



October 30, 2017

Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
SWPP@dep.state.fl.us

**RE: Request for Additional Information
Petition for Waiver of 62-701.300(2)(b), F.A.C.
Duval County – Solid Waste
Facility Name: Klean Tires Recycling, Inc.
Facility WACS ID No: 101988
DEP No: OGC #17-1074 & SWVA-17-03**

Dear Sir or Madam:

Aerostar SES LLC (Aerostar) has prepared this letter to respond to the Florida Department of Environmental Protection's Request for Additional Information letter, dated October 26, 2017. Aerostar is working with Klean Tires Recycling, Inc. to obtain a Waste Tire Processing Facility Permit through the Florida Department of Environmental Protection (FDEP) Northeast District. Please find attached the additional waiver request information you requested.

If you have any questions or require additional information, please feel free to contact me at (904) 565-2820.

Sincerely,

Aerostar SES LLC

A handwritten signature in blue ink, appearing to read "Paul M. Fitch", is written over the printed name.

Paul M. Fitch, P.E.
Senior Engineer

1. Additional Information for Demonstration of Substantial Hardship: Chapter 28-104.002 Florida Administrative Code (F.A.C.) specifies the various items to be included in the Petition for Variance or Waiver. Chapter 28-104.002(g) states that “The specific facts that demonstrate a substantial hardship or a violation of principles of fairness that would justify a waiver or variance for the petitioner.” Page 4 of the document, second paragraph states “ The petitioner has demonstrated that it will suffer a substantial and unnecessary economic hardship if it is required to restrict operations to maintain a 500 foot distance from the closest water well.” However, no specific facts supporting the “substantial and unnecessary economic hardship” were provided. Please provide additional information (specific facts) that demonstrate a substantial hardship that would justify a waiver for the petitioner.

The petitioner conducted research and spoke with state and local regulatory officials, to locate a site suitable for use as the proposed tire processing facility. The COJ requires that waste processing facilities be located on a minimum of 5-acres of land. Having located a suitably sized parcel of land, located in an area zoned for industrial use, the petitioner began the property acquisition process and began applying for the required permits. To date the petitioner has spent over \$400,000.00 in non-refundable property down payments, interest on loans, insurance, bonds, and vehicle and equipment purchases. Without approval of the waiver, the petitioner will suffer a substantial and unnecessary economic hardship.

2. Stormwater Management: Page 3 of the document, fifth paragraph states “Stormwater management best management practices will be maintained.” Please provide additional information which indicates how stormwater will be managed for the entire 8.7 acres, including identification of all transmission features, retention features, and discharge points. In addition, please provide specific details on the types and locations of surfaces onsite, and the expected flow directions, especially with respect to the western portion of the property.

The petitioner is currently conducting research and consultations with the FDEP NE District into the existence of pre-existing stormwater permits for the proposed facility location. If no pre-existing permits can be identified, the petitioner is prepared to submit a stormwater permit application to the FDEP. A stormwater permit application has not yet been submitted for two reasons:

- a) The proposed facility location may already be covered under an existing stormwater permit
- b) Without an approved waiver request allowing the petitioner to conduct business within 500 feet of a potable water well, a stormwater permit would be unnecessary.

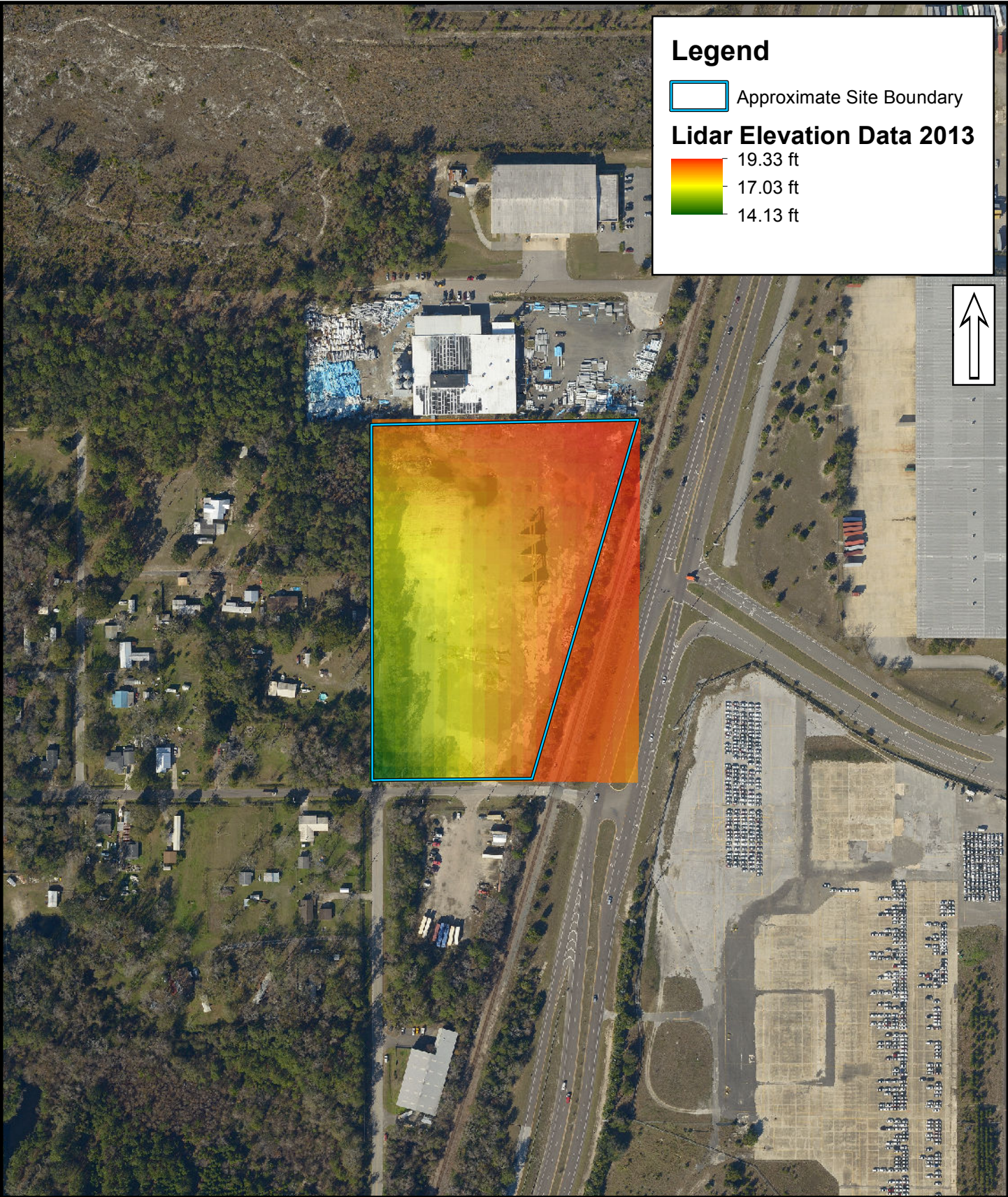
COJ maintained stormwater ditches are present on the eastern boundary of the site, along North Main Street and on the southern boundary, along Franklin Avenue. The site is largely covered in concrete slabs and/or asphalt with a low spot (which collects rainfall in the wet season) on the northwest corner of the site. This low spot is not visible on aerial photographs prior to 2008. A small pond, overgrown with shrubs and trees, is located in the southwest corner of the site. Concrete rubble piles, overgrown with weeds and interpenetrated with trees and shrubs, are located along the southern and eastern property boundaries. There are no other ponds, ditches, or drains installed on the site at this time.

The petitioner has not obtained site specific elevation data at this time. A site aerial photograph (from 2017) was combined with USGS LIDAR 1/3 arc-second data collected in 2013. This data

shows a gradual increase in elevation across the site from the southwest corner of the site to the northeast corner. This aerial photograph is included in Attachment 1. Site photos taken at the site show that surface flows move south across the site. Several site photographs are included in Attachment 2. When asked, Mr. Allen (the site owner of the western adjoining property) stated that he did not have stormwater moving from the site onto his property. Should site specific elevation data be a requirement of obtaining a stormwater permit in the future, it would then be obtained. Further details concerning site surface flows would be obtained as part of the stormwater permit process.

The petitioner understands that an approved stormwater permit would require the possible capture and treatment of stormwater prior to exiting from the planned facility location. Best Management Practices (BMPs) at the proposed facility would be geared towards preventing stormwater impacts from the shredded tires. There would be no planned BMPs to prevent rainfall from coming into contact with unprocessed waste tires. BMPs could include covering the tire shred pile with a tarp during rain events, constructing a sand berm on the upstream side of stormwater surface flows to prevent the tire shred pile from being washed away, and/or placing the tire shred directly into dumptrucks.

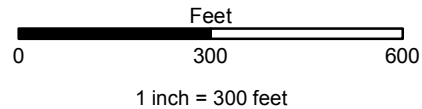
ATTACHMENT 1
SITE ELEVATION DATA



2013 ELEVATION DATA (NATIONAL ELEVATION DATA SET - 1/3 ARC-SECOND)



KLEAN TIRES RECYCLING INC.
 10010 MAIN STREET NORTH
 JACKSONVILLE, DUVAL COUNTY, FLORIDA



ATTACHMENT 2
SITE PHOTOGRAPHS



1) Facing northwest, looking at the block building and field trailer on the site. An asphalt drive is visible.



2) Facing southeast, looking at the site buildings and the western tree line. Loose gravel is visible that follows the southerly surface flow.



3) Facing north, along at the western portion of the site. Large paved areas are visible.