could fail if forced to comply with our waste tire rule. Due to your unique situation it is proposed that this matter be resolved through the alternative procedure/permitting process in lieu of enforcement.

Therefore, in accordance with F.A.C. Rule 62-701.310, we recommend that you apply for approval of alternative procedures from the provisions of Rule 62-711.530, F.A.C., which you believe your facility cannot meet. Please note that you must propose an alternative procedure or requirement that provides an equal degree of protection for the public and the environment for each provision of F.A.C. Rule 62-711.530 that you believe should not be applicable. A copy of F.A.C. Rule 62-701.310 is enclosed for your perusal. The Alternative Procedure request, along with a check for \$500 made out to the Department, should be addressed as follows:

Mr. Richard Tedder
Department of Environmental Protection
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

If the Department approves your request for Alternative Procedures, you would then have to apply for a waste tire processing facility permit. The permit application, along with a check for \$1,250 made out to the Department, should be addressed as follows:

Philip A. Barbaccia
Department of Environmental Protection
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902-2549

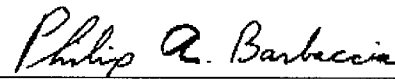
In consideration of your intent and willingness to return to compliance with our rules and regulations, the Department will allow the referenced facility to operate with up to 15,000 waste tires on-site, until a determination is made on your Alternative Procedures request. If the request is not deemed complete by January 1, 2005, the business must be brought back into compliance by January 31, 2005 with F.A.C. Rule 62-711.300(9)(c); store less than 1,500 waste tires on-site. If the request is granted, the waste tire permitting facility application shall be submitted to the South District office by February 1, 2005. If the permit application is not submitted by this date,

Mr. Robert Reisig, Manager
Florida Tire Terminal
October 5, 2004
Page 3

or if it is denied, the business must be brought back into compliance with F.A.C. Code Rule 62-711.300(9)(c) by March 1, 2005.

If you have any questions concerning this matter, please contact Bill Krumbholz at (239) 332-6975. Your cooperation is appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Philip A. Barbaccia".

Philip A. Barbaccia
Environmental Administrator

Enclosure
PAB/BK/se

cc: Richard Tedder, DEP (via e-mail) Richard.Tedder@dep.state.fl.usT



Department of Environmental Protection

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Colleen M. Castille
Secretary

October 5, 2004

CERTIFIED MAIL NO. 7004 0750 0003 9120 5803
RETURN RECEIPT REQUESTED

FILE

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County – SW
Florida Tire Terminal
400 Feagin Street
Unpermitted Waste Tire Processing Facility
Lake Wales Ridge EMA

Dear Mr. Reisig:

This is a follow up to your September 14, 2004 meeting with Department personnel concerning the referenced facility.

History

On November 6, 1995, Florida Tire Terminal was issued a Waste Tire Beneficial Use Agreement that allowed the facility to continue to operate without obtaining a waste tire processing facility permit. The Agreement was signed by your company and specified that the facility should not be modified without prior approval from the Department. Conversation with you, as well as recent inspections, have disclosed the following:

1. The facility has expanded laterally to the east, beyond the boundary depicted in your Waste Tire Beneficial Use Agreement. This significant modification violates the first paragraph of the Agreement.
2. The expanded facility is now storing over 15,000 waste/used tires on-site, significantly exceeding the 10,000 waste/used tire limit specified in Condition No. 6 of the Agreement.

Therefore, the aforementioned Waste Tire Beneficial Use Agreement issued for your facility is no longer valid. During a meeting held with the Department on August 7, 2003, you agreed to

More Protection, Less Process"

Printed on recycled paper

Mr. Robert Reisig, Manager
Florida Tire Terminal
October 5, 2004
Page 2

apply for a waste tire processing facility permit. To date, we have not received an application from you.

On September 14, 2004, you met with the Department to discuss violations at the facility and the permitting requirements for a waste tire processing facility. During the meeting you re-emphasized that waste tires are still not processed at the facility. Additionally, you expressed concern that, due to the limited size of the facility, all of the fire safety provisions for indoor and outdoor storage listed in the Waste Tire Rule; Chapter 62-711 of the Florida Administrative Code (F.A.C.) could not be met. It is now your position that your business could fail if forced to comply with our waste tire rule. Due to your unique situation it is proposed that this matter be resolved through the alternative procedure/permitting process in lieu of enforcement.

Therefore, in accordance with F.A.C. Rule 62-701.310, we recommend that you apply for approval of alternative procedures from the provisions of Rule 62-711.530, F.A.C., which you believe your facility cannot meet. Please note that you must propose an alternative procedure or requirement that provides an equal degree of protection for the public and the environment for each provision of F.A.C. Rule 62-711.530 that you believe should not be applicable. A copy of F.A.C. Rule 62-701.310 is enclosed for your perusal. The Alternative Procedure request, along with a check for \$500 made out to the Department, should be addressed as follows:

Mr. Richard Tedder
Department of Environmental Protection
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

If the Department approves your request for Alternative Procedures, you would then have to apply for a waste tire processing facility permit. The permit application, along with a check for \$1,250 made out to the Department, should be addressed as follows:

Philip A. Barbaccia
Department of Environmental Protection
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902-2549

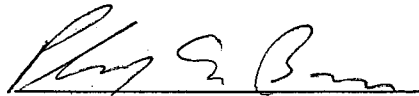
In consideration of your intent and willingness to return to compliance with our rules and regulations, the Department will allow the referenced facility to operate with up to 15,000 waste tires on-site, until a determination is made on your Alternative Procedures request. If the request is not deemed complete by January 1, 2005, the business must be brought back into compliance by January 31, 2005 with F.A.C. Rule 62-711.300(9)(c); store less than 1,500 waste tires on-site. If the request is granted, the waste tire permitting facility application shall be submitted to the South District office by February 1, 2005. If the permit application is not submitted by this date,

Mr. Robert Reisig, Manager
Florida Tire Terminal
October 5, 2004
Page 3

or if it is denied, the business must be brought back into compliance with F.A.C. Code Rule 62-711.300(9)(c) by March 1, 2005.

If you have any questions concerning this matter, please contact Bill Krumbholz at (239) 332-6975. Your cooperation is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip A. Barbaccia", written over a horizontal line.

Philip A. Barbaccia
Environmental Administrator

Enclosure
PAB/BK/se

cc: Richard Tedder, DEP (via e-mail) Richard.Tedder@dep.state.fl.us

impervious surface means either a poured concrete pad having a minimum thickness of four inches, or an asphalt concrete paving with both a minimum thickness of one and one-half inches and with an additional component to restrict leaching to ground water such as a soil cement sub-base, an epoxy seal or a geomembrane.

(15) Storage in vehicles. The prohibitions in subsection (2) of this section do not apply to the storage of solid waste in an enclosed or covered vehicle, provided that such vehicle has either been unloaded or moved over public highways within the previous seven days.

(16) Existing facilities. Those portions of facilities which were constructed prior to May 27, 2001 remain subject to the prohibitions that were in effect at the time the permit authorizing construction was issued. Lateral expansions of such facilities remain subject to the prohibitions that were in effect at the time the permit authorizing the lateral expansion was issued. For example, portions of facilities constructed prior to May 19, 1994 were subject to the prohibition against storing or disposing of solid waste within 500 feet of an existing or approved shallow water supply well, but are not subject to the prohibitions of paragraphs (2)(b) and (h) of this section. However, lateral expansions of such facilities which occurred after May 19, 1994 are subject to the prohibitions of paragraphs (2)(b) and (h) of this section.

Specific Authority 403.704, FS.

Law Implemented 403.704, 403.707, 403.708, FS.

History -- Formerly 10D-12.06, 10D-12.07, 10-1-74, Amended 5-24-79, 5-27-82, 12-10-85, Formerly 17-7.04, 17-7.040, Amended 6-25-90, Formerly 17-701.040, Amended 1-6-93, 1-2-94, 5-19-94, Formerly 17-701.300, Amended 12-23-96, 5-27-01.

62-701.310 Approval of Alternate Procedures and Requirements.

(1) Applicability. Any person subject to the provisions of this chapter or Chapters 62-702 through 62-722, F.A.C., may request in writing a determination by the Secretary that a requirement shall not apply, and shall request approval of alternate procedures or requirements.

(2) Criteria. The request shall set forth at a minimum the following information:

(a) The specific facility for which an exception is sought;

(b) The specific provisions from which an exception is sought;

(c) The basis for the exception;

(d) The alternate procedure or requirement for which approval is sought and a demonstration that the alternate procedure or requirement provides an equal degree of protection for the public and the environment; and

(e) A demonstration of the effectiveness of the proposed alternate procedure.

(3) Department order. The Secretary shall specify by order each alternate procedure or requirement approved in accordance with this section or shall issue an order denying the request for such approval. The Department's order shall be agency action, reviewable in accordance with Sections 120.569 and 120.57, F.S.

(4) Alternate sampling procedures. Approval of alternative or new field and laboratory sampling and analysis procedures shall be requested in accordance with Rules 62-160.430, 62-160.520 and 62-160.530, F.A.C.

(5) Variances. Requests for variances from specific statutory or rule requirements may be made pursuant to Section 403.201, F.S., and Rule 62-110.104, F.A.C. Requests for variances or waivers from rule requirements may also be made pursuant to Section 120.542, F.S., and Rule 28-104.002, F.A.C.

(6) Requests for alternate procedures shall be accompanied by the fee specified in Rule 62-701.315(8), F.A.C. Requests must be submitted to the Director of the Division of Waste Management, 2600 Blair Stone Road, Twin Tower Office Building, Tallahassee, Florida 32399-2440.

(7) To the extent that any request for alternate procedures or requirements involves the practice of engineering or geology, the request shall be signed and sealed by a professional engineer or a professional geologist.

Specific Authority 403.704, FS.

Law Implemented 403.0877, 403.704, 403.707, FS.

History --New 7-1-85, Amended 12-10-85, Formerly 17-7.078, Formerly 17-701.078, Amended 1-6-93, 5-19-94, Formerly 17-701.310, Amended 5-27-01.

62-701.315 Permit Fees for Solid Waste Management Facilities. Notwithstanding the provisions of Rule 62-4.050(4)(w), F.A.C., the following fees shall apply to permit applications for solid waste management facilities. The provisions of Rule 62-4.050(o) through (v), F.A.C., continue to apply to such permits or applications. Fees for permit modifications are established in Rule 62-701.320(4), F.A.C.

(1) Construction permits.	
(a) Class I landfill	\$10,000
(b) Class II landfill	\$10,000
(c) Class III landfill	\$ 6,000
(d) Waste-to-energy facility not covered by the Florida Electrical Power Plant Siting Act	\$10,000
(e) Other resource recovery facilities	\$ 2,000
(f) Incinerator	\$ 3,000
(g) Manure or yard trash composting facility	\$ 2,000
(h) Solid waste composting facility	\$ 5,000
(i) Waste tire processing facility	\$ 1,250
(j) All other solid waste facilities	\$ 1,000
(k) Offsite biomedical waste treatment facility other than a biomedical waste incinerator	\$ 2,000
(2) Operation permits.	
(a) Class I landfill	\$10,000
(b) Class II landfill	\$10,000
(c) Class III landfill	\$ 4,000
(d) Waste-to-energy facility not covered by the Florida Electrical Power Plant Siting Act	\$10,000
(e) Other resource recovery facilities	\$ 1,000
(f) Incinerator	\$ 1,000
(g) Manure and yard trash composting facility	\$ 1,000
(h) Solid waste composting facility	\$ 3,000
(i) Off-site biomedical waste treatment facility other than a biomedical waste incinerator	\$ 1,000
(j) All other solid waste facilities	\$ 500
(3) Closure permits.	

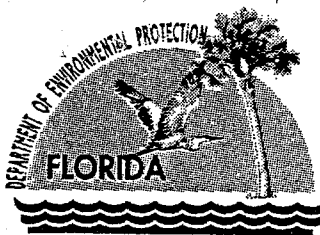
1

County: Highlands

Purpose: Pre application meeting
Florida Tire Terminal Waste Tire Processing Facility

Phone #

Ghous Minkaj	FDEP	239-332-6975
Jeri Briggs	FDEP	239-332-6975
ROBERT REISIG	FL. TIME TEAM	863-4525788
EUGENE BECK, JR.	BECK'S TIRE SVC. INC	816-241-1155



Jeb Bush
Governor

Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

FILE

Colleen M. Castille
Secretary

August 19, 2004

CERTIFIED MAIL NO. 7002 2410 0002 4843 5705
RETURN RECEIPT REQUESTED

COPY

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County – SW
Florida Tire Terminal
400 Feagin Street
Unpermitted Waste Tire Processing Facility
EMA – Lake Wales Ridge

Dear Mr. Reisig:

The inspection of the above-referenced property conducted on August 11, 2004, copy enclosed, and a review of Department files indicates that the facility may be in violation of Florida Administrative Code 62-711, Waste Tire Rule, and the rules promulgated thereunder.

Violations noted in the Department's letter of July 25, 2003, copy enclosed, were pending the facility's submittal of the necessary permit application. The facility has not submitted the necessary permit application.

Any activities on the property that may be contributing to violations of the above-described statutes or rules should cease. **You are requested to contact Bill Krumbholz at (239) 332-6975 within ten (10) days of receipt of this Warning Letter to arrange a meeting to discuss this matter.**

If you have any questions concerning this matter, please contact Bill Krumbholz or Jeri Briggs at (239) 332-6975. Your cooperation is appreciated.

Sincerely,

Jon M. Iglehart
Acting Director of
District Management

Enclosures
JMI/JB/se

"More Protection, Less Process"

Printed on recycled paper.



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOLID WASTE MANAGEMENT FACILITY
INSPECTION CHECKLIST

Facility Name: Florida Tire Terminal

VACS No. _____

COMET I.D. Number: _____

Inspection Date: 08/11/04 Permit No.: NONE

Facility Address: 400 Feagin St (POB 1733) Expiration Date: _____

City: Avon Park County: Highlands Zip: 33825

Permittee or Operating Authority: Robert Reisig

Telephone Number (Permittee or Operating Authority): 863-452-5788

Inspection Participants (Include ALL Landfill and Department Employees Specifying Titles):

Principal Inspector: FDEP Bill Krumbholz, ENV MGR + JERI BRIGGS, ENV SPC

Other Participants: Robert Reisig

TYPE OF FACILITY (check all that apply):

Landfill:
Class I _____
Class II _____
Class III _____
C&D Facility:
Disposal _____
Disposal w/Recycling _____
Land Clearing _____

Waste Processing Facility:
Transfer Station _____
C&D Recycling _____
Class III MRF _____
MSW MRF _____
Pulverizer/Shredder _____
Compactor/Baling _____
Other _____

Other Facilities:
Composting _____
WTE Facility _____
Incinerator/Trench Burner _____
Unauthorized Disposal _____
Other Waste Tire Site

TYPE OF INSPECTION (check all that apply):

Construction Completion _____
Operation _____
Closure _____
Long-Term Care _____
Complaint Investigation _____
Routine Inspection _____
Reinspection _____
Facility File Review _____

Other _____

REQUIREMENTS:

THE REQUIREMENTS LISTED IN THIS INSPECTION CHECKLIST ARE BASED UPON RULES OF THE FLORIDA ADMINISTRATIVE CODE. A "NO" RESPONSE TO A REQUIREMENT (UNLESS OTHERWISE NOTED) REFLECTS A VIOLATION OF THE CORRESPONDING DEPARTMENT RULE(S). EACH VIOLATION IS DISCUSSED IN THE NARRATIVE SECTION OF THIS REPORT.

SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(16))

	YES	NO	Unk	N/A
Unauthorized disposal/storage prohibited in areas lacking geological support? 62-701.300(2)(a)				✓
Unauthorized disposal/storage prohibited, except yard trash, within 500' of a potable water well? 62-701.300(2)(b)				✓
Unauthorized disposal/storage prohibited in a dewatered pit unless pit is lined and has leachate controls? 62-701.300(2)(c)				✓
Unauthorized disposal/storage prohibited in an area subject to frequent and periodic flooding unless flood protection measures in place? 62-701.300(2)(d)				✓

V. OTHER SOLID WASTE FACILITIES

	YES	NO	Unk	N/A
1. WTE facility in compliance with all permit conditions and applicable requirements? 62-701.320(1)				✓
2. Compost facility in compliance with all permit conditions and applicable requirements? 62-701.320(1)				✓

VI. NARRATIVE

Explanation for all "NO" responses and other comments (continue on separate sheet if necessary)

The facility has expanded laterally, and has not ~~not~~ submitted a permit application to operate a waste tire processing facility.

The facility is operating without a permit. Please contact the Department within ten (10) days to arrange a meeting to be held in our Ft. Myers Office at (239) 332-6975. Previous Inspection Report is attached.

Department correspondence dated July 25, 2003, and October 15, 2003 attached. Polston Engineering, Inc. correspondence dated October 29, 2003 attached.

Signed: Bill Kramlich
DEP Representative

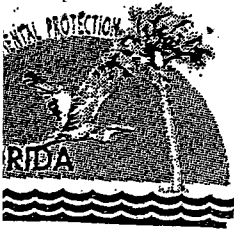
Date

Received:

Site Representative

Date

Department copy (white)
Facility copy (yellow)



Jeb Bush
Governor

Department of Environmental Protection **FILE**

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

David B. Struhs
Secretary

July 25, 2003

CERTIFIED MAIL NO. 7001 2510 0001 4803 0970
RETURN RECEIPT REQUESTED

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin Street
Avon Park, Florida 33825

Re: Highlands County-SW
Florida Tire Terminal
400 Feagin Street
Waste Tire Beneficial Use Agreement
EMA - Lake Wales Ridge

Dear Mr. Reisig:

A routine inspection, copy enclosed, of the above-referenced facility conducted on July 18, 2003 indicates there may be a violation of Chapter 403, Florida Statutes (F.S.) and the rules promulgated thereunder. Department personnel observed the following:

- 1) Mosquito larvae were living inside water-filled tires;
- 2) A designated fire lane was blocked by tires; and
- 3) The facility has expanded laterally to the east beyond the boundary designated in the Waste Tire Beneficial Use Agreement.

It is a violation of Florida Administrative Code (F.A.C.) Rule 62-711.540 (1) (j), and Condition Number 4 of the Waste Tire Beneficial Use Agreement to store tires on site in a manner that creates mosquito harborage. It is a violation of F.A.C. Rule 62-711.540 (1) (d), and Condition Number 3 of the Waste Tire Beneficial Use Agreement to create a fire hazard by failing to abide by your fire safety survey. Contrary to Condition Number 5 of the Waste Tire Beneficial Use Agreement, the facility is now operating outside of the boundaries of the submitted site plan.

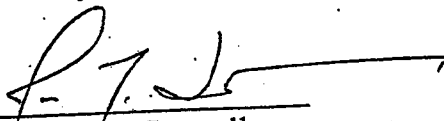
Mr. Robert Reisig
July 25, 2003
Page 2

Any activities on the property that may be contributing to violations of the above-described statutes or rules should cease. You are requested to contact Robert Stewart or Bill Krumbholz at (239) 332-6975 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

If you have any questions concerning this matter, please contact Bill Krumbholz or Robert Stewart at (239) 332-6975. Your cooperation is appreciated.

Sincerely,


Richard W. Cantrell
Director of
District Management

Enclosure
RWC/BK/se

Cc: Jan Rae Clark, DEP

POLSTON ENGINEERING, INC.

PROFESSIONAL ENGINEERING CONSULTANTS
ENVIRONMENTAL SOIL SCIENTIST

LAND PLANNING
DESIGN
SOIL SCIENCE
ROADS
WATER
WASTE WATER

P.O. BOX 588, SEBRING, FLORIDA 33871-0588 * (863) 385-5564 * FAX (863) 385-2462

October 29, 2003

Mr. Phil Barbaccai Program Administrator
Florida Department of Environmental Protection
P.O. Box 2549
Fort Myers, FL 33902-2549

Re: Florida Tire Terminal

Dear Mr. Barbaccai,

The purpose of this letter is to confirm that Polston Engineering, Inc. and Germaine Surveying, Inc. have been retained by Florida Tire Terminal for the preparation of Waste Tire Processing Facility Permit Application. We expect to have the application completed in early December.

If there are any questions or if you need any further information, please call.

Sincerely,



Roger Dale Polston, P.E. # 33222
Polston Engineering, Inc. BPE CA #5684

CC: Florida Tire Terminal

Faxed October 29, 2003, Original Mailed

POLSTON ENGINEERING, INC.

PROFESSIONAL ENGINEERING CONSULTANTS
ENVIRONMENTAL SOIL SCIENTIST

LAND PLANNING
DESIGN
SOIL SCIENCE
ROADS
WATER
WASTE WATER

P.O. BOX 588, SEBRING, FLORIDA 33871-0588 * (863) 385-5564 * FAX (863) 385-2462

October 29, 2003

Mr. Phil Barbaccai Program Administrator
Florida Department of Environmental Protection
P.O. Box 2549
Fort Myers, FL 33902-2549



Re: Florida Tire Terminal

Dear Mr. Barbaccai,

The purpose of this letter is to confirm that Polston Engineering, Inc. and Germaine Surveying, Inc. have been retained by Florida Tire Terminal for the preparation of Waste Tire Processing Facility Permit Application. We expect to have the application completed in early December.

If there are any questions or if you need any further information, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger Dale Polston", written over a horizontal line.

Roger Dale Polston, P.E. # 33222
Polston Engineering, Inc. BPE CA #5684

CC: Florida Tire Terminal

Faxed October 29, 2003, Original Mailed

Memorandum

Florida Department of Environmental Protection

TO: Bonnie Lawhon
Finance and Accounting, MS#77

FROM: Jan Rae Clark, Environmental Manager JRC
Solid Waste Section

DATE: December 16, 2004

REF: Florida Tire Terminal, SWAP 04-2
Solid Waste Alternate Procedure

Attached is an Alternate Procedure request, received December 15, 2004, in the Solid Waste Section, which pertains to Chapter 62-701, F.A.C. The applicant is Florida Tire Terminal, 400 Feagin St., Avon Park, Florida. The fee is \$500.00, Florida Tire Terminal Check No. 07043, which is also attached. Other information pertaining to this request is as follows:

Solid Waste Type:	SO
Solid Waste Subtype:	19
Object code:	2245

If you have any questions on this information, please feel free to contact me at 245-8744. Thanks for your help.

cc: Lee Martin
Bill Krumbholz

RECEIVED

DEC 21 2004

DEP - South District

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788
12-14-04**

RECEIVED

DEC 15 2004

Solid Waste Section

To: Ms. Jan Rae Clark, DEP. Tallahassee, Fl.
From: Robert A. Reisig, Mgr. Florida Tire Terminal (FTT)
Subject: Alternative Procedure/ Permitting Process for FTT

RECEIVED

DEC 21 2004

Cover Letter

Contents - Description of FTT operations.

ESR - South District

Florida Tire Terminal was founded in September, 1985 when we acquired the property that we currently occupy. We were and still are mainly into procuring, repairing and selling used tires and retreadable casings.

This process involves keeping in stock many different sizes and conditions. We stock truck tires in new, retreaded, repairable and regroovable condition. We also stock many off the road tires in new, used and repairable condition. Our other area of interest is the aircraft tire business. Aircraft tires are taken off of airplanes and reused in many applications. These uses include roadside mowers on state highways and loading bridges at every airport in the nation. The used, repaired and aircraft tire business is integral in the construction and agricultural business in the State of Florida and every state in the nation.

We own and use daily a 57" x 14' retread chamber to repair our tires and we have recently purchased a 72"x14' retread chamber to repair all but the largest tires. We are truly a tire dealer that needs a great deal of stock to do business and not a holding yard for waste tires. This year we will do approximately 1.2 million in sales and less than 10% of that figure will be from the disposal of scrap tires.

**On the Florida DEP web site a waste tire is defined as follows.
"Waste Tire means a tire that has not been retreaded or regrooved. Waste Tire includes used tires and processed tires".**

COPY

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788
12-14-04**

**To: Ms. Jan Rae Clark, DEP. Tallahassee, Fl.
From: Robert A. Reisig, Mgr. Florida Tire Terminal (FTT)
Subject: Alternative Procedure/ Permitting Process for FTT**

Cover Letter

Contents - Description of FTT operations.

Florida Tire Terminal was founded in September, 1985 when we acquired the property that we currently occupy. We were and still are mainly into procuring, repairing and selling used tires and retreadable casings.

This process involves keeping in stock many different sizes and conditions. We stock truck tires in new, retreaded, repairable and regroovable condition. We also stock many off the road tires in new, used and repairable condition. Our other area of interest is the aircraft tire business. Aircraft tires are taken off of airplanes and reused in many applications. These uses include roadside mowers on state highways and loading bridges at every airport in the nation. The used, repaired and aircraft tire business is integral in the construction and agricultural business in the State of Florida and every state in the nation.

We own and use daily a 57" x 14' retread chamber to repair our tires and we have recently purchased a 72"x14' retread chamber to repair all but the largest tires. We are truly a tire dealer that needs a great deal of stock to do business and not a holding yard for waste tires. This year we will do approximately 1.2 million in sales and less than 10% of that figure will be from the disposal of scrap tires.

**On the Florida DEP web site a waste tire is defined as follows.
"Waste Tire means a tire that has not been retreaded or regrooved. Waste Tire includes used tires and processed tires".**

copy

Florida Tire Terminal has currently has 10,000 tires in stock. I would contend that 50% would fall into the retread/regrooved category.

I understand that the large accumulation of tires is a potential hazard to the health and well being of the citizens of The State of Florida and therefore I am in agreement that the monitoring of my site is needed but I also feel that I do not fit into the category of "Waste Tire Processor" and I offer as support the Beneficial Use Agreement dated Nov. 6th, 1995, Page 1, last paragraph. (Copy included)

In conclusion I have prepared the following application for the Alternative Procedure/Permitting Process for Rule 711.

I have included 2 sections for your review that include a survey of FTT operations and a letter from the Avon Park Fire Department (APFD). The survey the shows proposed physical changes to the FTT property and the APFD letter states the requirements that we must adhere to for FTT to continue to operate. I have also included a copy of our 1995 Beneficial Use Agreement. We anxiously await your review and any questions or changes that you might have.

Thank You,

Robert A. Reisig

COPY

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788**

**To: Ms. Jan Rae Clark, DEP, Tallahassee, Fl.
From: Mr. Robert A. Reisig, Mgr. Florida Tire Terminal (FTT)
Subject: Alternative Procedure/Permitting Process for FTT**

Section#1

Contents- Ability to comply with rule 62-711.540.

The following report is a plan to become compliant with the storage requirements of Fl. Dep. Rule 62-711.530. This rule states that all waste tires shall be stored in accordance with the waste tire site requirements in Rule 62-711.500. The waste tire site requirements then refer to Rule 62-711.540 (540). I therefore will concentrate on 540 for the alternative procedure permit.

This report will address each line item of 540 and I will exhibit how Florida Tire Terminal will comply with the requirements. I have included with this report 2 separate items of interest.

1- A report from the Avon Park Fire Department stating the guidelines by which FTT must conform to remain in it's current business format.

2- A survey of the 2 properties where FTT currently conducts business. This survey displays where on the property FTT would like to store the tires and what physical changes could be made to accommodate the 540 rule. The following list contains the specifics of rule 540 and how each item can be, or is being addressed by my business. I will use the following terms to define my state of compliance.

1-(Currently Conforming) - FTT is already conforming to the 540 rule.

2-(Conformable) - FTT is able to conform to the rule but has yet not done so.

3-(Non Conformable) - FTT is not able to conform to this section of the rule but it is addressed by the Avon Park Fire Marshall.

62-711.540

1) Technical & Informative

- a) Sign post----- Conformable**
- b) Open Flames-----Currently Conforming**
- c) Attendant during business hours-----Currently Conforming**
- d) Local Fire protection and Report-----Conformable**
- e) Emergency Preparedness Manual-----Conformable**
- f) Emergency Incident Notification- -----Conformable**
- g) Waste Tire Records-----Currently Conforming**
- h) Owner Authorization-----Currently Conforming**
- i) Communication Equipment on site-----Currently Conforming**
- j) Mosquito/Rodent Control-----Currently Conforming**
- k) Passable Access Road-----Currently Conforming**

CC PY

2) Indoor Waste Tire Storage Standards

- a) Tire Pile dimensions----- **Currently Conforming**
- b) Aisle Width- -----**Currently Conforming**
- c) Overhead Clearance-----**Currently Conforming**
- d) Heater Clearance-----**Not Applicable- (No Heater ducts or flues)**
- e) 4 hour fire wall rating- ***-Non Conformable- Refer to Avon Park Fire Dept Report***
- f) Over 15' Storage----- **Not Applicable- (No tire stored above 15")**
- g) Sprinkler System----- ***Non Conformable- Refer to Avon Park Fire Dept. Report.***
- h) After Hours Access-----**Currently Conforming**

3) Outdoor Waste Tire Storage Standards

- a) 200 foot body of water setback-----**Currently Conforming**
- b) Outdoor Pile Dimensions- -----**Conformable**
- c) 50 foot wide fire lane--- ***Non Conformable-Refer to Avon Park Fire Dept. Report***
- d) Controlled Access-----**Currently Conforming**
- e) Bermed Site- -----**Conformable- Refer to Site Survey**
- f) Flammable Vegetation Free- -----**Currently Conforming**

4) Temperature Control- Not Applicable

5) Waste Tire Residuals- Not Applicable

6) Applicant exceptions- See Above Report

COPY

**Florida Tire Terminal
P.O. Box 1733 / 400 Feagin St.
Avon Park, Fl. 33825
800-749-5788**

**To: Ms Jan Rae Clark, DEP, Tallahassee, Fl.
From: Robert A. Reisig, Mgr. Florida Tire Terminal (FTT)
Subject: Alternative Procedure/ Permitting Process**

Section # 2

Contents- Avon Park Fire Marshall Report and adherence to such report

On Nov. 9th 2004, Avon Park Fire Inspector David Cloud presented a report to me containing numerous tire storage requirements. The City of Avon Park is requiring FTT to adhere to these standards for FTT to further their cooperative existence at our current location. I requested that this report to be produced so as to display to the DEP that the local authorities are abreast of our situation.

I can and will adhere to all of the requirements in the attached APFD report and the attached survey demonstrates such potential adherence. There is redundancy between the DEP and the APFD requirements but this should cause no adherence problems.

There are 3 DEP sub-rules that FTT was not able to meet and each is addressed in the APFD report

#1-540 rule- section 2, standard-e, this rule states a 4 hour fire wall rating is necessary to store waste tires inside.

APFD has cited NFPA231D where "an exception is made for existing buildings". Furthermore the survey shows that most of the tires stored inside will not be waste tires but regrooved or retreaded tires which are not considered waste. APFD has required that a smoke/fire alarm be installed and monitored in each building.

#2-540 rule-section 2, standard-g, this rule states that a sprinkler system is required to store waste tires indoors in lieu of a 4 hour fire rating. APFD has again cited the "exception for existing buildings" and again the overwhelming share of stored tires will not be considered "waste tires".

Furthermore in both standard "e & g" the APFD has required that a smoke/fire alarm be installed and monitored in ALL buildings.

COPY

#3-540 rule-section 3, standard-c, This rule states that a 50 foot wide fire lane be placed around each waste tire pile. This standard is addressed by the APFD in the size and scope of pile sizes and also by the fire lanes shown on the survey. The outdoor requirements placed on FTT by the APFD exceed the requirements proposed by the DEP and provide ample access for fire retardation. Furthermore the APFD requires that FTT stores no more than 15,000 tires and I feel this is 5,000 more than our needs.

Section #2-Page #2



Avon Park Fire Department

Date: November 09, 2004

To: Bob Reisig
Florida Tire Terminal
400 Feagin Avenue
Avon Park, FL 33825

From: David Cloud
Fire Safety Inspector
98 S. Delaney Avenue
Avon Park, FL 33825

Subject: Fire Control

The Florida Fire Prevention Code NFPA 1 requires storage of rubber tires to comply with NFPA Standard 231D, Standard for Storage of Rubber Tires. It also grants an exception for *existing buildings*. Due to access concerns within and around the buildings I feel it is necessary to follow the guidelines of chapter three of NFPA231D dealing with storage arrangements.

NFPA231D-3 Storage arrangements

- 3-1.1 Piles shall not be more than 50 ft wide.
- 3-1.2 Main aisle width between piles not less than 8 ft.
- 3-2.2 Clearance in all directions from roof structures not less than 18 inches.
- 3-2.4 Storage clearance from heaters and ducts shall be at least 3 ft or according to equipment manufacturer's guidelines.
- 3-2.5 Maintain a clearance from light fixtures to prevent possible ignition.
- 3-3.1 On-tread piles are not to exceed 25 ft in the direction of the wheel hole.
- 3-3.2 Acceptable storage arrangements shall include:
 - A) On-floor, on-side up to 12 ft high.
 - B) On-floor, on-tread up to 5ft high.

COPY

- C) Double-row or multi-row fixed or portable rack storage up to 5 ft high.
 - D) Single-row fixed or portable rack storage up to 12 ft high.
 - E) Laced tires in racks up to 5 ft high.
- 3-4 Tires shall be segregated from other storage by aisles at least 8 Ft wide.

Additional Fire Safety Requirements:

1. No storage will be allowed between the buildings and a clear distance of 25 feet will be maintained around the building perimeters.
2. Fire lanes within the outside storage will be maintained for firefighting access.
3. Piles will be controlled by a non combustible barrier
4. Measures will be taken to control and contain run-off from hose streams.
5. Vegetation will be controlled around fences and walls.
6. All buildings will require a supervised alarm system for early detection of smoke and fire. The system should identify the building involved. A means of access will be provided to the alarm panel for quick location of fire.


These requirements apply to existing buildings. Any renovations and new construction will be subject to current code requirements.

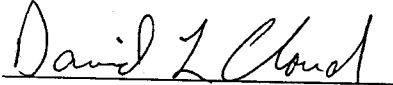
Pile dimensions also apply to outside storage.

Inventory:

Inventory shall be limited to 15000 tires.

Approved by:


Terry Feickert, Chief


David Cloud, Inspector



Department of Environmental Protection

FILE

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Virginia B. Wetherell
Secretary

November 6, 1995

Robert Reisig, Manager
Florida Tire Terminal
400 Feagin St.
P. O. Box 1733
Avon Park, Florida 33825

Re: Highlands County - SW
Florida Tire Terminal
Waste Tire Beneficial
Use Agreement

Dear Mr. Reisig:

Attached is the signed and entered Waste Tire Beneficial Use Agreement for the referenced facility. This copy is for your records. If future modifications of the agreement are necessary please contact the Department for approval prior to implementing any modifications.

If you have any questions, please contact Bill Krumbholz at (941) 332-6975 or write to the letterhead address.

Your cooperation in this matter is appreciated.

Sincerely,

Peter J. Ware
Director of
District Management

Enclosure
PJW/BK/vo

WASTE TIRE BENEFICIAL USE AGREEMENT

BETWEEN BECK'S TIRE SERVICE, INC.
AND THE
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Florida Administrative Code (F.A.C.) Rule 62-711.200(18) a "waste tire site" means a site at which 1,000 or more waste tires are accumulated. In accordance with F.A.C. Rule 62-711.400(1), no person may maintain a waste tire site unless such site is an integral part of a permitted waste tire processing facility.

The Department may exempt an applicant from the aforementioned permitting requirement provided a legitimate beneficial use of waste tires can be demonstrated. However, the Department will not approve of any waste tire recycling operation that does not contain reasonable assurance that the public health and welfare and the environment will be protected.

On June 14, 1995 the Department inspected the Beck's Tire Service, Inc. facility in Avon Park, Florida doing business as Florida Tire Terminal. Facility operations are briefly described as follows:

Waste/used tires are repaired, regrooved, and recycled. Passenger, truck, and off road tires are separated and stacked according to their anticipated usage. Waste/used tires are stored both indoors and outdoors. Over 5,000 waste/used tires were noted on site. Waste/used tires are not processed on site.

Following the inspection Mr. Robert Reisig, manager of Florida Tire Terminal, argued that the facility should not be required to obtain a waste tire processing facility permit for the following reasons;

- the tire recycling business is well established, employing nine individuals, and came into existence long before our Waste Tire Rule came into effect,
- business operations do not include waste tire processing and,
- business economics dictate that over 1,000 waste/used tires must be stored on site at all times.

Based on the facility inspection and conversation with Mr. Reisig the Department agrees that the requirements of F.A.C. Chapter 711 are not directly applicable to the Florida Tire Recycling operation in Avon Park, Florida. Therefore, in lieu of acquiring a waste tire processing facility permit, the facility may be regulated by this Waste Tire Beneficial Use Agreement provided

the following conditions are met.

- 1) Written authorization for the waste/used tire recycling operation from the property owner is submitted to the Department.
- 2) Tires shall not be processed on site in a manner rendering them to be no longer whole.
- 3) A fire safety survey shall be conducted by the local fire authority showing the facility does not represent a fire hazard to the community. Results of the survey shall be submitted to the Department.
- 4) All waste/used tires shall be stored on site in a manner which does not create rodent or mosquito harborage.
- 5) A facility site plan with operational narrative shall be submitted to the Department.
- 6) No more than 10,000 on road waste/used tires shall be stored on the facility property at any one time.
- 7) Over 75% of the tires received annually are recycled annually.
- 8) The Department shall be allowed to inspect the facility during normal business hours.

Beck's Tire Service, Inc. shall submit documentation assuring the Department that all of the above described conditions will be met within forty (40) days of receipt of this Agreement.

Beck's Tire Service, Inc. agrees to abide by the conditions of this Agreement.

Date: 10-Aug-95

Signature: Eugene Beck, Jr.

Eugene Beck, Jr., President
Beck's Tire Service, Inc.

On 10/26/95 a Department of Environmental Protection representative reinspected Florida Tire Terminal in Avon Park, Florida and found that all the conditions of this Agreement have been met. The Agreement is hereby approved.

For the Department

Peter J. Ware
Peter J. Ware
Director of
District Management

PJW/BK/vo