

**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.

Issued 12/09/09

WACS ID NO. 98386

PA SITE # 0296251
PROJECT # -001 WT/02
APPLICATION # 296251-001
COUNTY Lee

PROGRAM AREA
(Please Circle One)
SW HW SB (WT)

LOG # 503
PROCESSOR Minhaj
SUSPENSE DATE 6-17-09
DATE RECEIVED 6-22-09
Application Action: New

SITE INFORMATION

SITE NAME Garden Street Iron & metal NEW PA NUMBER? (YES) NO
PROJECT NAME Garden Street Iron & metal NEW PROJECT NAME? (YES) NO

CASH RECEIVING INFORMATION

Check # 28362 Amount \$ 1,250.00 Date Received 6-17-09
Check # _____ Amount _____ Date Received _____
SysReceipt # 671013 SysPayment # 957666
SysApplication/Pa # _____ CRA # 337439

CODE INFORMATION

FEE INFORMATION

OVERRIDE

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

PROJECT INFORMATION

Project Name Garden Street Iron & metal
Project Description Waste Tire Processing Center
Project Location 3350 Metro Parkway City Fort Myers
State & Zip Code FL 33916 Latitude 26°37' 4.4" Longitude 81° 51' 13.8"
Applicant Name Rob Weber Title President
Company Name Garden Street Iron & metal Inc. of SW Florida
Mailing Address 3350 Metro Parkway, Fort Myers, FL 33916
Phone # (239) 337-5865 Fax _____ E-mail _____
Engineer Name William T Keene PE Title _____
Company Name Keene Engineering, Inc.
Mailing Address P.O. Box 2770 Fort Myers, FL 33902
Phone # (239) 939-0524 Fax (239) 939-1968 E-mail _____

PROCESSING FLOW

RECEIVED DATE
(Please Initial & Date)

COMPLETION DATE
(Please Initial & Date)

Mailroom Processor (Stamping, Suspense Dating & Sorting)	<u>EC 6-17-09</u>	
Administrative Secretary (Mail Pickup)		
Permit Processor (Fee Verification & Coding)	<u>JH 6/18/09</u>	<u>JH 6/19/09</u>
Data Processing Team (Project Creation/Money Linking)	<u>YF 6/22/09</u>	<u>YF 6/22/09</u>
Permit Processor (Process Permit)	<u>JH 6/22/09</u>	<u>JH 12/09/09</u>

COMMENTS:

June 18, 2009

Garden Street Iron & Metal, Inc. Of Southwest Florida
3350 Metro Parkway
Fort Myers Fl 33916

Dear Sir or Madam:

RE: Receipt Number 671013

Your remittance, check number 28362 in the amount of \$1,250.00, was received by the Department of Environmental Protection on June 17, 2009. Any future inquiries regarding this payment should reference the above receipt number.

Sincerely,

Yvonne Figueroa, Administration
Department of Environmental Protection

yf

Minhaj, Ghousuddin

From: Edwards, Susan
Sent: Wednesday, December 09, 2009 2:13 PM
To: 'mayorhenderson@cityftmyers.com'; 'tim@keeneffl.com'; Tedder, Richard; McGuire, Chris; Chisolm, Jack; Krumbholz, Bill; Reinhart, Mel
Cc: Minhaj, Ghousuddin
Subject: GardenStreetIron&Metal-WasteTire-Notice&Permit
Attachments: Dec09 GardenStreetIron&Metal-WasteTire-Notice.pdf; Dec09 GardenStreetIron&Metal-WasteTire-Permit.pdf

Dear Interested Parties (2nd e-mail):

Please find attached your copy of Notice of Permit Issuance, along with the Permit for Garden Street Iron & Metal (Waste Tire Processing Center), DEP File No. 0296251-001-WT/02, WACS ID No. 00098386. Please disregard the first e-mail.

Thank you--Susan

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. 0296251-001-
(Filled in by DEP) WT/02

Waste Tire Processing Facility Permit Application

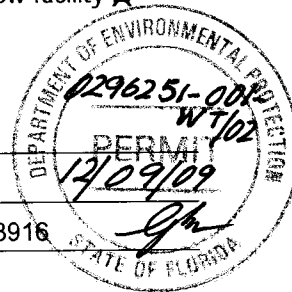
Permit No. 0296251-001-WT/02

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

Part I-General Information:

A. Applicant Information:

1. Applicant Name: Garden Street Iron & Metal Inc. of S.W. Florida
2. Applicant Street Address: 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Applicant Mailing Address: same
5. City: _____ County: _____ Zip: _____
6. Contact person: Rob Weber Phone: (239) 337-5865 FEID No: 65-0101411
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: Garden Street Iron & Metal (Waste Tire Processing Center)
2. Facility Street Address (Main Entrance): 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Facility Mailing Address: 3350 Metro Parkway
5. City: Fort Myers State: Florida Zip: 33916
6. Contact Person: Rob Weber Phone: (239) 337-5865
7. Facility Location Coordinates:
Section: 30 Township: 44 Range: 25
Latitude: 26 Deg. 37' 4.4" N. Longitude: 81 Deg. 51' 13.8" W
8. Anticipated date for starting construction 09-14-09 and for completion of construction 10-29-09
9. Anticipated date for receipt of tires upon approval and for start of processing upon approval

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

RECEIVED

OCT 16 2009

DEP Form # 62-701.900(23)
 Waste Tire Processing Facility
 Form Title Permit Application
 Effective Date 3/22/00
 DEP Application No. 0296251-001-
 (Filled in by DEP) WT/02

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

- Owner's name: _____
- Land owner's mailing address: _____
- City: _____ State: _____ Zip: _____
- Authorized Agent: _____ Agent's phone () _____
- Current lease expires: _____

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

- Operator's name: _____
- Operator's mailing address: _____
- City: _____ State: _____ Zip: _____
- Contact person: _____ Phone: () _____

E. Preparer of Application:

- Name of person preparing application: William T. Keene, PE, Keene Engineering, Inc.
- Mailing address: PO Box 2770
- City: Fort Myers State: Florida Zip: 33902
- Phone: (239) 939-0524
- Affiliation with facility: consulting engineer

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.

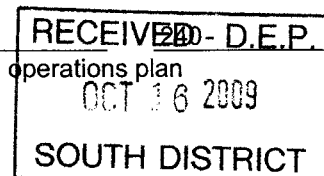
B. Type of processing facility (check as many as apply):

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

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>120</u>	<u>14,000</u>	<u>0</u>	<u>0</u>	<u>120</u>
Processed tires:*	<u>120</u>	<u>3,200</u>	<u>0</u>	<u>0</u>	<u>120</u>
Processing residuals:	<u>indiscernible</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>indiscernible</u>
TOTALS:	<u>240</u>	<u>17,200</u>	<u>0</u>	<u>0</u>	<u>240</u>

* Included with other shredded material (fluff) in the final waste bunker, see operations plan regarding shredding of tires and other waster products.



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>0296251-001</u>
(Filled in by DEP <u>WT/02</u>)

- 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 Okeechobee Landfill
2. Street address: 10800 NE 128th Ave.
3. City: Okeechobee County: Okeechobee Zip: 34972
- F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.
- none at this time

Part III-Attachments:

A. Facility design

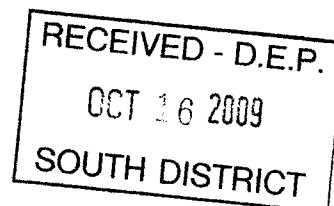
NOTE: All maps, plan sheets, drawings, isometrics, cross sections, or aerial photographs shall be legible; be signed and sealed by a registered professional engineer responsible for their preparation; be of appropriate scale to show clearly all required details; be numbered, referenced to narrative, 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.



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>0296251-001</u> (Filled in by DEP) <u>W7/02</u>

- 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 Garden Street Iron & Metal Inc. of S.W. Florida is aware that statements made in this form and attached information are an application for a Tire Processing Facility 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.

[Signature]
Signature of Applicant or Authorized Agent

Rob Weber, President

Name and Title

10-16-09

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.

[Signature]
Signature

William T. Keene, PE, Keene Eng., Inc.

Name and Title

45915

Florida Registration Number

PO Box 2770

Mailing Address

Fort Myers, Florida 33902

City, State, Zip

239-939-0524

Telephone number

10-16-09

Date

(please affix seal)

RECEIVED - D.E.P.
OCT 16 2009
SOUTH DISTRICT

Minhaj, Ghousuddin

From: Chapman, Heather on behalf of Crandall, Lea
Sent: Monday, December 07, 2009 2:28 PM
To: Minhaj, Ghousuddin; Crandall, Lea
Cc: Chisolm, Jack; McGuire, Chris; Emery, Charles; Krumbholz, Bill; Myers, Jack D.
Subject: RE: Garden Street Iron & Metal(Waste Tire Proceesing Center), Application No. 0296251-001-WT/02, Intent to Issue Permit

No petitions or request for extension of time have been received for this application number.

Heather

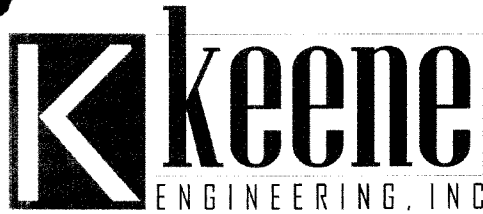
Florida's Water - Ours to Protect: Check out the latest information on Florida Water Issues at <http://www.protectingourwater.org/> presented by the Florida Department of Environmental Protection.

From: Minhaj, Ghousuddin
Sent: Friday, December 04, 2009 5:07 PM
To: Crandall, Lea
Cc: Chisolm, Jack; McGuire, Chris; Emery, Charles; Krumbholz, Bill; Myers, Jack D.
Subject: Garden Street Iron & Metal(Waste Tire Proceesing Center), Application No. 0296251-001-WT/02, Intent to Issue Permit
Importance: High

Dear Lea:

Please inform the District if you received any petition against the subject Intent. The Notice was published November 20, 2009. Thanks.

Ghous



December 1, 2009

Mr. Ghous Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549

Re: Garden Street Iron & Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386

Dear Mr. Minhaj:

Please find enclosed the original Affidavit of Publication of the Notice of Intent to Issue for the above application.

Please let me know if there is anything additional that you may need.

Sincerely,
KEENE ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'William T. Keene', is written over a faint, circular embossed seal.

William T. Keene, PE
President
45915

Attachment

NEWS-PRESS

Published every morning - Daily and
Sunday

Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared

Kathy Allebach

who on oath says that he/she is the

Legal Assistant

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a

Notice of Action

In the matter of

Intent to Issue Permit

In the court was published in said newspaper in the
issues of

November 20, 2009

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee, Charlotte, Collier, Glades
and Hendry Counties and published at Fort Myers, in said Lee
County, Florida and that said newspaper has heretofore been
continuously published in said Lee County, Florida, each day,
and has been entered as a second class mail matter at the post
office in Fort Myers in said Lee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of the advertisement; and affiant further says that he/she has
neither paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.

Kathy Allebach

Sworn to and subscribed before me this

20th day of November 2009 by

Kathy Allebach

personally known to me or who has produced

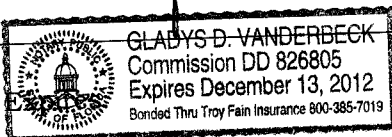
as identification, and who did or did not take an
oath.

Notary Public

Gladys Vanderbeck

Print Name

My commission



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 Waste Tire Facility Construction/Operation Permit (No. 0296251-001-WT/02) for the proposed project as detailed in the application (No. 0296251-001-WT/02) to the applicant Garden Street Iron & Metal, c/o Mr. Rob Weber, 3350 Metro Parkway, Fort Myers, Florida 33916. The Permit, when issued, will allow the Permittee to construct/operate a Waste Tire Processing Center, specifically identified as Garden Street Iron & Metal located at 3350 Metro Parkway, Fort Myers, Lee 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 the Florida Department of Environmental Protection, South District, 2295 Victoria Avenue, Suite 304, 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 (F.S.), or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573 F.S. 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,

Mariory Stoneman Douglas Building, 3900 Commonwealth Boulevard, 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 for 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 any subsequent intervention (in a proceeding initiated by another party), will be 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 respondent that there are disputed facts;

(e) A statement of the ultimate facts alleged, the facts in dispute, and 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 a 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 must 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 28-106.04 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 mediated 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.

Nov 20 No. 1376783

RECEIVED
NOV 21 1992
U.S. DEPARTMENT OF JUSTICE



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

*Bill:
Draft Permit
for review
Thanks
Shane*

PERMITTEE:

Garden Street Iron & Metal Inc. of S.W. Florida
c/o Mr. Rob Weber
3350 Metro Parkway
Fort Myers, Florida 33902

WACS ID No. 00098386
Permit/Certification No. 0296251-001-WT/02
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
County: Lee
Latitude: 26° 37' 4.4"
Longitude: 81° 51' 13.8"
Section/Township/Range: 30/44S/25E
Project: Garden Street Iron & Metal
Waste Tire Processing Center

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, 62-160, 62-302, 62-522, 62-701, and 62-711. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To construct and operate a Waste Tire Processing Center, specifically identified as Garden Street Iron & Metal, located at 3350 Metro Parkway, Fort Myers, Lee County, Florida.

The Permit is subject to the following fifteen (15) General and twenty-one (21) 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.

CERTIFICATION

Application No. 0296251-001-WT/02

Project: Garden Street Iron & Metal
Waste Tire Processing Center

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.

License No. 20415

Department of Environmental Protection
South District Office


(Signature)

November 17, 2009
(Date)

(Seal)



Minhaj, Ghousuddin

From: Bejnar, Tor
Sent: Thursday, November 12, 2009 10:13 AM
Cc: Minhaj, Ghousuddin; Emery, Charles; Krumbholz, Bill
Subject: WACS 98386 - Garden Street Iron & Metal (Waste Tire Processing Center)
Attachments: GardenStreetIM01.pdf

The attached letter has been sent regarding the above referenced facility. Please forward to other staff as needed. The letter has been entered into OCULUS (Solid Waste_Restricted - Fiscal) and may contain proprietary information. Please contact me if you have any questions or to update the list of people in your district who should receive solid waste financial assurance courtesy copies on a regular basis.

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

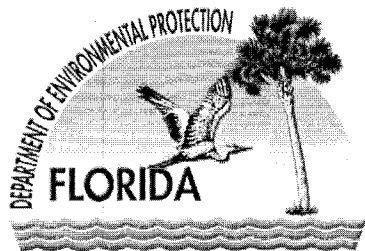
*When sending substantive e-mails,
especially those including policy questions, please copy my supervisor Fred Wick.*

*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 4/09)

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 12, 2009

Mr. Earl J. Weber, Sr.
Chairman of the Board
Garden Street Iron & Metal Inc. of S.W. Florida
3350 Metro Parkway
Fort Myers, Florida 33916

Re: WACS 98386 – Garden Street Iron & Metal (Waste Tire Processing Center)

Dear Mr. Weber:

I reviewed the documentation submitted to demonstrate financial assurance for the above referenced facility and find it is in order. Busey Bank letter of credit number 700148705, effective October 23, 2009, is in the amount of the Department approved closing cost estimate of \$24,413.75. In addition, Busey Trust Company standby trust fund agreement, entered into as of October 23, 2009, is acceptable. Therefore, Garden Street Iron & Metal (Waste Tire Processing Center) is in compliance with the financial assurance requirements of 40 CFR Part 264, Subpart H, as adopted by reference in Rule 62-711.500, Florida Administrative Code, at this time.

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
Ghous Minhaj, DEP/FTM

Minhaj, Ghousuddin

From: Edwards, Susan
Sent: Wednesday, November 18, 2009 2:36 PM
To: 'junkitrob@aol.com'
Cc: Tedder, Richard; Reinhart, Mel; Chisolm, Jack; Emery, Charles; Myers, Jack D.; Krumbholz, Bill; Minhaj, Ghousuddin
Subject: GardenStreetIron&Metal-DraftPermitWithIntentToIssue
Attachments: Nov18 GardenStreetIron&Metal-IntentToIssue.pdf; Nov18 GardenStreetIron&Metal-DraftPermit.pdf

Dear Mr. Weber:

Please find attached the Intent to Issue, along with draft permit for Garden Street Iron & Metal, Waste Tire Processing Center, 0296251-001-WT/02, WACS ID No. 00098386.

Thank you--Susan



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

VIA ELECTRONIC MAIL

In the Matter of an
Application for Permit by:

FILE

Garden Street Iron & Metal, Inc.
c/o Mr. Rob Weber
E-mail: junkitrob@aol.com
3350 Metro Parkway
Fort Myers, Florida 33902

Re: Lee County - SW
Garden Street Iron & Metal
Waste Tire Processing Center
DEP File No. 0296251-001-WT/02
WACS ID No. 00098386

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a Permit (No. 0296251-001-WT/02, Draft enclosed) for the proposed project as detailed in the application No. 0296251-001-WT/02, specified above, for the reasons stated below:

The applicant, Garden Street Iron & Metal, c/o Mr. Rob Weber, 3350 Metro Parkway, Fort Myers, Florida 33902, applied on June 17, 2009 to the Department of Environmental Protection for a Permit to construct/operate:

a Waste Tire Processing Center, specifically identified as Garden Street Iron & Metal, located at 3350 Metro Parkway, Fort Myers, Lee 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, 62-160, 62-302, 62-522, 62-701, and 62-711. The project is not exempt from permitting procedures. The Department has determined that a **Construction/Operation** Permit is required for the proposed work.

Garden Street Iron & Metal
Waste Tire Processing Facility
DEP File No. 0296251-001-WT/02
WACS ID No. 00098386

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, 62-160, 62-302, 62-522, 62-701, and 62-711, as long as the conditions of the Permit are adhered to.

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. 0296251-001-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,

Garden Street Iron & Metal
Waste Tire Processing Facility
DEP File No. 0296251-001-WT/02
WACS ID No. 00098386

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.

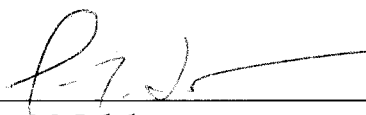
Garden Street Iron & Metal
Waste Tire Processing Facility
DEP File No. 0296251-001-WT/02
WACS ID No. 00098386

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

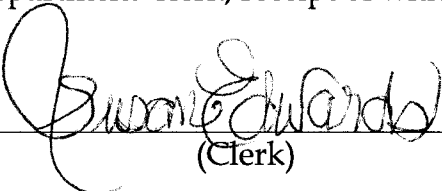
Garden Street Iron & Metal
Waste Tire Processing Facility
DEP File No. 0296251-001-WT/02
WACS ID No. 00098386

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 November 18, 2009, 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)

11-18-2009
(Date)

Attachment
JMI/MR/GAM/se

Copies furnished to:

Honorable Randy Henderson, Jr., Mayor - City of Fort Myers
William T. Keene, P.E.
Richard Tedder, DEP
Chris McGuire, OGC DEP
Jack Chisolm, OGC DEP
Jack D. Myers, DEP
Bill Krumbholz, DEP

FILE

**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 Waste Tire Facility Construction/Operation Permit (No. 0296251-001-WT/02) for the proposed project as detailed in the application (No. 0296251-001-WT/02) to the applicant Garden Street Iron & Metal, c/o Mr. Rob Weber, 3350 Metro Parkway, Fort Myers, Florida 33902. The Permit, when issued, will allow the Permittee to construct/operate:

a Waste Tire Processing Center, specifically identified as Garden Street Iron & Metal located at 3350 Metro Parkway, Fort Myers, Lee 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 (F.S.), or all parties reach a written agreement on mediation as an alternative remedy under Section 120.573 F.S. 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:

Garden Street Iron & Metal Inc. of S.W. Florida
c/o Mr. Rob Weber
3350 Metro Parkway
Fort Myers, Florida 33902

FILE

WACS ID No. 00098386
Permit/Certification No. 0296251-001-WT/02
Date of Issue: **DRAFT**
Expiration Date: **DRAFT**
County: Lee
Latitude: 26° 37' 4.4"
Longitude: 81° 51' 13.8"
Section/Township/Range: 30/44S/25E
Project: Garden Street Iron & Metal
Waste Tire Processing Center

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, 62-160, 62-302, 62-522, 62-701, and 62-711. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To construct and operate a Waste Tire Processing Center, specifically identified as Garden Street Iron & Metal, located at 3350 Metro Parkway, Fort Myers, Lee County, Florida.

The Permit is subject to the following fifteen (15) General and twenty-one (21) 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.

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

PERMITTEE:

Garden Street Iron & Metal Inc. of
S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

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.

PERMITTEE:

Garden Street Iron & Metal Inc. of
S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

GENERAL CONDITIONS:

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.

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

PERMITTEE:

Garden Street Iron & Metal Inc. of
S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

GENERAL CONDITIONS:

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)
 - (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.

PERMITTEE:

Garden Street Iron & Metal Inc. of
S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

GENERAL CONDITIONS:

- (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. This Permit is valid for construction/operation of a Waste Tire Processing Center with all applicable requirements of Florida Administrative Code (F.A.C.) Rule 62-711.
- 2. Appropriate signs indicating name of the facility, operating hours, cost of disposal, site rules and other pertinent information shall be posted at the entrance to the inbound truck scale of the site.

PERMITTEE:

Garden Street Iron & Metal Inc.
of S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

SPECIFIC CONDITIONS:

3. An attendant shall be present on the site when the facility is open for business.
4. All used tires, waste tires, processed tires and residues handled at the facility shall be stored in a manner so as not to constitute a fire or safety hazard or a sanitary nuisance, and shall comply with all applicable local and state regulations. Materials, recovered/processed by the facility which may be offered for sale shall comply with applicable regulations of all appropriate local and state agencies.
5. The Permittee shall strictly abide by the storage limit of 8,000 waste tires at any one time on the site and comply with all applicable storage requirements in F.A.C. Rule 62-711.540.
6. The 50 foot x 140 foot waste tire storage area shall be clearly marked. The area is to be identified as waste tire storage only. The blending storage area does not need to be marked. The quantity of tires in the blending area should not exceed 3,500 tires at any time.
7. The Permittee, at least once a year, shall remove at least 75 percent of the whole and used tires from the site for recycling, processing, or disposal.
8. The Permittee shall record and maintain information regarding the facility's activities, in compliance with F.A.C. Rule 62-711.530(4), which shall be available for inspection by Department personnel during normal business hours. Quarterly reports on Form 62-701.900(21), summarizing this information shall be submitted by the 20th of the month following the close of each calendar quarter in accordance with F.A.C. Rule 62-711.530(5). The report shall include the following information:
 - (a) For all waste tires shipped from the facility, the name and waste tire collector registration number of the waste tire collector who accepted the waste tires for transport, and the quantity of waste tires were shipped with that collector; and if the waste tires were shipped, the number of tires shipped, the person's name, address and telephone number; and the place where the waste tires were deposited.

PERMITTEE:

Garden Street Iron & Metal Inc.
of S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

SPECIFIC CONDITIONS:

- (b) For all waste tires received at the facility, the name and waste tire collector registration number of the collector who delivered the waste tires to the facility, and the quantity of waste tires received from the collector; and if more than five waste tires are delivered by a person who is not a waste tire collector, the number of tires delivered and the person's name, address and telephone number; and
- (c) For all waste tires removed for recapping, the quantity and type removed, and the name and location of the recapping facility receiving the tires.

The report to be submitted to the Department on Form 62-701.900(21), in addition to the information required above, shall include the following:

- (a) The facility name, address and permit number;
 - (b) The quarter covered by the report;
 - (c) The total quantity (by category) of waste tires received at the facility during the quarter covered by the report;
 - (d) The total quantity (by category) of waste tires shipped from the facility during the quarter covered by the report;
 - (e) The total quantity of waste tires processed during the quarter;
 - (f) The total quantity (by category) of waste tires located at the facility on the last day of the quarter; and
 - (g) A list of all dates on which one or more category of waste tires exceeded the storage limit, which category was in excess, and how this condition was relieved or will be relieved.
9. The Permittee shall maintain records of the quantity of waste tires received at the site, stored at the site and shipped from the site in accordance with F.A.C. Rule 62-711.540(1)(g), which shall be available for inspection by Department personnel during normal business hours.
10. Pesticides used to control rodents, flies, mosquitoes, and other insects shall be as specified by the Florida Department of Agriculture and Consumer Services (Chapter 5E-2, Florida Administrative Code), and be available on site for use as necessary.

PERMITTEE:

Garden Street Iron & Metal Inc.
of S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

SPECIFIC CONDITIONS:

11. The facility shall be maintained in a clean condition.
12. No open burning is permitted within 25 feet of the waste tire storage pile(s) at the site.
13. Adequate fire control provisions shall be available at all times. In case of fire, the Department shall be notified immediately at the telephone number(s) included in the Emergency Preparedness Manual and the Manual shall be followed.
14. Maintain a striped 15 foot x 15 foot fire access area in front of Fire Hydrant #1 and a striped 20 foot x 20 foot fire access area in front of Fire Hydrant #2, as specified in the Fire Safety Survey conducted by the Fort Myers Fire Department on July 7, 2009, and in correspondence dated October 13, 2009 to the Department, with an attached sketch showing Fire Hydrants #1 and #2.
15. A fire survey shall be conducted at least annually and the survey report shall be made part of the next quarterly report.
16. The Permittee shall keep a copy of the Emergency Preparedness Manual at the site at all times.
17. The Permittee shall submit to the District office an annual update/adjustment statement of closure cost estimate pursuant to F.A.C. Rule 62-711.500(3) at least sixty (60) days prior to the anniversary date of the last approved financial instrument. The Permittee shall submit a copy of the updated closure cost estimate along with a new financial instrument corresponding to the closure cost estimate to: Solid Waste Financial Coordinator, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 4565, Tallahassee, Florida 32399-2400.
18. In the event the Permittee is temporarily unable to comply with any of the conditions of this Permit, he shall notify the DEP District office immediately. Notification shall include pertinent information as to the cause of the problem and what corrective measures are being taken to prevent its reoccurrence.

PERMITTEE:

Garden Street Iron & Metal Inc.
of S.W. Florida
c/o Rob Weber

WACS ID No. 00098386

Permit/Certification No. 0296251-001-WT/02

Date of Issue: **DRAFT**

Expiration Date: **DRAFT**

SPECIFIC CONDITIONS:

19. The Permittee shall notify the Department about the facility's closure at least ninety (90) days prior to the date when waste tires will no longer be accepted.
20. The Permittee shall post a notice at the entrance to notify public haulers about closure, starting at least thirty (30) days prior to the date when waste tires will no longer be accepted.
21. Maintain the stormwater control devices and ditches that assure water quality control of the stormwater discharge as outlined in the operations manual.

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.

This Permit is issued for a period of **five (5) years** and expires **DRAFT**. If a renewal is desired, the Permittee shall apply for a renewal by submitting the appropriate application form along with the appropriate fee, sixty (60) days prior to the expiration date.

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,

DRAFT

Jon M. Iglehart
Director of District Management

JMI/GAM/MHR/se



November 10, 2009

Mr. Ghous Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549

Re: Garden Street Iron & Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Additional Information

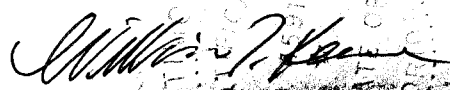
Dear Mr. Minhaj:

Please find enclosed three copies of the following:

1. Revised sheet 8 of 11, Facility Operation Plan
2. Revised Facility Operation Narrative, all sheets

Please let me know if there is anything additional that you may need.

Sincerely,
KEENE ENGINEERING, INC.



William T. Keene, PE
President
45915

11-10-09

Enclosures

Cc: Garden Street Iron and Metal, applicant



November 6, 2009

Mr. Ghous Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549

Re: Garden Street Iron & Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Additional Information

Dear Mr. Minhaj:

Please find enclosed three copies of the following:

1. Revised sheet ⁸ of 11, Facility Operation Plan
2. Revised Facility Operation Narrative, all sheets

Please let me know if there is anything additional that you may need.

Sincerely,
KEENE ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'William T. Keene', written in a cursive style.

William T. Keene, PE
President
45915

Enclosures

Cc: Garden Street Iron and Metal, applicant

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NOV 09 2009

D.E.P. South District

PO Box 2770, Fort Myers, Florida 33902
(239) 939-0524 (239) 939-1968 fax

Please note that FDEP is required to be immediately be notified in the event of a fire or other emergency which poses an unanticipated threat to the public health or environment. Within two weeks of the event, a written report must be submitted to FDEP noting the origins of the emergency, actions taken to deal with the emergency, results of actions taken, and an analysis of the success or failure of the actions [FAC 62-711.540(1)(f)].

A copy of this manual will to be kept in the main office of Garden Street Iron and Metal, Inc., two story building located on north side of the facility, near the Tara Lee Entrance. The street address of this building is 3265 Metro Parkway. A second copy of this manual is to be kept in the office of Keene Engineering, Inc., 9101 West College Pointe Drive, Ste 1, Fort Myers, Fl. 33919.

VIII. Fire Safety Survey (Application Part III.B.7.)

The Fire Safety Survey is included in this manual. This survey is to be updated annually by the Fort Myers Fire Department. The Fort Myers Fire Department may be contacted at 321-7350. Updates to the fire safety survey should be inserted into this manual for future reference [FAC 62-711.540(1)(d)].

IX. Description of how 75% of the annual accumulation of waste tires will be removed for disposal or recycling. (Application Part III.B.8.)

"FAC 62-711.530(3) - At least 75 percent of the whole tires, used tires, and processed tires that are delivered to or are contained on the site of the waste tire processing facility at the beginning of each calendar year shall be processed and removed for disposal or recycling from the facility during the year, or disposed of on the site at a permitted solid waste management facility..."

All waste tires are processed by shredding into sufficiently small pieces appropriate for disposal in a landfill. The processed waste tires are mixed amongst other shredder waste (fluff). The fluff is removed on a daily basis from the facility and taken to the Okeechobee landfill. It is expected that virtually 100% of all processed waste tires, on an annual basis, will be removed from the site during each year. It is not expected that there will be an accumulation of waste other than the daily amount generated.

X. Facility Plan Set – Storage Areas

The operator of the waste tire processing facility should familiarize himself with the enclosed facility site plans. These plans depict the designated areas to be used for the storage of used and other waste tires. This plan also depicts the general flow of bulk waste tires received at the facility. Sheets 3, 3A, 3B, 3C and 3D are the most relevant to the operation of the facility. The used and waste tire storage area will be designated with a yellow strip as shown in the plan set.

FACILITY OPERATION NARRATIVE

GARDEN STREET IRON & METAL (Waste Tire Processing Center)

Tire Processing Permit Application
Part III –B.1. thru B.8.

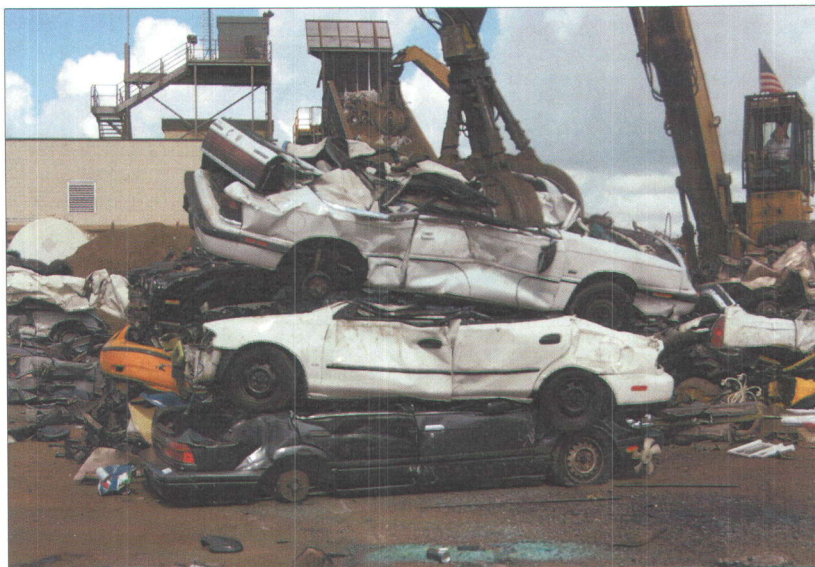
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1. Description of facility's operation, process and products including how waste tires will be received and stored. (Application Part III.B.1.)

The shredder plant is located on the northwest quadrant of the property. Sheet 2A and Sheet 3 depict the location of the facility within the overall property boundaries. Sheet 3D of the accompanying plan set depicts the flow of waste tires through the facility.

The facility is design primarily for the disassembly of scrap metal item such as automobiles, light and heavy trucks and trailers, appliances, machinery, and other items which contain metal. This facility is capable of efficiently removing nearly all of the metallic components from these waste items and reintroducing these metals into the raw material stream for manufacturers. The primary products created from this process are ferrous shred and non-ferrous mixed metal shred consisting primarily of aluminum. The rest of the component material from the recycled items is deposited in the final waste bunker. This material is generally referred to as fluff. It consists of rubber, plastic, foam, fabric, glass and soil. All of the rubber from the processed waste tires will be included in the fluff waste. The waste tire processing approved under this permit application is an additional process to the present recycling operation. Currently, some waste tires are being received incidental to the automobile and truck recycling operation. This application, if approved, will allow the facility to receive waste tires in bulk from waste tire collectors.

Please note that tires which are attached to a scrapped vehicle, truck or trailer are not accounted for separately from the scrap metal and will not be reported on quarterly reports.



Scrapped automobile being placed onto the in-feed conveyor.

The vehicles carrying the bulk waste tire deliveries will be weighed on the incoming and outgoing truck scales. The quantity of waste tires will be determined by the net difference in vehicle weight. All customer data is recorded in the facility's "point of sale" (POS) system. The POS system is a software program called Scrap Dragon. This system provides centralized

November 6, 2009

Garden Street Iron and Metal Waste Tire Processing Center
Facility Operation Narrative

Page 1 of 5

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D.F.P. South District

data collection, storage, and recording of financial transactions including the weight of any scrap or waste tires received by the facility. The tonnage of bulk waste tires received will be listed on the quarterly reporting to FDEP.

Once weighed, customers are directed to the unloading area near the in-feed conveyor. At this location, waste tires are placed in the "feed stock blending area". In this area, all material to be shredded is mixed to create a consistent material flow into the shredder.



Scrap material being handled at the feed stock blending area, near the in-feed conveyor. Harris Shredder is in the background.

The waste tires are placed onto the in-feed conveyor and shredded into sufficiently small pieces suitable for disposal in a landfill. See photos below for close-up views of the final waste material. The material in this bunker is generally referred to as fluff. This is because it contains all of the non metallic lighter weight components of a recycling material stream such as rubber, foam, fabric, glass, plastics and soil.

It is expected that all bulk waste tire deliveries accepted will be shredded in this fashion. The only waste tires that will be stored in the designated area on the sheet 3B of the plans set will be take-offs from the semi-trailers that are received for disposal and enclosed trailers or roll-off dumpsters loaded with mixed waste tires.



Existing used truck tires taken off of box trailers that have been scrapped. These are located in the Used Tire Storage Area.

The over the road (OTR) take offs will be stored on edge in a single layer as shown in the photo. It is estimated that the maximum number of waste tires stored in this fashion is about 1500 OTR tires. Please note that these tires remain mounted on rims preventing any chance of collecting water inside the tire. The maximum number of waste tires potentially placed in this storage area, however, is 4,500 tires.

In the case of a prolonged breakdown of equipment, major bulk

November 6, 2009

Garden Street Iron and Metal Waste Tire Processing Center
Facility Operation Narrative

Page 2 of 5

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tire accounts will be asked to temporarily suspend deliveries until the shredding equipment has been restored.

Note, the entire processing area is paved with an 8" thick 5000 psi concrete slab. This prevents scrap material from being mixed into the underlying soils. Also note that no products are anticipated to be produced from the waste tires process at this facility.

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. (Application Part III.B.2.)

The main mechanical component for this facility is a 98 inch steel shredding rotary hammer mill manufactured by Harris Equipment. The model number is HS98115. This machine is capable of shredding entire automobiles into pieces small enough to be picked up by hand. The shredder has an operating capacity in excess of 100 tons per hour. The facility also has additional equipment that further sorts the shredded material into its main metallic, non-metallic, and waste components.

3. Description of waste from the process, the amount expected and how and where this waste will be disposed of. (Application Part III.B.3.)

It is expected the 100% of the waste tires received under the waste tire permit will be shredded and turned into a waste material. This is due to the fact that the waste tires will be fed into the current recycling material stream. It is not anticipated that the waste tire will be processed separately as the incoming stream of waste tire collector customers is not expected to be consistent or sufficiently large enough. Waste tires would have to be stored for an excessively long period of time. This would interfere with the existing and ongoing metal recycling operation. All of the waste material will be trucked to and placed in the Okeechobee landfill.



Close-up view of material in the final waste bunker (Fluff).



Processed tire pieces from final waste bunker.

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November 6, 2009

D.E.P. South District
Garden Street Iron and Metal Waste Tire Processing Center
Facility Operation Narrative
Page 3 of 5

4. Statement of the maximum daily throughput and the planned daily and annual throughput. (Application Part III.B.4.)

As stated above, this shredder has an hourly feed rate in excess of 100 tons/hour of blended material. An estimate of the maximum capacity of this shredder is as follows:

Hourly blended feed rate into the shredder	100 tons/hour+
Conservative percentage of waste tires	10%
Hourly rate of waste tires	10 tons/hour
Conversion factor for passenger tires	20 lbs/tire

Estimated rate of waste tire feed is as follows:

$$\frac{10 \text{ tons}}{\text{hour}} \times \frac{2,000 \text{ lbs}}{\text{ton}} \times \frac{1 \text{ tire}}{20 \text{ lbs.}} = \frac{1,000 \text{ tires}}{\text{hour}}$$

Presently, the shredder operates 5 to 6 hours per day, 6 days a week. This gives a processing capacity of 5,000 to 6,000 processed waste tires per day or 30,000 to 36,000 processed waste tires per week. Annually, the capacity would be 1,560,000 to 1,872,000 tires per year. This equates to approximately 15,600 to 18,720 tons at a conservative 10% blend rate.

The ordinary planned daily throughput will be 1000 tires or less (10 tons +/-). The annual quantity of waste tires processed is estimate to be 300,000 tires (3,000 tons, +/-).

5. Description of how the operator will maintain compliance with each of the storage requirements of rule FAC 62-711.540. (Application Part III.B.5.)

Different from other tire processing facilities, the equipment necessary to shred the waste tires is permanently installed at this facility. And given the shredding capacity of the Harris mill, it is expected that the storage of tires will not be a major problem. Relatively speaking, the bulk waste tire component of the total facility operation is very small. The enclosed plans designate the areas in which tires will be stored and blended. These areas, though, will not be completely covered with waste tires at all times.

Compliance with the storage requirements of FAC 62-711.540 is assured by the following facts:

1. The facility is fenced, gated, and fully attended day and night preventing unauthorized deliveries.
2. The throughput capacity of the Harris mill is substantially greater than the quantity of tires to be stored.
3. Waste tires are currently being processed incidental to the automobile recycling operation and tire storage is not presently a problem.
4. The magnitude of the waste tire facility operation is a very small part of the overall facility operation and is much less likely, economically, to be allowed to become an operational or regulatory problem.
5. Processed waste tire are removed daily as part of the shredder fluff material and taken to the Okeechobee landfill preventing accumulation of waste on the site.

November 6, 2009

Garden Street Iron and Metal Waste Tire Processing Center
Facility Operation Narrative
Page 4 of 5

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D.E.P. South District

6. **A copy of the emergency preparedness manual for the facility with a statement of the on site and off site locations of where that manual will be maintained. (Application Part III.B.6.)**

The Emergency Preparedness Manual for the Garden Street Waste Tire Processing Center is included in Appendix A of this application. The operator should make his self familiar with the recommended steps to follow in the event of an emergency [FAC 62-711.540(1)(e)].

Please note that FDEP is required to be immediately be notified in the event of a fire or other emergency which poses an unanticipated threat to the public health or environment. Within two weeks of the event, a written report must be submitted to FDEP noting the origins of the emergency, actions taken to deal with the emergency, results of actions taken, and an analysis of the success or failure of the actions [FAC 62-711.540(1)(f)].

7. **Fire Safety Survey (Application Part III.B.7.)**

The Fire Safety Survey is included in Appendix A, Operations Manual, Division 4. This survey is to be updated annually by the Fort Myers Fire Department. The Fort Myers Fire Department may be contacted at 321-7350. Updates to the fire safety survey should be inserted into this manual for future reference [FAC 62-711.540(1)(d)].

8. **Description of how 75% of the annual accumulation of waste tires will be removed for disposal or recycling. (Application Part III.B.8.)**

"FAC 62-711.530(3) - At least 75 percent of the whole tires, used tires, and processed tires that are delivered to or are contained on the site of the waste tire processing facility at the beginning of each calendar year shall be processed and removed for disposal or recycling from the facility during the year, or disposed of on the site at a permitted solid waste management facility..."

All waste tires are processed by shredding into sufficiently small pieces appropriate for disposal in a landfill. The processed waste tires are mixed amongst other shredder waste (fluff). The fluff is removed on a daily basis from the facility and taken to the Okeechobee landfill. It is expected that virtually 100% of all processed waste tires, on an annual basis, will be removed from the site during each year. It is not expected that there will be an accumulation of waste other than the daily amount generated.

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D.E.P. South District



November 4, 2009

Mr. Ghous Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549

Re: Garden Street Iron and Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Additional Requested Information

Dear Mr. Minhaj:

Per the discussions between Mel Reinhart, you and I, please find enclosed three copies of the following revised application sections:

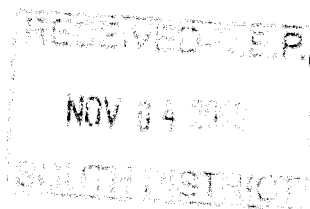
1. Facility Design Narrative
2. Facility Operation Narrative
3. Facility Operation Plan
4. Emergency Preparedness Plan
5. Plan Sheets 2, 2A, and 3 (11x17 and 24x36)

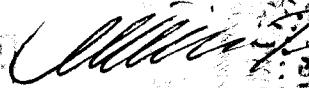
I would also like to thank you for taking the time to meet with me and I appreciate the guidance you and Mel have given.

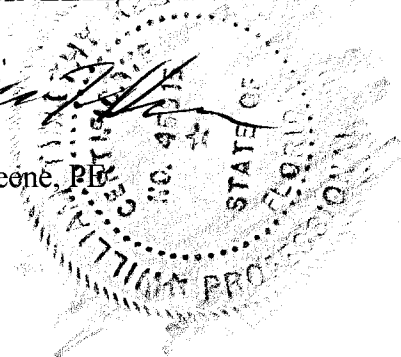
Additionally, it is my understanding that the financial assurance documents were approved as to form yesterday and the originals were being delivered in Tallahassee this morning.

Should you have any questions, do not hesitate to give me a call

Sincerely,
KEENE ENGINEERING, INC.



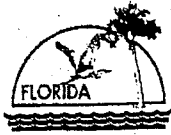

William T. Keene, PE
President
45915



Enclosures

Cc: Garden Street Iron and Metal, applicant

PO Box 2770, Fort Myers, Florida 33902
(239) 939-0524 (239) 939-1968 fax



State of Florida
Department of Environmental Protection
South District

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

Office Phone: (239) 332-6975
Office Fax: (239) 332-6969

FAX TRANSMITTAL FORM

TO: Tom Bejar DATE 11/4/09

AGENCY: DEP (SW Section)

FAX: 850-245-8811

1+5
NUMBER OF PAGES
Including Cover Sheet

PHONE: 850-245-8743

FROM: GHOUS MINHAI

PHONE: (239) 332-6975 X185

E-MAIL: ghous.minhaj@dep.state.fl.us

REGARDING: Garden Street Iron & Metal, WACS 98386

COMMENTS: Application (NO. 0296251-001-WT/02) and
approved Closure Cost Estimate with
corrected applicant's name.

FAXED
8:15 A
11/4/09
[Signature]

Please contact immediately, if pages are not received clearly.



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application
Effective Date 3/22/00
DEP Application No. <u>0296251-001-</u> (Filled in by DEP) <u>WT/02</u>

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: Garden Street Iron & Metal Inc. of S.W. Florida
2. Applicant Street Address: 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Applicant Mailing Address: same
5. City: _____ County: _____ Zip: _____
6. Contact person: Rob Weber Phone: (239) 337-5865 FEID No: 65-0101411
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: Garden Street Iron & Metal (Waste Tire Processing Center)
2. Facility Street Address (Main Entrance): 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Facility Mailing Address: 3350 Metro Parkway
5. City: Fort Myers State: Florida Zip: 33916
6. Contact Person: Rob Weber Phone: (239) 337-5865
7. Facility Location Coordinates:
Section: 30 Township: 44 Range: 25
Latitude: 26 Deg. 37' 4.4" N. Longitude: 81 Deg. 51' 13.8" W
8. Anticipated date for starting construction 09-14-09 and for completion of construction 10-29-09
9. Anticipated date for receipt of tires upon approval and for start of processing upon approval

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

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OCT 16 2009

DEP Form # 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: _____
- Land owner's mailing address: _____
- City: _____ State: _____ Zip: _____
- Authorized Agent: _____ Agent's phone () _____
- Current lease expires: _____

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

- Operator's name: _____
- Operator's mailing address: _____
- City: _____ State: _____ Zip: _____
- Contact person: _____ Phone: () _____

E. Preparer of Application:

- Name of person preparing application: William T. Keene, PE, Keene Engineering, Inc.
- Mailing address: PO Box 2770
- City: Fort Myers State: Florida Zip: 33902
- Phone: (239) 939-0524
- Affiliation with facility: consulting engineer

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 _____

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>120</u>	<u>14,000</u>	<u>0</u>	<u>0</u>	<u>120</u>
Processed tires:*	<u>120</u>	<u>3,200</u>	<u>0</u>	<u>0</u>	<u>120</u>
Processing residuals:	<u>indiscernible</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>indiscernible</u>
TOTALS:	<u>240</u>	<u>17,200</u>	<u>0</u>	<u>0</u>	<u>240</u>

* Included with other shredded material (fluff) in the final waste bunker, see operations plan regarding shredding of tires and other waster products.

DEP Form # 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. 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 Okeechobee Landfill

2. Street address: 10800 NE 128th Ave.

3. City: Okeechobee County: Okeechobee Zip: 34972

F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.
none at this time

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.

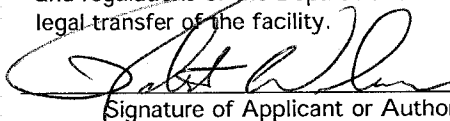
DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. _____ (Filled in by DEP)

- 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 Garden Street Iron & Metal Inc. of S.W. Florida Is aware that statements made in this form and attached information are an application for a Tire Processing Facility 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.

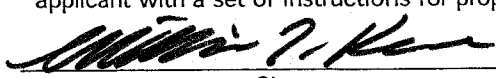

Signature of Applicant or Authorized Agent

Rob Weber, President
Name and Title

10-16-09
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.


Signature

William T. Keene, PE, Keene Eng., Inc.
Name and Title

45915
Florida Registration Number

PO Box 2770

Mailing Address

Fort Myers, Florida 33902

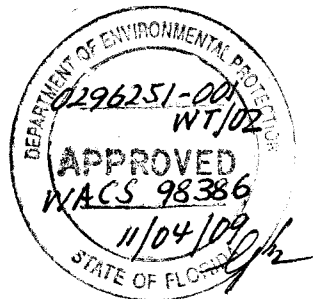
City, State, Zip

239-939-0524

Telephone number

(please affix seal)

10-16-09
Date



Closing Cost Estimate
for
Garden Street Iron & Metal
Waste Tire Processing Center
WACS 00098386

Facility: Garden Street Iron & Metal
3350 Metro Parkway
Fort Myers, Fl. 33916

Date: October 16, 2009

<u>Description</u>	<u>Unit Cost</u>	<u>Units</u>	<u>Quant.</u>		<u>Total</u>
Mobilization (in and out)	\$350.00	Ea	2	\$	700.00
<i>Load Tires</i>					
Loader Machine Time	\$ 85.00	Hr	8	\$	680.00
Walking Floor Trailer	\$250.00	Load	6	\$	1,500.00
<i>Tire Disposal (Lee County Resource Recovery Facility)</i>					
Passenger Tires	\$132.25	Ton	65	\$	8,596.25
OTR Tires	\$172.50	Ton	75	\$	12,937.50
Total Estimate				\$	24,413.75

Assumptions:

- 1 Based on unit cost quote from Wherry Truck Lines
- 2 Total Tires Assumed

Passenger Car Tires	6500	x	0.01	tons/tire =	65
OTR Tires	1500	x	0.05	tons/tire =	75
Total Tons					140

Prepared by:

10-16-09 William T. Keene

date

William T. Keene, PE

PE # 45915, CA 7578

Keene Engineering, Inc.

PO Box 2770, Fort Myers, Fl 33902

(239) 939-0524 ph. (239) 939-1968 fax

Owner

Robert Weber 10-16-09

date

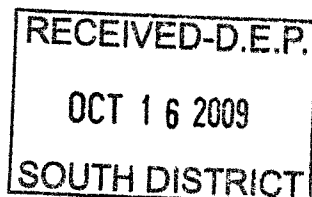
Robert Weber, President

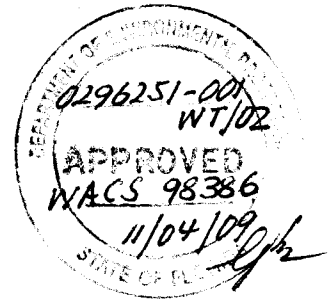
Garden Street Iron & Metal Inc. of S.W. Florida

3350 Metro Parkway

Fort Myers, Fl 33916

(239) 337-5865





Closing Cost Estimate
for
Garden Street Iron & Metal
Waste Tire Processing Center
WACS 00098386

Facility: Garden Street Iron & Metal
3350 Metro Parkway
Fort Myers, FL 33916

Date: October 16, 2009

Description	Unit Cost	Units	Quant.	Total
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OTR Tires	1500	x	0.05	tons/tire =	75
				Total Tons	140

Prepared by:

10-16-09 *William T. Keene*

date

William T. Keene, PE

PE # 45915, CA 7578

Keene Engineering, Inc.

PO Box 2770, Fort Myers, FL 33902

(239) 939-0524 ph. (239) 939-1968 fax

Owner

Robert Weber 10-16-09
date

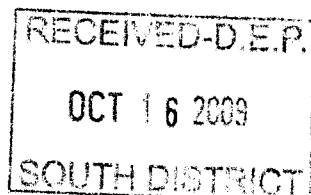
Robert Weber, President

Garden Street Iron & Metal Inc. of S.W. Florida

3350 Metro Parkway

Fort Myers, FL 33916

(239) 337-5865



WHERRY
TRUCK LINES, INC.
Walking Floor Bulk Transport

Green Waste Disposal
Horticultural Waste Removal

June 16, 2009

Rob Weber
Garden Street Iron & Metal Inc.
3350 Metro Pkwy
Fort Myers, FL 33916

Wherry Truck Lines will load, haul and dispose of used tires located at 3350 Metro Pkwy in Fort Myers for the following rates for approximately 8,000 car and truck tires:

- Mobilize loader in - \$350
- Mobilize loader out - \$350
- Loader - \$85/hr
- Tires hauled to Lee County Waste to Energy (incinerator) located at 10550 Buckingham Rd, Fort Myers - \$250 per 100 yard walking floor trailer load - Freight only
- Disposal rate for passenger tires - \$132.25 per ton
- Disposal rate for OTR tires - \$172.50 per ton


All agreements are contingent upon accidents or delays beyond our control.


- Auto Liability Insurance of \$1,000,000.00
- Full Workman's Compensation is carried on all employees
- General Liability Insurance of \$2,000,000.00

Terms of Payment: Due upon receipt
Federal Tax ID# 650339512

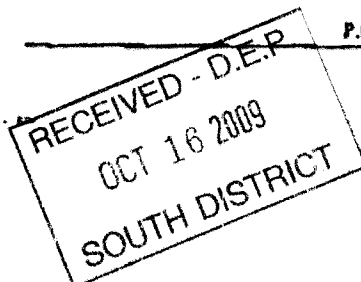
ACCEPTANCE OF SERVICE AGREEMENT

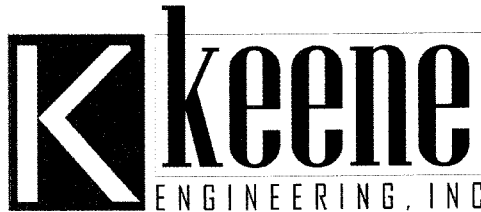
The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. This quote will be valid for 1 year.


Kendell T. Wherry
Wherry Truck Lines, Inc.


Rob Weber
Garden Street Iron & Metal Inc.

P.O. Box 61008 - Fort Myers, Florida 33906-1008
Phone 239-768-1293 Fax 239-768-6552





October 16, 2009

Mr. Ghous Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549



Entered into
OCULUS
South District

Re: Garden Street Iron & Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Response to RAI No. 3



Dear Mr. Minhaj:

Please find enclosed four sets of revised submittal documents for the above referenced application. The enclosures are intended to address all of the concerns outlined in your October 2, 2009 Request for Additional Information (RAI) No. 3.

In addition, I have revised the applicant's name on all documents to delete the comma after the word "metal" and have replaced an ampersand, "&", for the word "and" in the project name to match the applicant's corporate name.

I am addressing the comments in your RAI letter below for clarification:

APPLICATION FORM

PART II, C: *Storage: Please clarify storage of "Processed tires" with an asterisk (*) and a footnote, "Included with other shredded material (fluff) in the bunker [Florida Administrative Code (F.A.C.), Rule 62-711.500(2)].*

An additional note has been added on the application.

PART III: Attachments:

A. *Facility design (Facility Design Narrative)*

General Comment:

The drawings referenced for this section are being addressed under "Drawings" review of this request for additional information (RAI).

A.2. a: *Please reference Page 2 of 3, third paragraph. Please describe the date of fire safety survey and provide the reference to Section 4 of the Operation Plan in this paragraph concerning the fire survey conducted*

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OCT 16 2009

by the Fort Myers Fire Department. It notes that the "locations of both storage areas have been deemed acceptable by the Department". Three areas are shown on the drawings for storage/staging/blending of waste tires. Please clarify.

The application narrative has been revised accordingly.

Please address F.A.C. Rule 62-711.540(1)(a) and its compliance with a sign at the entrance.

A sign will be installed at the entrance to the inbound truck scale.

A.2. b: *Please correct the sentence [F.A.C. Rule 62-711.540(3)(a)].*

This sentence has been corrected.

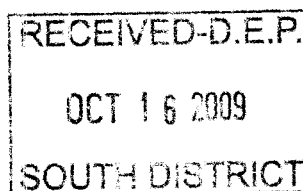
A.2. c: *Please show the stormwater flow pattern in the Waste Tire Facility Area on Sheet 3. Please note the description that the stormwater drainage in this area is directed to a sludge and process water recovery tank (located just west of the motor house), which drives the shredder. Please include "sludge" in the label of the tank. Please note that the Waste Tire Staging Area is about 150 feet from this tank, which is not in compliance with F.A.C. Rule 62-711.540(3)(a). Please address and also modify the location of the Staging Area.*

The storm water runoff patterns have been further details on sheet 2A, General Site Plan. Note that only the runoff from the shredder and down stream processing equipment has been directed into the sludge and process water recovery tank. The waste tire staging area on the south side of the in-feed conveyor has been deleted from the plan.

A.2. d: *Please identify the boundaries of the waste tire facility and legal boundaries of the land containing the facility with symbolized lines and labels on Sheet 2 of 5, as required by this item of the application form [F.A.C. Rule 62-701.530(6)].*

Sheet 2 has been renamed as the Existing Improvements Plan. A legend has been added to sheets 2, 2A and 3. The boundary of the waste tire facility has been detailed on Sheet 2A. The actual property boundary has also been further detailed.

A.2. e: *Please provide a legend on the referenced Sheet 2 with a symbol for wells and identify them on the plan with numbers. Please provide notes for the type and purpose of the wells on the drawing, Sheet 2, as*



required by this item of the application form [F.A.C. Rule 62-711.500(6)].

A legend has been added. The approximate locations of all three types of existing wells have been shown.

- A.2. f: *Please identify the existing buildings, structures, and areas, etc., with the word "Existing" in the labels [F.A.C. Rule 62-711.500(60)].***

Sheet 2 has been renamed as "Existing Site Plan." This plan shows all the existing structures and the property boundary. Sheet 2A now gives an overall view of the property with the planned tire processing facility.

- A.2. g: *Please confirm that the copy of drawing (8 1/2" x 11"), attached to the letter from Fort Myers Fire Department, was submitted to the Fire Department. Please note that the drawing does not have any scale and the dimensions of the areas and fire lanes marked. Please note that the proposed "FEED STOCK BLENDING AREA" and "WASTE TIRE STAGING AREA" were not shown on the attached drawing. Please provide a new fire safety survey (conducted after submitting a copy of the Site Plan, Sheet 3 of 5) showing relevant information, along with the letter to the Fire Department requesting a fire safety survey [F.A.C. Rule 62-701.500(6)].***

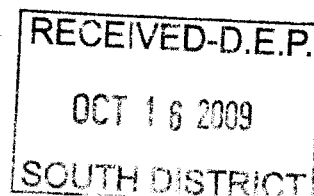
The only purpose of the drawing attached to the fire safety survey letter from the Fort Myers Fire Department was to detail the pavement striping and adjustment to the fire hydrants that they required. A request to provide a new fire safety survey has been forwarded to the Fort Myers Fire Department. A copy of that request has been provided to FDEP.

- A.2. h: *Fire lanes are not properly marked on the referenced drawings. Please also see the comment on A.2.g above and provide information as required by this item of the application form [F.A.C. Rule 62-711.500(6)].***

The fire lanes are depicted on the plan as shaded paths through the facility. The shading has been adjusted to improve the reproduction of the plans.

- A.2. i: *Please clarify whether the property and the waste tire processing facility have fencing around and access control. Please show the fencing with a symbolized line on Sheet 2 of 5 [F.A.C. Rule 62-711.500(6)].***

The fencing has been added to sheet 2, Existing Site Plan. The roadway frontages are fenced with a precast concrete fencing system. All vehicular entrances are controlled with automatic gates. The southerly boundary



abuts buildings and structures belonging to Gulf Paving. The westerly boundary abuts the CSX railroad right of way. This boundary has not been fenced to allow access to the railroad. Please note that the Seminole Gulf Railroad has its own police force and that the Garden Street facility has nighttime security guards and video surveillance. Vehicular access is not possible though these unfenced boundaries.

B.

Facility Operation (Facility Operation Plan)

General Comments:

1) The Operation Plan is to be a stand-alone document so that the operator and the personnel responsible for the day-to-day operation can easily perform the required activities of waste receiving, processing, disposal, and recording, etc. [F.A.C. Rules 62-711.530 and 62-711.540].

Appendix A is the manual intended to contain all of the materials and documents necessary to maintain compliance with an approved permit. Section 1 is the Operation Plan. This section can be removed and distributed as necessary to facility personnel to assist them in their duties.

2) The narrative of the facility's Operation Plan should reflect the sequence of the application items. The narrative should include the regulatory items that are required under F.A.C. Rules 62-711.530 and 62-711.540 that pertain to the operations of the facility, along with references to a Site Plan in the Operation Plan. Please submit a revised Operation Plan, addressing each item B.1 through B.8, and incorporating responses to the following comments:

Appendix A, Section 1, the Operation Plan has been revised.

General: Please do not use "Garden Street" for the facility, but use the word "Facility" or use an abbreviation "WTPC" after providing the full words where it appears first.

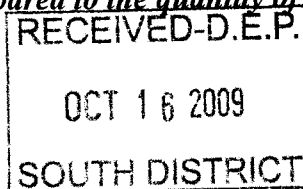
The word "facility" has been substituted for the name "Garden Street."

B.II:

Please note that the statement "this facility has a permitted limit of 8,000 used and waste tires on site" is not correct, because the permit is not yet issued. The number of tires (8,000) indicates the proposed storage.

This wording has been adjusted. Please see the section of the Operations Plan now numbered XII.

Please clarify that the existing shredder shreds very large quantities of cars, metals and other scrap materials, compared to the quantity of tires



that will be shredded; therefore, the storage limit of 60 times the daily through-put of the processing cannot be applicable to this facility regarding the aggregate of whole waste tires, processed waste tires, and residuals. Similarly, the storage limit for whole waste tires cannot be applicable [F.A.C. Rule 62-711.530(2)(a)].

The mention of the additional quantity limitation was intended to make the operators fully aware of the rule. It is expected that this part of the rule will not limit the operation of this facility.

Please note the following computation:

Hourly blended feed rate into the shredder	100 tons/hour+
Conservative percentage of waste tires	10%
Hourly rate of waste tires	10 tons/hour
Conversion factor for passenger tires	20 lbs/tire

Estimated rate of waste tire feed is as follows:

$$\frac{10 \text{ tons}}{\text{hour}} \times \frac{2,000 \text{ lbs}}{\text{ton}} \times \frac{1 \text{ tire}}{20 \text{ lbs.}} = \frac{1,000 \text{ tires}}{\text{hour}}$$

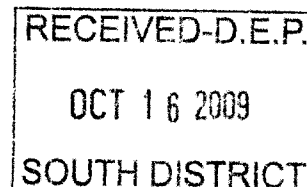
Presently, the shredder operates 5 to 6 hours per day, 6 days a week. This gives a processing capacity of 5,000 to 6,000 processed waste tires per day or 30,000 to 36,000 processed waste tires per week. This rule limit would result in a roughly 300,000 to 360,000 tires maximum storage amount.

Please see sections V. and XII. of the revised Operations Plan.

B.III:

Please provide a description of how 75 percent of the annual accumulation of waste tires will be removed for disposal or recycling [F.A.C. Rule 62-711.530(3)].

Please see section IX. of the revised Operations Plan. All waste tires are processed by shredding into sufficiently small pieces appropriate for disposal in a landfill. The processed waste tires are mixed amongst other shredder waste (fluff). Fluff is removed from the facility on a daily basis. It is expected that virtually 100% of all processed waste tires, on an annual basis, will be removed from the site during each year. It is not expected that there will be an accumulation of waste other than the daily amount generated.



Please reference the second paragraph on Page 2 of 5. Please clarify what is meant by "Initial cover shall not be required for stored...."

Rule FAC 62-711.530(3), last sentence, states that initial cover will not be required if the storage limits of the facility are not exceeded. It can be implied from this part of the rule that if the storage of processed waste tires begins to exceed the permitted limit for the sum of used, waste and processed tires (i.e. the 8,000 limit being requested herein), the processed tires in excess of the limit will require "initial cover". The purpose of mention of this requirement in the operation manual is to demonstrate that this requirement is being met as the processed waste tires are removed from the facility on a daily basis as part of the shredder fluff.

Please clarify that the facility does not plan to process waste tires for initial cover at a landfill or to cut waste tires into small parts for disposal at a landfill, but plans to shred (along with other materials as fluff) for disposal at a landfill. Your attention is directed to F.A.C. Rule 62-711.400(3)(b), which requires initial cover if the storage is not less than a week. Please modify the narrative [F.A.C. Rule 62-711.530(2)(a)].

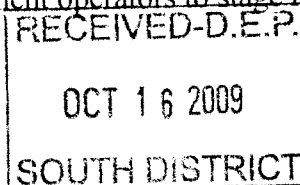
In the resulting fluff, the waste tires are cut into sufficiently small pieces suitable for disposal in a landfill [FAC 62-711.400(3)(b)]. They are not sufficiently small to meet the criteria of FAC 62-711.400(3)(a) and thus will not be used as initial cover in a landfill. The requirement in FAC 62-711.400(3)(b) to cover this larger material once every week pertains to the operation of the landfill where the fluff is disposed of and does not concern the operation of this facility.

B. IV: ***Please reference Emergency Preparedness Manual, Page 2 of 4 and incorporate the following in this item: "The manual shall be updated at least once a year and upon changes in operations at the site" [F.A.C. Rule 62-711.540(1)(e)].***

This has been added to the Emergency Preparedness Manual.

Please reference B.III, Emergency Response Team. Please identify the responsible person or persons for observing conditions in the yard for any incidences that may occur outside the visibility of the shredder operator [F.A.C. Rule 62-711.540(1)(e)].

The yard supervisor works in conjunction with the shredder operator to manage the moment to moment operations of the yard. This person typically is located in a moving front end loader and constantly moves about the yard. He directs other equipment operators to stage material to



be fed into the shredder. When the shredder is not in operation, the yard supervisor manages the yard activities.

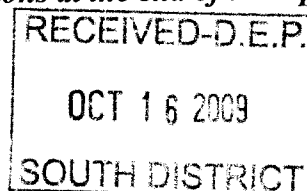
Please reference B.IV, Emergency Response Equipment. Please provide whether there are similar measures available for initial response to a fire for the waste storage/staging/blending areas as described for the fluff storage area [F.A.C. rule 62-711.540(1)(e)2].

There are no additional fire fighting hoses in the vicinity of the blending and storage areas. The staging area has been eliminated. In these areas however, are two types of heavy equipment, a grapple crane and a large solid tire front end loader. These two pieces of equipment are capable of being used in the initial moments of a fire to pull smoldering or flamed portions of a storage pile away from the remainder. This minimizes the potential for the fire to escalate into a larger event.

Please reference B.VI, Clean-up Procedure. Please provide a sketch on how this is to be implemented, providing reference to where the processed ferrous material is to be taken from. Please note whether the water from the fire fighting process (that is contaminated) will reasonably be prevented from flowing into the stormwater dry detention area [F.A.C. Rule 62-711.540(1)(e)3].

A sketch has been added to the emergency preparedness manual showing how the shredded ferrous material is to be distributed to minimize the runoff from a fire event. It may not be possible to completely prevent fire fighting runoff water from entering the storm water management system from the tire storage and the feed stock blending areas. This is not different, however, from the facility's current operations. By constructing a dam of shredded material, the runoff into the storm water system should at least be minimized. It should be noted here too that the slope of the concrete surfaced beneath the storage and blending areas is a very minimal .4%. This is far less than the average parking facility. The minimal slope will reduce the rate at which water will flow toward the detention area. Additionally, the storm water management system has three stages of BMP's to prevent oily residue from leaving the facility. The first BMP is an oil skimmer erected across the outfall ditch just east of the blending area. Second is a "Stormceptor" treatment structure that is designed to help prevent oily films from passing downstream. And thirdly, the storm water outfall control structure. This structure also has a baffle to prevent oily films from passing through the structure.

B.V, B.VII, and B.VIII: Please place these sections at the end of the Operation Plan.



The operations plan has been so revised. These section are now VIII., XIII., and XIV., respectively.

B.VII: *Please reference the first paragraph on Page 3 of 5. Please be specific as to how used tires will be accounted for when leaving the site [F.A.C. Rules 62-711.530(4) and 62-711.540(1)(g)].*

Please see section XIII of the revised Operations Plan. The used tires will be accounted for by directly weighing the used tire loads or by calculating the weights by the factors listed in this section for inventorying used or waste tires on site.

B.IX: *The Closing Plan can be maintained as a separate document that can be utilized at the time of closing the waste tire processing facility and describe it under Part III C of the application form [F.A.C. Rule 62-701.900(23)].*

Noted.

B.X: *A description of the Applicable State Rules is appropriate for the Application Narrative. Please incorporate there [F.A.C. Rule 62-701.320(7)(d)].*

The reference to the where an operator may look further for the applicable state rule is appropriate for this section as the operator may not have access to the original narrative portion of this application. This section is now at the end of the revised Operations Plan.

B.XI: *Please refer to the section on DRAWINGS for comments related to the Facility Plan Set [F.A.C. Rule 62-711.540(1)(h)].*

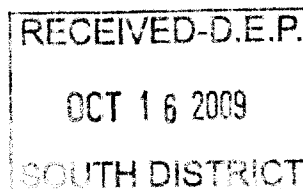
B.XII: *Please place these items at the front of the Operation Plan. Please be specific as to whether the facility will be receiving waste tires from the public and, if so, please provide the signage required by the regulation [F.A.C. Rule 62-711.540(1)(a)].*

Please see section X. of the revised Operation Plan. These items have been placed immediately after the sections that address items 1 thru 8 of the application Part III.B.

DRAWINGS

General: Please do not use the word "Tire" for "waste tire" in the title and title blocks of the drawings [F.A.C. Rule 62-711].

This has been revised.



Sheet 1 of 5: Please correct the main title and the title block to be consistent with PART I.B.1 of the application form. Please correct all the drawings [F.A.C. Rule 62-701.320(7)(f)6].

The cover sheet and all title blocks have been revised.

Sheet 2 of 5: GENERAL SITE PLAN: Please provide a legend with symbols to identify the items being referenced in the narrative for this sheet (e.g., site boundary line, topographic symbol for existing or proposed elevations, restrictive access fence, access gates, exit gates, recovery wells, irrigation wells, fire hydrants, groundwater monitoring wells, etc. Please add "Existing" to labels for the existing structures, etc. [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

A legend has been added to sheets 2, 2A, and 3. Sheet 2 has been renamed and now only shows the existing improvements. Sheet 2A shows the overall site with the proposed tire processing facility area.

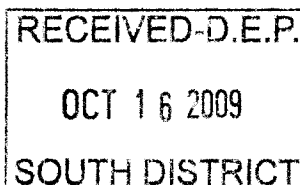
Sheet 3 of 5: PROCESSING AREA PLAN: Please describe the criteria used for estimating storage areas and volumes of waste tires and used tires [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6]. The "NOTE" in the center includes, "Overflow Staging Area", which is not identified on the sheet. Please show it with clarification of overflow. Please provide a label describing the floor type, "concrete" and show its limits.

The note in the center of the processing area plan has been revised. The staging area to the south of the in-feed conveyor has been eliminated from the plans. Also, the entire site is covered with concrete pavement. The limits of concrete are shown on the plan.

Sheet 3A of 5: TIRE STAGING AREA PLAN: The title of this Plan is confusing in that the drawing shows, "FEED STOCK BLENDING AREA", also. Please clarify and modify the title block accordingly [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

The title of this sheet has been revised to read "Feedstock Blending Area Plan". The staging area south of the in-feed conveyor has been eliminated.

Sheet 3B of 5: Please correct the title block according to the storage area shown on the drawing [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].



The title of this sheet has been revised.

Also, please note that a new sheet 3C has been added. It is now the "Processed Waste Tire Storage Area Plan". This is an enlargement of the fluff bunker area. The original sheet 3C is now 3D.

Sheet 3C of 5: Please use, "Waste Tires" instead of "Tire". Please provide the flow of the processed waste tires (shredded) that are a part of the fluff, as described in the narrative. The flow of fluff from the bunker is not shown. Please show it, as it passes through the scale when it leaves the facility [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

Please note that this sheet has been renumbered to sheet 3D. The sheet name has been revised. The flow of the shredder fluff waste material has been added to the plan.

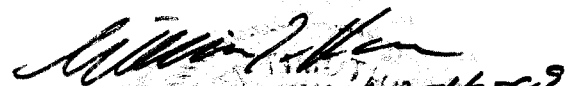
Sheets 4 and 5: Please correct the title block, including the full name of the facility. Please identify the site boundary with the name or a symbol on Sheet 4[F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

The title blocks on these two sheets have been revised. The facility has been identified on Sheet 4.

Please note that all the reduced size (11" x 14") copies should reflect the revised drawings.

Please review the attached at your earliest convenience. Should you have any questions, do not hesitate to give me a call

Sincerely,
KEENE ENGINEERING, INC.

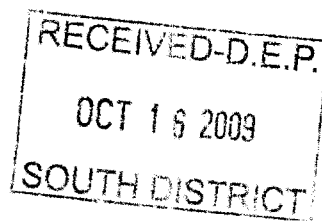


William T. Keene, PE
President
45915

NO. 45915
STATE OF
FLORIDA

Enclosures

Cc: Garden Street Iron and Metal, applicant



Minhaj, Ghousuddin

From: Minhaj, Ghousuddin
Sent: Wednesday, October 14, 2009 4:19 PM
To: Reinhart, Mel; 'junkitrob@aol.com'; 'tim@keenefl.com'
Subject: FW: GARDEN STREET IRON & METAL - WACS98386, Application Form and Closure Cost Estimate

Importance: High

Rob and Tim:

Please submit a corrected application form and Closure Cost Estimate. The Closure Cost Estimate should have the applicant's(company's name), the president's name and signature. Thanks.

Ghous

From: Bejnar, Tor
Sent: Wednesday, October 14, 2009 1:52 PM
To: Minhaj, Ghousuddin
Subject: GARDEN STREET IRON & METAL - WACS98386

Ghous,

I note that the Secretary of Sate has the applicant's name as "GARDEN STREET IRON & METAL INC. OF S.W. FLORIDA" – with no comma after "Metal". The permit application and your letters to the applicant, erroneously, include a comma.

I look forward to seeing the cost estimate.

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 4/09)

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.

Minhaj, Ghousuddin

To: Reinhart, Mel
Subject: FW: GARDEN STREET IRON & METAL - WACS98386

FYI

From: Bejnar, Tor
Sent: Wednesday, October 14, 2009 1:52 PM
To: Minhaj, Ghousuddin
Subject: GARDEN STREET IRON & METAL - WACS98386

Ghous,

I note that the Secretary of State has the applicant's name as "GARDEN STREET IRON & METAL INC. OF S.W. FLORIDA" – with no comma after "Metal". The permit application and your letters to the applicant, erroneously, include a comma.

I look forward to seeing the cost estimate.

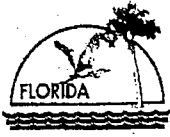
Please contact me if you have any questions.

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

*Send correspondence to:
Solid Waste Financial Coordinator
Florida Dept. of Environmental Protection
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Tallahassee, FL 32399-2400
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www.dep.state.fl.us/waste/categories/swfr (updated 4/09)

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State of Florida
Department of Environmental Protection
South District

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

Office Phone: (239) 332-6975
Office Fax: (239) 332-6969

FAX TRANSMITTAL FORM

TO: Tor Bejar 10/14/09
DATE

AGENCY: DEP (SW) Tally

FAX: 850 245 8811 5
NUMBER OF PAGES
Including Cover Sheet

PHONE: 850 245 8743

FROM: GHOUS MINHAJ

PHONE: (239) 332-6975 X185

E-MAIL: ghous.minhaj@dep.state.fl.us

REGARDING: Garden Street Iron & Metal WACS 98386
(Waste Tire Processing Center)

COMMENTS: Application (NO. 0296251-001-WT/02) attached.
Approval letter and Closure Cost Estimate
transmitted by E-mail separately

FAXED
9-18A
10/14/09
Jm

Please contact immediately, if pages are not received clearly.



Department of Environmental Protection

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title Permit Application

Effective Date 3/22/00

DEP Application No. 0296251-001-
(Filled in by DEP) WT/02

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: Garden Street Iron & Metal, Inc. of S.W. Florida
2. Applicant Street Address: 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Applicant Mailing Address: same
5. City: _____ County: _____ Zip: _____
6. Contact person: Rob Weber Phone: (239) 337-5865 FEID No: 65-0101411
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: Garden Street Iron & Metal (Waste Tire Processing Center)
2. Facility Street Address (Main Entrance): 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Facility Mailing Address: 3350 Metro Parkway
5. City: Fort Myers State: Florida Zip: 33916
6. Contact Person: Rob Weber Phone: (239) 337-5865
7. Facility Location Coordinates:
Section: 30 Township: 44 Range: 25
Latitude: 26 Deg. 37' 4.4" N. Longitude: 81 Deg. 51' 13.8" W
8. Anticipated date for starting construction 09-14-09 and for completion of construction 09-21-09
9. Anticipated date for receipt of tires upon approval and for start of processing upon approval

Mail completed form to
appropriate district office listed below

RECEIVED - D.E.P.
SEP 08 2009
SOUTH DISTRICT

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 Form # 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: _____
- Land owner's mailing address: _____
- City: _____ State: _____ Zip: _____
- Authorized Agent: _____ Agent's phone () _____
- Current lease expires: _____

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

- Operator's name: _____
- Operator's mailing address: _____
- City: _____ State: _____ Zip: _____
- Contact person: _____ Phone: () _____

E. Preparer of Application:

- Name of person preparing application: William T. Keene, PE, Keene Engineering, Inc.
- Mailing address: PO Box 2770
- City: Fort Myers State: Florida Zip: 33902
- Phone: (239) 939-0524
- Affiliation with facility: consulting engineer

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

RECEIVED - D.E.P.
 SEP 03 2009
 SOUTH DISTRICT

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 _____

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:	120	16,040	0	0	120
Processed tires:	120	3,200	0	0	120
Processing residuals:	indiscernible	0	0	0	indiscernible
TOTALS:	240	19,240	0	0	240

(see operation narrative regarding shredding of tires and waste products)

DEP Form # 62-701.900(23) Waste Tire Processing Facility Permit Application Effective Date 3/22/00 DEP Application No. _____ (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 Okeechobee Landfill

2. Street address: 10800 NE 128th Ave.

3. City: Okeechobee County: Okeechobee Zip: 34972

F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.
none at this time

Part III-Attachments:

A. Facility design

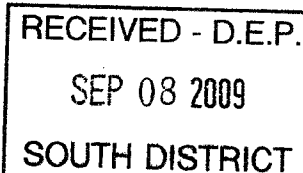
NOTE: All maps, plan sheets, drawings, isometrics, cross sections, or aerial photographs shall be legible; be signed and sealed by a registered professional engineer responsible for their preparation; be of appropriate scale to show clearly all required details; be numbered, referenced to narrative, 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 # 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. 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 Garden Street Iron & Metal, Inc. of S.W. Florida is aware that statements made in this form and attached information are an application for a Tire Processing Facility 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.

[Signature]
Signature of Applicant or Authorized Agent

Rob Weber, President
Name and Title

9-8-09
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.

[Signature]
Signature

William T. Keene, PE, Keene Eng., Inc.
Name and Title

45915

Florida Registration Number

PO Box 2770

Mailing Address

Fort Myers, Florida 33902

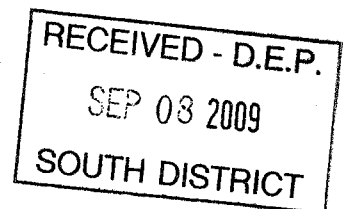
City, State, Zip

239-939-0524

Telephone number

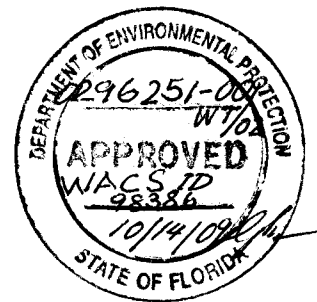
9-7-09
Date

(please affix seal)





Closing Cost Estimate
for
Bulk Waste Tire Processing
at
Garden Street Iron and Metal



Facility: Garden Street Iron and Metal
3350 Metro Parkway
Fort Myers, FL 33916

Date: September 7, 2009

Description	Unit Cost	Units	Quant.	Total
Mobilization (in and out)	\$350.00	Ea	2	\$ 700.00
<i>Load Tires</i>				
Loader Machine Time	\$ 85.00	Hr	8	\$ 680.00
Walking Floor Trailer	\$250.00	Load	6	\$ 1,500.00
<i>Tire Disposal (Lee County Resource Recovery Facility)</i>				
Passenger Tires	\$132.25	Ton	65	\$ 8,596.25
OTR Tires	\$172.50	Ton	75	\$ 12,937.50
Total Estimate				\$ 24,413.75

Assumptions:

- 1 Based on unit cost quote from Wherry Truck Lines
- 2 Total Tires Assumed

Passenger Car Tires	6500	x	0.01	tons/tire =	65
OTR Tires	1500	x	0.05	tons/tire =	75
Total Tons					140

Prepared by:

*See the one
with corrected
applicant's name
received
10/16/09*

William T. Keene 9-7-09

William T. Keene, PE
PE # 45915
Keene Engineering, Inc.
PO Box 2770
Fort Myers, Florida 33902
(239) 939-0524
(239) 939-1968 fax
CA 7578

RECEIVED - D.E.P.

SEP 08 2009

SOUTH DISTRICT



October 12, 2009

Mr. Shelton R. Reynolds
Fort Myers fire Department
2180 West First Street, Suite 101
Fort Myers, Florida 33901

Re: Garden Street Iron and Metal
FDEP Waste Tire Processing Facility Permit Application
Request for Revised Fire Safety Survey Letter

Dear Rick:

The proposed storage areas for the planned waste tire processing at Garden Street Iron and Metal have been modified. Attached to this letter are revised site plans showing the currently proposed storage and feed stock blending areas. The feed stock blending area is essentially the pile of mixed materials on the north side of the in-feed conveyor. The only significant change since we last discussed this project has been the elimination of the waste tire staging area on the south side of the in-feed for the shredder.

Also, in your previous letter, there were some items that you required to be completed. We have rotated the fire hydrants but have not yet stripped the pavement. This will be completed soon.

Please review the attached plan and provide a revised Fire Safety Survey Letter for use in the FDEP permitting effort. Feel free to give me a call if you have any questions.

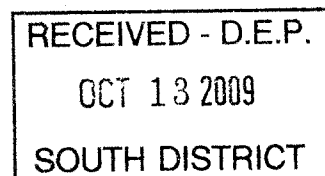
Sincerely,
KEENE ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'William T. Keene', written in a cursive style.

William T. Keene, PE
President
45915

Enclosures

Cc: Ghous Minhaj, FDEP w/attachments



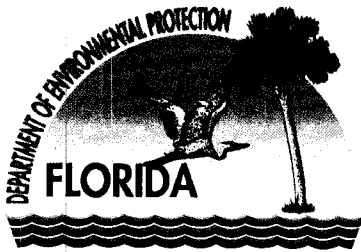
Minhaj, Ghousuddin

From: Edwards, Susan
Sent: Friday, October 02, 2009 1:56 PM
To: 'junkitrob@aol.com'
Cc: 'tim@keenefl.com'; Minhaj, Ghousuddin; Reinhart, Mel; Krumbholz, Bill
Subject: GardenStreetIronAndMetal-WasteTireProcessingFacility-RAI3
Attachments: Oct2 GardenStreetIron&Metal-RAI3.pdf

Dear Mr. Weber:

For your review and response, please see attached RAI 3 for Garden Street Iron & Metal-Waste Tire Processing Facility, Application No. 0296251-001-WT/02, WACS ID No. 00098386.

Thank you--Susan



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

October 2, 2009

VIA ELECTRONIC MAIL

Garden Street Iron & Metal, Inc. of SW Florida
c/o Mr. Rob Weber
E-mail: junkitrob@aol.com ✓
3350 Metro Parkway
Fort Myers, Florida 33902

QAV

Re: Lee County - SW
Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Request for Additional Information (RAI) No. 3

Dear Mr. Weber:

The Department has reviewed the response to the Department's RAI No. 2, dated August 31, 2009, prepared by Keene Engineering, Inc. and received September 8, 2009. The submitted information is not complete and additional information in response to the following comments is required to complete the application.

APPLICATION FORM

PART II, C: Storage: Please clarify storage of "Processed tires" with an asterisk (*) and a footnote, "Included with other shredded material (fluff) in the bunker [Florida Administrative Code (F.A.C.), Rule 62-711.500(2)].

PART III: Attachments:

A. Facility design (Facility Design Narrative)

General Comment:

The drawings referenced for this section are being addressed under "Drawings" review of this request for additional information (RAI).

Garden Street Iron & Metal

Waste Tire Processing Facility

Application No. 0296251-001-WT/02, WACS ID No. 00098386

RAI No. 3

- A.2. a: Please reference Page 2 of 3, third paragraph. Please describe the date of fire safety survey and provide the reference to Section 4 of the Operation Plan in this paragraph concerning the fire survey conducted by the Fort Myers Fire Department. It notes that the "locations of both storage areas have been deemed acceptable by the Department". Three areas are shown on the drawings for storage/staging/blending of waste tires. Please clarify.

Please address F.A.C. Rule 62-711.540(1)(a) and its compliance with a sign at the entrance.

- A.2. b: Please correct the sentence [F.A.C. Rule 62-711.540(3)(a)].

- A.2. c: Please show the stormwater flow pattern in the Waste Tire Facility Area on Sheet 3. Please note the description that the stormwater drainage in this area is directed to a sludge and process water recovery tank (located just west of the motor house), which drives the shredder. Please include "sludge" in the label of the tank. Please note that the Waste Tire Staging Area is about 150 feet from this tank, which is not in compliance with F.A.C. Rule 62-711.540(3)(a). Please address and also modify the location of the Staging Area.

- A.2. d: Please identify the boundaries of the waste tire facility and legal boundaries of the land containing the facility with symbolized lines and labels on Sheet 2 of 5, as required by this item of the application form [F.A.C. Rule 62-701.530(6)].

- A.2. e: Please provide a legend on the referenced Sheet 2 with a symbol for wells and identify them on the plan with numbers. Please provide notes for the type and purpose of the wells on the drawing, Sheet 2, as required by this item of the application form [F.A.C. Rule 62-711.500(6)].

- A.2. f: Please identify the existing buildings, structures, and areas, etc., with the word "Existing" in the labels [F.A.C. Rule 62-711.500(6)].

- A.2. g: Please confirm that the copy of drawing (8 1/2" x 11"), attached to the letter from Fort Myers Fire Department, was submitted to the Fire Department. Please note that the drawing does not have any scale and the dimensions of the areas and fire lanes marked. Please note that the proposed "FEED

Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02, WACS ID No. 00098386
RAI No. 3

STOCK BLENDING AREA" and "WASTE TIRE STAGING AREA" were not shown on the attached drawing.

Please provide a new fire safety survey (conducted after submitting a copy of the Site Plan, Sheet 3 of 5) showing relevant information, along with the letter to the Fire Department requesting a fire safety survey [F.A.C. Rule 62-701.500(6)].

- A.2. h: Fire lanes are not properly marked on the referenced drawings. Please also see the comment on A.2.g above and provide information as required by this item of the application form [F.A.C. Rule 62-711.500(6)].
- A.2. i: Please clarify whether the property and the waste tire processing facility have fencing around and access control. Please show the fencing with a symbolized line on Sheet 2 of 5 [F.A.C. Rule 62-711.500(6)].

B. Facility Operation (Facility Operation Plan)

General Comments:

- 1) The Operation Plan is to be a stand-alone document so that the operator and the personnel responsible for the day-to-day operation can easily perform the required activities of waste receiving, processing, disposal, and recording, etc. [F.A.C. Rules 62-711.530 and 62-711.540].
- 2) The narrative of the facility's Operation Plan should reflect the sequence of the application items. The narrative should include the regulatory items that are required under F.A.C. Rules 62-711.530 and 62-711.540 that pertain to the operations of the facility, along with references to a Site Plan in the Operation Plan. Please submit a revised Operation Plan, addressing each item B.1 through B.8, and incorporating responses to the following comments:

General: Please do not use "Garden Street" for the facility, but use the word "Facility" or use an abbreviation "WTPC" after providing the full words where it appears first.

B.II: Please note that the statement "this facility has a permitted limit of 8,000 used and waste tires on site" is not correct, because the permit

is not yet issued. The number of tires (8,000) indicates the proposed storage.

Please clarify that the existing shredder shreds very large quantities of cars, metals and other scrap materials, compared to the quantity of tires that will be shredded; therefore, the storage limit of 60 times the daily through-put of the processing cannot be applicable to this facility regarding the aggregate of whole waste tires, processed waste tires, and residuals. Similarly, the storage limit for whole waste tires cannot be applicable [F.A.C. Rule 62-711.530(2)(a)].

- B.III: Please provide a description of how 75 percent of the annual accumulation of waste tires will be removed for disposal or recycling [F.A.C. Rule 62-711.530(3)].

Please reference the second paragraph on Page 2 of 5. Please clarify what is meant by "Initial cover shall not be required for stored...." Please clarify that the facility does not plan to process waste tires for initial cover at a landfill or to cut waste tires into small parts for disposal at a landfill, but plans to shred (along with other materials as fluff) for disposal at a landfill. Your attention is directed to F.A.C. Rule 62-711.400(3)(b), which requires initial cover if the storage is not less than a week. Please modify the narrative [F.A.C. Rule 62-711.530(2)(a)].

- B. IV: Please reference Emergency Preparedness Manual, Page 2 of 4 and incorporate the following in this item:

"The manual shall be updated at least once a year and upon changes in operations at the site" [F.A.C. Rule 62-711.540(1)(e)].

Please reference B.III, Emergency Response Team. Please identify the responsible person or persons for observing conditions in the yard for any incidences that may occur outside the visibility of the shredder operator [F.A.C. Rule 62-711.540(1)(e)].

Please reference B.IV, Emergency Response Equipment. Please provide whether there are similar measures available for initial response to a fire

Garden Street Iron & Metal

Waste Tire Processing Facility

Application No. 0296251-001-WT/02, WACS ID No. 00098386

RAI No. 3

for the waste storage/staging/blending areas as described for the fluff storage area [F.A.C. rule 62-711.540(1)(e)2].

Please reference B.VI, Clean-up Procedure. Please provide a sketch on how this is to be implemented, providing reference to where the processed ferrous material is to be taken from. Please note whether the water from the fire fighting process (that is contaminated) will reasonably be prevented from flowing into the stormwater dry detention area [F.A.C. Rule 62-711.540(1)(e)3].

B.V, B.VII, and B.VIII: Please place these sections at the end of the Operation Plan.

B.VII: Please reference the first paragraph on Page 3 of 5. Please be specific as to how used tires will be accounted for when leaving the site [F.A.C. Rules 62-711.530(4) and 62-711.540(1)(g)].

B.IX: The Closing Plan can be maintained as a separate document that can be utilized at the time of closing the waste tire processing facility and describe it under Part III C of the application form [F.A.C. Rule 62-701.900(23)].

B.X: A description of the Applicable State Rules is appropriate for the Application Narrative. Please incorporate there [F.A.C. Rule 62-701.320(7)(d)].

B.XI: Please refer to the section on DRAWINGS for comments related to the Facility Plan Set [F.A.C. Rule 62-711.540(1)(h)].

B.XII: Please place these items at the front of the Operation Plan. Please be specific as to whether the facility will be receiving waste tires from the public and, if so, please provide the signage required by the regulation [F.A.C. Rule 62-711.540(1)(a)].

DRAWINGS

General: Please do not use the word "Tire" for "waste tire" in the title and title blocks of the drawings [F.A.C. Rule 62-711].

Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02, WACS ID No. 00098386
RAI No. 3

Sheet 1 of 5: Please correct the main title and the title block to be consistent with PART I.B.1 of the application form. Please correct all the drawings [F.A.C. Rule 62-701.320(7)(f)6].

Sheet 2 of 5: GENERAL SITE PLAN: Please provide a legend with symbols to identify the items being referenced in the narrative for this sheet (e.g., site boundary line, topographic symbol for existing or proposed elevations, restrictive access fence, access gates, exit gates, recovery wells, irrigation wells, fire hydrants, groundwater monitoring wells, etc. Please add "Existing" to labels for the existing structures, etc. [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

Sheet 3 of 5: PROCESSING AREA PLAN: Please describe the criteria used for estimating storage areas and volumes of waste tires and used tires [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

The "NOTE" in the center includes, "Overflow Staging Area", which is not identified on the sheet. Please show it with clarification of overflow.

Please provide a label describing the floor type, "concrete" and show its limits.

Sheet 3A of 5: TIRE STAGING AREA PLAN: The title of this Plan is confusing in that the drawing shows, "FEED STOCK BLENDING AREA", also. Please clarify and modify the title block accordingly [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

Sheet 3B of 5: Please correct the title block according to the storage area shown on the drawing [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

Sheet 3C of 5: Please use, "Waste Tires" instead of "Tire". Please provide the flow of the processed waste tires (shredded) that are a part of the fluff, as described in the narrative. The flow of fluff from the bunker is not shown. Please show it, as it passes through the scale when it leaves the facility [F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

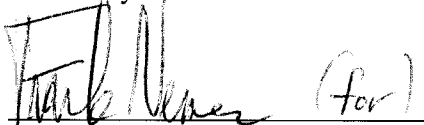
Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02, WACS ID No. 00098386
RAI No. 3

Sheets 4 and 5: Please correct the title block, including the full name of the facility.
Please identify the site boundary with the name or a symbol on Sheet 4
[F.A.C. Rules 62-701.900(23) and 62-701.320(7)(f)6].

Please note that all the reduced size (11" x 14") copies should reflect the revised drawings.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Emery III", with the word "(for)" written in parentheses to the right of the signature.

Charles Emery III
Environmental Administrator

CE/GAM/se

cc: William T. Keene, P.E., e-mailed to tim@keenefl.com ✓
Bill Krumbholz, DEP
Mel Reinhart, DEP



September 7, 2009

Mr. Ghaus Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549

Re: Garden Street Iron and Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Response to RAI No. 2

Dear Mr. Minhaj:

The following information is being provided in response to your August 31, 2009
Request for Additional Information (RAI) No. 2.

COVER SHEET

*Please submit the cover (title) sheet as required by Florida Administrative Code
(F.A.C.) Rule 62-701.320(7)(d)1. The following is a suggested cover (title) sheet
format:*

***Facility: Garden Street Iron and Metal
(Waste Tire Processing Center)***

***Location: 3350 Metro Parkway
Fort Myers, Florida 33916***

Application for: Construction/Operation Permit

***Applicant: Garden Street Iron & Metal, Inc. of SW Florida
Rob Weber, President***

Submitted to: Florida Department of Environmental Protection

***Prepared by: William T. Keene, P.E.
Keene Eng., Inc.
P.O. Box 2770***

***Fort Myers, Florida 33902
(Signed, Dated and Sealed by the P.E.)***

PO Box 2770, Fort Myers, Florida 33902
(239) 939-0524 (239) 939-1968 fax

RECEIVED - DEP

SEP 08 2009

SOUTH DISTRICT

DATE:

Revised Date:

The cover sheet of the plastic binder is not required to be signed and sealed by the professional engineer, but the inside cover sheet for the contents shall be signed, dated and sealed by the professional engineer.

It is suggested that the cover sheets used for the Operation Plan, Closure Plan, Financial Assurance, etc., follow the same format as outlined above.

Please note that this format has been followed for the cover sheets for the permit application, appendix A/operations manual, emergency preparedness plan and the closing plan. The financial assurance document will follow once the closing estimate has been approved.

ENGINEERING REPORT

Please submit an engineering report (application narrative) addressing each PART and its items, with references to attachments, appendices and drawings, etc., in the application package. Please note the following comments and incorporate your responses under the respective items.

Per our discussion, the application format has been revised. The application is now accompanied by an application narrative. The facility design and operations narratives have also been re-written and reformatted. An Appendix A has been added that serves as the Operations Manual. In this appendix are also the emergency preparedness manual, fire safety survey, and the closing plan.

Also, please note that we have made changes to the total amount of tires in each of the storage areas and have added the location of the feed stock blending area. The total maximum number of tires in the storage areas has been reduced. It is expected that the through put of tires into the shredder is sufficient enough to balance with the expected bulk tire receipts.

APPLICATION FORM

PART I, A. 1: The "Applicant Name" for this Item is different from that for PART IV, A.1. Please provide the correct and consistent name [F.A.C. Rule 62-711.500(1)(a)].

The applicant name has been revised.

PART I, B.1: The name of the Facility's title noted for the Emergency Preparedness Manual is inconsistent with the name for the Facility used in the

SEP 08 2009

SOUTHDISTRICT

application PART I, B.1. Please provide the correct and consistent name [F.A.C. Rule 62-711.500(1)(a)].

The title for the emergency preparedness manual has been revised to match the facility name in the application.

PART I, B.8: Please reference the fire department's letter (Tab 8) and provide when the conditions noted shall be addressed and completed [F.A.C. Rule 62-711.540(3)(e) and (5)(b)].

The improvements required by the fire department will be started no later than September 14, 2009 and be finished no later than September 21, 2009. These improvements are very minor.

PART II, C, "Storage": Please footnote "Processing residuals" with "indiscernible" and explain in the narrative report that waste tires (removed from vehicles) will be shredded in the machine along with the main stream of vehicles and other materials. Therefore, residuals are not discernible from fluff.

This has been so noted.

PART III – Attachments

B. Facility Operation: Please provide a stand-alone Operation Plan for the facility. Address all Items (1 thru 8) and applicable components of F.A.C. Rules 62-711.530 and 62-711.540.

A facility operation narrative has been included as an attachment to the application. A separate Appendix A has been created to serve as the Operations Manual for this facility. This appendix also includes a copy of the permit (once issued), the emergency preparedness plan, the fire safety survey, the quarterly reporting forms and the closing plan. The operations plan section of Appendix A is written for ease of use by the operators of the site. It is intended to assist the user in maintaining compliance with the permit and its conditions once issued. I have attempted to address all appropriate elements of 711.530 and 711.540.

C. Please submit a revised closing plan for the facility, consistent with the storage shown in the Operation Plan [F.A.C. Rule 62-711.700(2) and (3)].

A revised closing plan has been included. The cost estimate has been revised to address the maximum amount of truck tires that may possibly be located in the used tire storage area.

REC'D - DEP

SEP 08 2009

SOUTHDISTRICT

D. Please provide proof of financial assurance pursuant to F.A.C. Rule 62-711.500(3), along with closing cost estimates.

The financial assurance will be provided once the closing estimate has been approved by your office.

I would also like to thank you for taking the time to meet with me and visit the Garden Street site. I hope that you found the visit informative and I do appreciate the guidance with the format of the application.

Please review the attached at your earliest convenience. Should you have any questions, do not hesitate to give me a call

Sincerely,
KEENE ENGINEERING, INC.

William T. Keene
9-7-09

William T. Keene, PE
President
45915

Enclosures

Cc: Garden Street Iron and Metal, applicant

REC'D - DEP

SEP 08 2009

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

August 31, 2009

VIA ELECTRONIC MAIL

Garden Street Iron & Metal, Inc. of SW Florida
c/o Mr. Rob Weber
E-mail: junkitrob@aol.com
3350 Metro Parkway
Fort Myers, Florida 33902

Re: Lee County - SW
Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Request for Additional Information (RAI) No. 2

Dear Mr. Weber:

The Department has reviewed the response to the Department's RAI No. 1, dated July 9, 2009, prepared by Keene Engineering, Inc. and received August 3, 2009. The submitted information is not complete and additional information, as discussed in a meeting on August 25 at the District's office and in a subsequent site inspection on August 26 at Garden Street Iron and Metal, in response to the following comments is required to complete the application.

COVER SHEET

Please submit the cover (title) sheet as required by Florida Administrative Code (F.A.C.) Rule 62-701.320(7)(d)1. The following is a suggested cover (title) sheet format:

Facility: Garden Street Iron and Metal
(Waste Tire Processing Center)

Location: 3350 Metro Parkway
Fort Myers, Florida 33916

Application for: Construction/Operation Permit

Applicant: Garden Street Iron & Metal, Inc. of SW Florida
Rob Weber, President

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

Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02
WACS ID No. 00098386
RAI No. 2

Submitted to: Florida Department of Environmental Protection

Prepared by: William T. Keene, P.E.

Keene Eng., Inc.
P.O. Box 2770
Fort Myers, Florida 33902
(Signed, Dated and Sealed by the P.E.)

DATE:

Revised Date:

The cover sheet of the plastic binder is not required to be signed and sealed by the professional engineer, but the inside cover sheet for the contents shall be signed, dated and sealed by the professional engineer.

It is suggested that the cover sheets used for the Operation Plan, Closure Plan, Financial Assurance, etc., follow the same format as outlined above.

ENGINEERING REPORT

Please submit an engineering report (application narrative) addressing each PART and its items, with references to attachments, appendices and drawings, etc., in the application package. Please note the following comments and incorporate your responses under the respective items.

APPLICATION FORM

PART I, A. 1: The "Applicant Name" for this Item is different from that for PART IV, A.1. Please provide the correct and consistent name [F.A.C. Rule 62-711.500(1)(a)].

PART I, B.1: The name of the Facility's title noted for the Emergency Preparedness Manual is inconsistent with the name for the Facility used in the application PART I, B.1. Please provide the correct and consistent name [F.A.C. Rule 62-711.500(1)(a)].

Garden Street Iron & Metal
Waste Tire Processing Facility
Application No. 0296251-001-WT/02
WACS ID No. 00098386
RAI No. 2

PART I, B.8: Please reference the fire department's letter (Tab 8) and provide when the conditions noted shall be addressed and completed [F.A.C. Rule 62-711.540(3)(e) and (5)(b)].

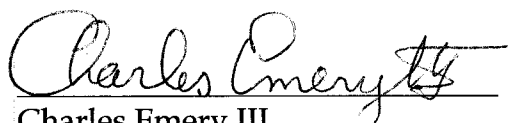
PART II, C, "Storage": Please footnote "Processing residuals" with "indiscernible" and explain in the narrative report that waste tires (removed from vehicles) will be shredded in the machine along with the main stream of vehicles and other materials. Therefore, residuals are not discernible from fluff.

PART III - Attachments

- B. Facility Operation: Please provide a stand-alone Operation Plan for the facility. Address all Items (1 thru 8) and applicable components of F.A.C. Rules 62-711.530 and 62-711.540.
- C. Please submit a revised closing plan for the facility, consistent with the storage shown in the Operation Plan [F.A.C. Rule 62-711.700(2) and (3)].
- D. Please provide proof of financial assurance pursuant to F.A.C. Rule 62-711.500(3), along with closing cost estimates.

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

Sincerely,



Charles Emery III
Environmental Administrator

CE/GAM/se

cc: William T. Keene, P.E., e-mailed to tim@keenefl.com ✓
Bill Krumbholz, DEP
Mel Reinhart, DEP



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>0296251-001</u> (Filed in by DEP) <u>WT/02</u>

Waste Tire Processing Facility Permit Application

Permit No. _____

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

Part I-General Information:

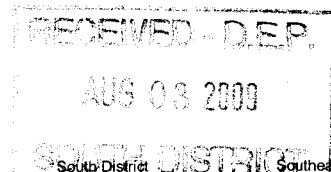
A. Applicant Information:

1. Applicant Name: Garden Street Iron & Metal, Inc. of SW Florida
2. Applicant Street Address: 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Applicant Mailing Address: same
5. City: _____ County: _____ Zip: _____
6. Contact person: Rob Weber Phone: (239) 337-5865 FEID No: 65-0101411
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: Garden Street Iron and Metal
2. Facility Street Address (Main Entrance): 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Facility Mailing Address: 3350 Metro Parkway
5. City: Fort Myers State: Florida Zip: 33916
6. Contact Person: Rob Weber Phone: (239) 337-5865
7. Facility Location Coordinates:
Section: 30 Township: 44 Range: 25
Latitude: 26 Deg. 37' 4.4" N. Longitude: 81 Deg. 51' 13.8" W
8. Anticipated date for starting construction Existing and for completion of construction Existing
9. Anticipated date for receipt of tires upon approval and for start of processing upon approval

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 Form # 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: _____
- Land owner's mailing address: _____
- City: _____ State: _____ Zip: _____
- Authorized Agent: _____ Agent's phone () _____
- Current lease expires: _____

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

- Operator's name: _____
- Operator's mailing address: _____
- City: _____ State: _____ Zip: _____
- Contact person: _____ Phone: () _____

E. Preparer of Application:

- Name of person preparing application: William T. Keene, PE, Keene Engineering, Inc.
- Mailing address: PO Box 2770
- City: Fort Myers State: Florida Zip: 33916
- Phone: (239) 939-0524
- Affiliation with facility: consulting engineer

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 _____

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:	120	9,040	0	0	120
Processed tires:	120	3,200	0	0	120
Processing residuals:	negligible	0	0	0	negligible
TOTALS:	240	12,240	0	0	240

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. _____ (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 Okeechobee Landfill

2. Street address: 10800 NE 128th Ave.

3. City: Okeechobee County: Okeechobee Zip: 34972

F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.
none at this time

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.

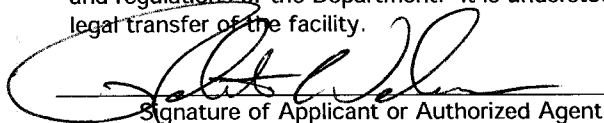
DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. _____ (Filled in by DEP)

- 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 Garden Street Iron & Metal, Inc.
 Is aware that statements made in this form and attached information are an application for a
Tire Processing Facility 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.

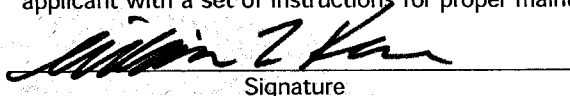

 Signature of Applicant or Authorized Agent

Rob Weber, President
 Name and Title

7-31-09
 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.


 Signature

William T. Keene, PE, Keene Eng., Inc.

Name and Title

45915

Florida Registration Number

PO Box 2770

Mailing Address

Fort Myers, Florida 33902

City, State, Zip

239-939-0524

Telephone number

(please affix seal)

7-31-09
 Date

NEWS-PRESS

Published every morning - Daily and
Sunday

Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared

Kathy Allebach

who on oath says that he/she is the

Legal Assistant

of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a

Notice of Action

In the matter of

Application for permit

In the court was published in said newspaper in the
issues of

July 6, 2009

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee, Charlotte, Collier, Glades
and Hendry Counties and published at Fort Myers, in said Lee
County, Florida and that said newspaper has heretofore been
continuously published in said Lee County, Florida, each day,
and has been entered as a second class mail matter at the post
office in Fort Myers in said Lee County, Florida, for a period of
one year next preceding the first publication of the attached copy
of the advertisement; and affiant further says that he/she has
not paid nor promised any person, firm or corporation any
discount, rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.

Kathy Allebach

Sworn to and subscribed before me this

6th day of July, 2009 by

Kathy Allebach

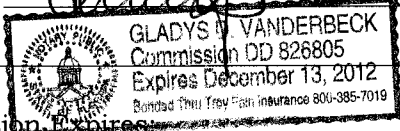
personally known to me or who has produced

as identification, and who did or did not take an
oath.

Notary Public

Print Name

My commission Expires



Notice of Application Submitted to the Florida Department of Environmental Protection

The applicant, Gar-
den Street Iron &
Metal, Inc. c/o Rob
Weber, 3350 Metro
Parkway, Fort
Myers, Florida 33916,
announces submittal
of an application to
the Department for a
permit to construct
and operate a Waste
Tire Processing Fa-
cility, specifically
identified as Garden
Street Tire Process-
ing Facility. The
proposed project will
be located at 3350
Metro Parkway, Fort
Myers in Lee County
Florida 33916.

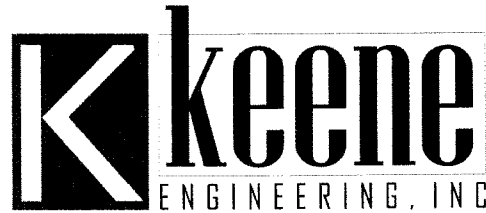
This application
(No. 0296251-001-
WT/02, WAC ID No.
98386) is being pro-
cessed by the Depart-
ment and is available
for public inspection
during normal busi-
ness hours, 8:00 a.m.
to 5:00 p.m., Monday
through Friday, ex-
cept legal holidays,
at 2295 Victoria Ave-
nue, Suite 364, Fort
Myers, Florida. Any
comments or objec-
tions 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 ade-
quate time for them
to be considered in
the Department's de-
cision on the applica-
tion.
July 6 No. 1356702

RECEIVED

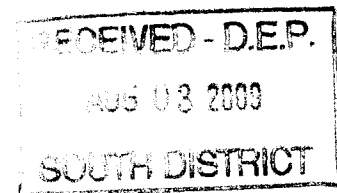
AUG 7 2009

D.E.P. - South District



July 31, 2009

Mr. Ghous Minhaj, Solid Waste permitting Engineer
Florida Department of Environmental Protection
PO Box 2549
Fort Myers, Florida 33902-2549



Re: Garden Street Iron and Metal
Tire Processing Facility Permit Application
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Response to RAI No. 1

Dear Mr. Minhaj:

The following information is being provided in response to your July 9, 2009 Request for Additional Information (RAI) No. 1. Your letter is also enclosed for reference purposes.

GENERAL

The application was received without a letter of transmittal, which is required in accordance with FAC rule 62-701.320(7)(a). - Please let this letter serve as our transmittal letter for the response to your RAI.

Assurances should be provided by the applicant that the equipment intended to be used for processing waste tires will meet the minimum size requirements of FAC rule 62-711.400(3)(a) and (b) for use as initial cover or disposal, respectively, at a permitted landfill. - FAC 62-711.400(3)(a) specifies what is considered a sufficiently small part for a waste tire to be cut into for the processed material to be used as initial cover in a solid waste land filling operation. Please see the photograph in the middle of page three of the facility design narrative. This photo depicts a collection of discernable processed tire pieces that have been removed from the final waste (fluff) bunker of the Garden Street Iron and Metal shredding and recycling plant. A soda can is shown in the photo for a size reference. No assurance is needed for this application to proceed that the final processed waste tires meet the FAC 62-711.400(3)(a) specification as Garden Street Iron and Metal is not proposing on-site disposal. Waste tires once processed will be taken to the Okeechobee Landfill as stated in the application. Whether or not Garden Street's fluff is used as initial cover by that landfill is determined by the landfill operator and not Garden Street Iron and Metal. The fluff material can, however, receive further processing through the use of a portable sifting machine which is capable of removing oversized particles from the fluff. The remainder could potentially be used as landfill

cover meeting the specifications of FAC62-711.400(3)(a). The oversized items removed from the fluff are then placed in the landfill as they meet the specification of FAC 62.711.400(3)(b). This photograph very effectively demonstrates that the processed waste tires do indeed meet the specification of this section.

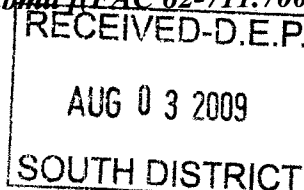
Please note that the processed waste tires shown in this photograph have come from vehicles that have been recycled through the Garden Street Iron and Metal shredder plant. Garden Street Iron and Metal does not presently accept bulk waste tires for processing. Any waste tire, or portion thereof, which may presently be on the Garden Street Iron and Metal site are incidental to their primary metal recycling operation.

Processed tires, stored for recycling or disposal, shall meet the minimum size requirements specified in FAC 62-711.400(3)(b), unless a demonstration is made as part of a permit application or modification that storage of larger size will not adversely affect the environment or the public health or welfare, and that storage of a larger size is necessary for purposes of recycling or transportation. - As stated above, the photograph shown in the facility design narrative is very definitive evidence that Garden Street Iron and Metal's equipment is capable of dismantling waste tires into a sufficiently small part to meet the requirements of 62-711.400(3)(b).

APPLICATION FORM

Please describe the current activity on the site and check the appropriate box to indicate whether the facility is an "Existing unpermitted facility" or a "Proposed new facility". - Please note that the box for a "Proposed new facility" is checked on the original application. The standard pdf application form provided by the FDEP however has a malfunction and the check mark is very small. The enclosed revised application is checked by hand to avoid any further confusion. As described above, any tires that are presently being process by Garden Street Iron and Metal are only incidental to their principle automobile and truck shredding operation. In most cases where a light car or truck is processed through the shredder, the tires and rims are still remaining on the vehicle and the vehicle is placed whole into the shredder. The rubber from the tires passes through the plant and is deposited into the fluff bunker. Some vehicles arrive with the tires and rims already removed. In the case of heavier trucks and box trailers, their tires and rims are often removed prior to the truck or trailer being taken apart and placed into the shedder. The axels beneath these heaver trucks are often removed and process separately by a hydraulic shear device connected to a crane. Heavy axels are not processed through the shredder. The Over the Road (OTR) tire take offs are often reusable and sold. A photograph of these OTR take offs is shown on page two of the facility design narrative. The box trailers to which these tires belonged have already been recycled through the shredder. Again, Garden Street Iron and Metal does not presently take bulk shipments of waste tires.

PART I.B.1: Facility name is inconsistent with the name used for the closing cost estimate. Please enter the correct name and resubmit [(FAC 62-711.700(2))]. Please



enter the correct name of the facility on all documents, Emergency Preparedness manual, closing Plan, and Closing cost Estimate, etc. The names on all documents should be consistent. Please clarify whether the name includes the word "Facility". Please note that the "Tire Processing Facility" is the type of facility and not the name of the facility. - Please note that the facility name is "Garden Street Iron and Metal". I had attempted to use the name of "Garden Street Tire Processing Facility" in an attempt to distinguish the bulk waste tire processing from Garden Street's current operations, but this appears only to be adding confusion.

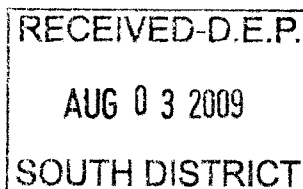
PART I.B.8: The application states that the facility will operate under existing conditions. The local fire authority may require some sort of construction (e.g.; concrete berms) for waste tire storage areas. The applicant should provide assurances to the Department from the local fire department that their plan to store waste tires without any construction is acceptable [FAC 62-711.540(3)(b), (c) and (e)]. - Please see the enclosed letter from the Fort Myers Fire Department detailing the fire safety survey that was conducted on this site on July 7, 2009. Only two minor corrections were requested by the fire official. This letter is sufficient assurance that the proposed storage and staging areas are acceptable to the fire department.

PART I.C: Please delete the word "Same" from C.1. - Done.

PART I.D: Please delete the word "Same" from D.1. - Done.

PART II.C: "Storage": the figures for the "Processed tires" and "Processing residuals" are confusing. FAC 62-701.200(138) defines "Waste tire residuals" as any liquid, sludges, metals, fabric or byproducts resulting from the processing or storage of tires. Residuals do not include processed tires held for recycling or disposal, provided the conditions of FAC 62-711.530 are met. - Please see the enclosed revised application. This portion of the application has been revised. Also in regards to our conversation regarding the fine particle residuals (fines) that are created during the shredding process, please note that it is the intent that the waste tires will be processed as just another component of the existing material flow through the shredder operation. Any fines generated just from the waste tire that would be received under the waste tire processing facility permit are indiscernible from the other residuals and fine particles generated by the present operation. I have put "negligible" in the residual line of this section as I expect that all the fines are eventually collected and added to the fluff bunker material as it is loaded for disposal. Note, the entire processing area is capped with an 8" - 5000 psi concrete paving. This allows for regular and effective cleaning of the site.

A waste tire processing facility (WTPF) will produce more processed tires than waste tire residuals. The Table indicates that no processed tires will be produced. The table needs the appropriate figures. Please address all items of FAC 62-711.530 and 62-711.540 in the narrative requested in the comment on PART III.A. - Please see the revised table on the enclosed revised application.



PART II.D: Please check the method used to report quantity of tires in tons and resubmit [FAC 62-711.530(2) and (5)]. - Please see the revised application. I have checked the appropriate box by hand. There is a malfunction in the application form provided by FDEP.

PART II.F: Please enter the proposed markets as this time [FAC 62-711.530(3)]. - Please note that the application is correct. Currently, Garden Street Iron and Metal's shredder plant will only process rubber items and place them into the final waste fluff bunker. The fluff is a mix of all the non-metallic components from whatever items are being shredded. The process waste tire is mixed into this fluff material. It is not anticipated that it will be economically feasible for Garden Street Iron and Metal to process tire only runs through the shredder plant. It is expected that the incoming bulk waste tire stream will be too intermittent and that waste tires would have to be stored for longer periods of time before enough have been accumulated to make tire only runs feasible. A large storage pile also impedes the primary metal recycling operation.

PART II.E.1: The spelling of "Okechobee" needs to be corrected. - Done.

PART III – Attachments

A. Facility Design:

Please provide a narrative "Engineering Report" addressing all items of A.1 and A.2, with exact references to the submitted drawings/documents. Also, please outline the flow of tires received, processed, and disposed of through the facility, along with data documentation of same for records that are required by FAC 62-711.530 (4) and (5). - Please see the Facility Design Narrative enclosed with this response. Also, please see Sheet 3C added to the plan set showing the flow of customers and material through the project and the shredder plant with respect to the waste tire operation. We do not, however, understand what is meant by "data documentation of same for records that are required...". It is Garden Street Iron and Metal's full intent to comply with the record keeping and reporting requirements of the Waste Tire Rule once a permit is issued. As no bulk tire only deliveries have yet to be received there are at present no records available.

Additionally, please provide isolated plan views of the respective tire storage areas listed and provide the traffic flow pattern for the receipt and storage of all tires to better show the clearance provided around these piles for access and fire control, etc. [FAC 62-711.540(3)]. - Please see the added Sheets 3A and 3B of the plans set.

A.2.c: Please note that the Permittee is different than the applicant on the submitted Environmental Resource Permit issued by the South Florida Water Management District (SFWMD). The permit must be transferred to the applicant; otherwise, it is not acceptable [FAC 62-711.540(3)(a)]. - Please see the enclosed Engineer's Construction Completion Certification signed by I.K. Steuart, PE and the Request for

RECEIVED-D.E.P.

AUG 03 2009

SOUTH DISTRICT

conversion of the District ERP Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity signed by Robert Weber, President of Garden Street Iron and Metal Inc. of SW Florida. Also please note that the ERP was specifically approved for the Garden Street Iron and Metal Project. Whether or not the permittee name is correct does not change the fact that a water management system was designed, permitted, constructed and now certified complete.

B. Facility Operation:

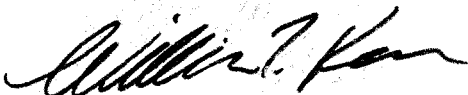
Please provide an operation plan for the facility. Address all items (1 thru 8) and applicable components of FAC 62-711.530 and 62-711.540. - Please see the Facility Operation Plan enclosed with this response.

C. Please submit a revised closing plan for the facility, consistent with the operation plan, including the anticipated volume of tires to be processed and allocated areas for storage, tire processing, and disposal of recycled products and residuals [FAC 632-711.700(2) and (3)]. - Please see the revised closing plan.

D. Please provide proof of financial assurance pursuant to FAC 62-711.500(3) along with the closing costs estimates. - Please let us know when you have agreed with the closing cost estimate. A bond will then be prepared to meet this assurance requirement.

Please review the above discussion and enclosed information at your earliest convenience. Should you have any questions, do not hesitate to give me a call. Also, we request you visit the Garden Street Iron and Metal facility. I believe that this will help to clarify many of your concerns regarding their operation.

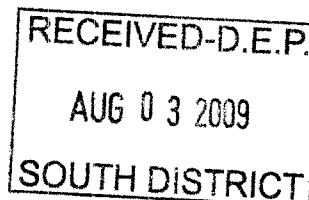
Sincerely,
KEENE ENGINEERING, INC.



William T. Keene, PE
President
45915

Enclosures

Cc: Garden Street Iron and Metal, applicant





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

July 9, 2009

Garden Street Iron & Metal, Inc.
c/o Mr. Rob Weber
3350 Metro Parkway
Fort Myers, Florida 33902

Re: Lee County - SW
Garden Street Tire Processing
Application No. 0296251-001-WT/02, WACS ID No. 00098386
Request for Additional Information (RAI) No. 1

Dear Mr. Weber:

The Department has reviewed the application package for the proposed Waste Tire Processing facility, prepared by Keene Engineering, Inc. and received June 17, 2009. The submitted information is not complete and additional information as addressed below is required to complete the application.

GENERAL

The application was received without a letter of transmittal, which is required in accordance with Florida Administrative Code (F.A.C.) Rule 62-701.320(7)(a).

Assurances should be provided by the applicant that the equipment intended to be used for processing waste tires will meet the minimum size requirements of F.A.C. Rule 62-711.400(3)(a) and (b) for use as initial cover or disposal, respectively, at a permitted landfill. Please address F.A.C. Rule 62-711.400 and F.A.C. Rule 62-711.530(3) in the narrative requested in the comment on PART III A.

Processed tires, stored for recycling or disposal, shall meet the minimum size requirements specified in F.A.C. Rule 62-711.400(3)(b), unless a demonstration is made as part of a permit application or modification that storage of a larger size will not adversely affect the environment or the public health or welfare, and that storage of a larger size is necessary for purposes of recycling or transportation.

APPLICATION FORM

Please describe the current activity on the site and check the appropriate box to indicate whether the facility is an "Existing unpermitted facility" or a "Proposed new facility".

PART I, B.1: Facility name is inconsistent with the name used for the Closing Cost Estimate. Please enter the correct name and resubmit [F.A.C. Rule 62-711.700(2)]. Please enter the correct name of the facility on all documents, Emergency Preparedness Manual, Closing Plan, and Closing Cost Estimate, etc. The names on all documents should be consistent. Please clarify whether the name includes the word, "Facility". Please note that "Tire Processing Facility" is the type of facility not the name of the facility.

PART I, B.8: The application states that the facility will operate under existing conditions. The local fire authority may require some sort of construction (e.g.; concrete berms) for waste tire storage areas. The applicant should provide assurances to the Department from the local fire department that their plan to store waste tires without any construction is acceptable [F.A.C. Rules 62-711.540(3)(b), (c) and (e)].

PART I, C: Please delete the word, "Same" from C.1.

PART I, D: Please delete the word, "Same" from D.1.

PART II, C: "Storage": The figures for "Processed tires" and "Processing residuals" are confusing. F.A.C. Rule 62-701.200(138) defines, "Waste tire residuals" as any liquids, sludges, metals, fabric or byproducts resulting from the processing or storage of tires. Residuals do not include processed tires held for recycling or disposal, provided the conditions of F.A.C. Rule 62-711.530 are met.

A waste tire processing facility (WTPF) will produce more processed tires than waste tire residuals. The Table indicates that no processed tires will be produced. The Table needs appropriate figures. Please address all items of F.A.C. Rules 62-711.530 and 62-711.540 in the narrative requested in the comment on PART III A.

Garden Street Tire Processing
Application No. 0296251-001-WT/02
WACS ID No. 00098386
RAI No. 1
July 9, 2009

PART III, D: Please check the method used to report quantity of tires in tons and resubmit [F.A.C. Rules 62-711.530(2) and (5)].

PART II, F: Please enter the proposed markets at this time [F.A.C. Rule 62-711.530(3)]..

PART II, E.1: The spelling of "Okechobee" needs to be corrected.

PART III - Attachments

A. Facility Design:

Please provide a narrative "Engineering Report" addressing all items of A.1 and A.2, with exact references to the submitted drawings/ documents. Also, please outline the flow of tires received, processed, and disposed of through the facility, along with data documentation of same for records that are required by F.A.C. Rule 62-711.530(4) and (5).

Additionally, please provide isolated plan views of the respective tire storage areas listed, and provide the traffic flow pattern for the receipt and storage of all tires to better show the clearance provided around these piles for access and fire control, etc. [F.A.C. Rule 62-711.540(3)].

A.2.c: Please note that the Permittee is different than the applicant on the submitted Environmental Resource Permit issued by the South Florida Water Management District (SFWMD). The permit must be transferred to the applicant; otherwise, it is not acceptable [F.A.C. Rule 62-711.540(3)(a)].

B. Facility Operation:

Please provide an operation plan for the facility. Address all Items (1 thru 8) and applicable components of F.A.C. Rules 62-711.530 and 62-711.540.

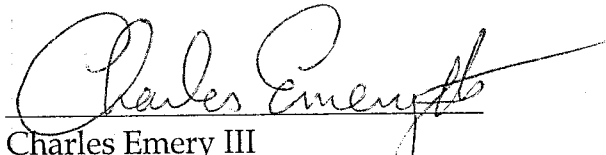
C. Please submit a revised closing plan for the facility, consistent with the operation plan, including the anticipated volume of tires to be processed and allocated areas for storage, tire processing, and disposal of recycled products and residuals [F.A.C. Rule 62-711.700(2) and (3)].

Garden Street Tire Processing
Application No. 0296251-001-WT/02
WACS ID No. 00098386
RAI No. 1
July 9, 2009

D. Please provide proof of financial assurance pursuant to F.A.C. Rule 62-711.500(3), along with closing cost estimates.

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

Sincerely,


Charles Emery III
Environmental Administrator

CE/GAM/se

cc: William T. Keene, P.E.
Bill Krumbholz, DEP
Mel Reinhart, DEP



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

June 29, 2009

VIA ELECTRONIC MAIL

Garden Street Iron & Metal, Inc.
c/o Rob Weber, President
E-mail: junkitrob@aol.com ✓
3350 Metro Parkway
Fort Myers, Florida 33902

Re: Lee County - SW
Garden Street Tire Processing Facility
DEP File No. 0296251-001-WT/02
WACS In No. 98386
Public Notice of Application

QAV ✓
QCV ✓
FILE

Dear Mr. Weber:

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,

Charles Emery III
Environmental Administrator

Enclosure
CE/GAM/se

cc: William T. Keen, P.E., via e-mail to tim@keenefl.com ✓
Bill Krumbholz, DEP
Jack D. Myers, DEP
Frank Nemec, DEP

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

**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, Garden Street Iron & Metal, Inc. c/o Rob Weber, 3350 Metro Parkway, Fort Myers, Florida 33902, announces submittal of an application to the Department for a permit to construct and operate a Waste Tire Processing Facility, specifically identified as Garden Street Tire Processing Facility. The proposed project will be located at 3350 Metro Parkway, Fort Myers in Lee County Florida 33916.

This application (No. 0296251-001-WT/02, WAC ID No. 98386) 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.



LETTER OF TRANSMITTAL

June 23, 2009

Ghous Minhaj, PE
Florida Department of Environmental Protection
2295 Victoria Ave, Ste 364
Fort Myers, Florida 33901

Re: Garden Street Tire Processing Facility

Dear Mr. Minhaj:

Per our conversation, please find enclosed two additional tire processing facility application packets with attachments. These are in addition to the two copies submitted on June 17, 2009.

Additionally, I have included two fully executed copies of form 62-701.900(23) with the facility name corrected for your file.

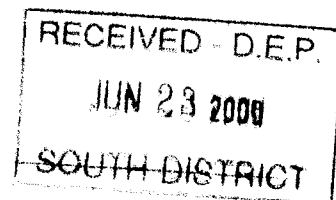
Feel free to give me a call if there are any questions.

Sincerely,
KEENE ENGINEERING, INC.

A handwritten signature in black ink, appearing to read 'William T. Keene'.

William T. Keene, PE
President

Enclosures





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>0296251-001</u> (Filled in by DEP) <u>WT/02</u>

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: Garden Street Iron & Metal, Inc. of SW Florida
2. Applicant Street Address: 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Applicant Mailing Address: same
5. City: _____ County: _____ Zip: _____
6. Contact person: Rob Weber Phone: (239) 337-5865 FEID No: 65-0101411
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: Garden Street Iron & Metal
2. Facility Street Address (Main Entrance): 3350 Metro Parkway
3. City: Fort Myers, Fl. County: Lee Zip: 33916
4. Facility Mailing Address: 3350 Metro Parkway
5. City: Fort Myers State: Florida Zip: 33916
6. Contact Person: Rob Weber Phone: (239) 337-5865
7. Facility Location Coordinates:
Section: 30 Township: 44 Range: 25
Latitude: 26 Deg. 37' 4.4" N. Longitude: 81 Deg. 51' 13.8" W
8. Anticipated date for starting construction Existing and for completion of construction Existing
9. Anticipated date for receipt of tires upon approval and for start of processing upon approval

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 33902-2644
941-332-6975

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

RECEIVED
JUN 17 2009
SOUTH DISTRICT

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. _____ (Filled in by DEP)

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

- Owner's name: same
- Land owner's mailing address: _____
- City: _____ State: _____ Zip: _____
- Authorized Agent: _____ Agent's phone () _____
- Current lease expires: _____

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

- Operator's name: same
- Operator's mailing address: _____
- City: _____ State: _____ Zip: _____
- Contact person: _____ Phone: () _____

E. Preparer of Application:

- Name of person preparing application: William T. Keene, PE, Keene Engineering, Inc.
- Mailing address: PO Box 2770
- City: Fort Myers State: Florida Zip: 33916
- Phone: (239) 939-0524
- Affiliation with facility: consulting engineer

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 _____

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>120</u>	<u>2,000</u>	<u>0</u>	<u>0</u>	<u>120</u>
Processed tires:	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Processing residuals:	<u>120</u>	<u>3,000</u>	<u>0</u>	<u>0</u>	<u>120</u>
TOTALS:	<u>240</u>	<u>5,000</u>	<u>0</u>	<u>0</u>	<u>240</u>

DEP Form # 62-701.900(23)
Waste Tire Processing Facility
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- 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 Okechobee Landfill
2. Street address: 10800 NE 128th Ave.
3. City: Okeechobee County: Okeechobee Zip: 34972
- F. Facilities that will be delivering processed tires to consuming facilities must describe the existing or proposed markets for those processed tires.
none at this time

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.

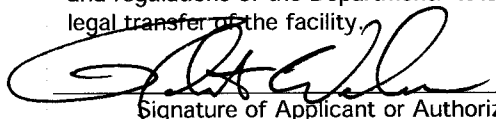
DEP Form # 62-701.900(23)
Waste Tire Processing Facility
Form Title <u>Permit Application</u>
Effective Date <u>3/22/00</u>
DEP Application No. _____ (Filled in by DEP)

- 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 Garden Street Iron & Metal, Inc.
 Is aware that statements made in this form and attached information are an application for a
Tire Processing Facility 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.

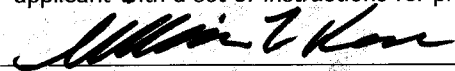

 Signature of Applicant or Authorized Agent

Rob Weber, President
 Name and Title

6-17-09
 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.


 Signature

William T. Keene, PE, Keene Eng., Inc.
 Name and Title

45915

Florida Registration Number

PO Box 2770

Mailing Address

Fort Myers, Florida 33902

City, State, Zip

239-939-0524

Telephone number

(please affix seal)

6-17-09

Date

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS

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Entity Name Search

Entity Name List

Corporate Name

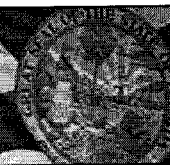
Corporate Name	Document Number	Status
GARDEN STREET IRON & METAL INC. OF S.W. FLORIDA	K55307	ACT
GARDEN STREET MANAGEMENT CORP.	570196	INACT
GARDEN STREET MORTGAGE COMPANY, INC.	P97000030161	INACT
GARDEN STREET MORTGAGE COMPANY, INC.	S36937	INACT
GARDEN STREET MOTORS INC	158444	INACT
GARDEN STREET OFFICE CONDOMINIUM ASSOCIATION, INC.	N04407	INACT
GARDEN STREET PAPER PRODUCTS CORPORATION	P97000077491	ACT
GARDEN STREET PETROL, INC.	P97000034668	INACT
GARDEN STREET PROPERTIES, INC.	156134	INACT
GARDEN STREET PROPERTIES, L.L.C.	L01000005618	INACT
GARDEN STREET PROPERTIES LLC	L07000096452	INACT/UA
GARDEN STREET PROPERTIES OF TITUSVILLE INC	273503	INACT
GARDEN STREET PROPERTY, LLC	L09000054340	ACT
GARDEN STREET PROPERTY OWNERS ASSOCIATION, INC.	N96000003529	ACT
GARDEN STREET SHREDDING, LLC	L05000061949	INACT/UA
GARDEN STREET STATION, LLC	L05000118092	ACT
GARDEN STREET TITUSVILLE, LLC	L05000121929	ACT
GARDEN STREET VENTURE, LLC	L06000079751	ACT
GARDEN STRUCTURES LIMITED, INC.	K49554	INACT
GARDEN STUFF, INC.	P04000130414	ACT
GARDENS TWIN HOMES CONDOMINIUM ASSOCIATION, INC.	N13563	INACT
GARDENSTYLE, INC.	P97000084758	INACT
GARDEN SUB, INC.	853533	NAME HS
GARDEN SUBURBS GOLF AND COUNTRY CLUB INC	805893	INACT

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Entity Name Search

[Events](#)[No Name History](#)**Detail by Entity Name****Florida Profit Corporation**

GARDEN STREET IRON & METAL INC. OF S.W. FLORIDA

Filing Information

Document Number K55307
FEI/EIN Number 650101411
Date Filed 12/27/1988
State FL
Status ACTIVE
Last Event AMENDMENT
Event Date Filed 01/29/2002
Event Effective Date NONE

Principal Address

% ROBERT WEBER
3350 METRO PARKWAY
FT. MYERS FL 33916

Changed 07/02/1991

Mailing Address

% ROBERT WEBER
3350 METRO PARKWAY
FT. MYERS FL 33916

Changed 07/02/1991

Registered Agent Name & Address

WEBER, ROBERT
3350 METRO PARKWAY
FT. MYERS FL 33916 US

Address Changed: 07/02/1991

Officer/Director Detail**Name & Address**

Title P

WEBER, ROBERT
3350 METRO PKWY
FT. MYERS FL

Title VD

WEBER, EARL J., SR.
4928 S.W. 26TH AVE
CAPE CORAL FL

Title STD

WEBER, MARGARET
4928 S.W. 26TH AVE.
CAPE CORAL FL

Annual Reports**Report Year Filed Date**

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2009	02/12/2009

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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>0296251-001-</u> (Filled in by DEP) <u>WT/02</u>

Waste Tire Processing Facility Permit Application

Permit No. _____

Renewal ☐ Modification ☐ Existing unpermitted facility ☐

Part I-General Information:

A. Applicant Information:

1. Applicant Name: Garden Street Iron & Metal, Inc. or SW Florida
2. Applicant Street Address: 3350 Metro Parkway
3. City: Fort Myers, FL County: Lee Zip: 33916

4. Mailing Address: same

5. City: _____ County: _____ Zip: _____

6. Contact person: Rob Weber Phone: (239) 337-5865 FEID No: 65-0101411

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 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 action.

B. Facility Information:

1. Facility Name: Garden Street Iron & Metal

2. Facility Street Address (Main Entrance): 3350 Metro Parkway

3. City: Fort Myers, FL County: Lee Zip: 33916

4. Facility Mailing Address: 3350 Metro Parkway

5. City: Fort Myers State: Florida Zip: 33916

6. Contact Person: Rob Weber Phone: (239) 337-5865

7. Facility Location Coordinates:

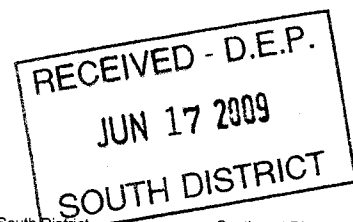
Section: 30 Township: 44 Range: 25

Latitude: 26 Deg. 37' 4.4" N. Longitude: 81 Deg. 51' 13.8" W

8. Anticipated date for starting construction Existing and for completion of construction Existing

9. Anticipated date for receipt of tires upon approval and for start of processing upon approval

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