

FLORIDA DEPARTMENT OF Environmental Protection

Northeast District 8800 Baymeadows Way West, Suite 100 Jacksonville, FL 32256 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Noah Valenstein Secretary

February 21, 2020

Transmitted via email to: trentontireman1@aol.com

In the Matter of an Application for Permit by:

DEP File Number: 321853-003
Facility WACS I.D. Number: 101060
Advanced Tire Recycling, Inc.
Waste Tire Processing Facility
Gilchrist County – Solid Waste Permitting

Mr. Jon E. Bischoff, President/Owner Advanced Tire Recycling, Inc. 8369 SW County Road 313 Trenton, Florida 32693

NOTICE OF PERMIT ISSUANCE

Enclosed is the State of Florida Department of Environmental Protection (DEP or Department) Permit Number 321853-003-WT to continue to operate Advanced Tire Recycling, Inc. as a Waste Tire Processing Facility (Facility) to receive, sort by condition and size, clean, repair/refurbish, temporarily store, resale good used tires, and dispose of junk tires. This Permit is issued pursuant to Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-701, and 62-711.

This Permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed or unless a request for an extension of time in which to file a petition is filed within the time specified for filing a petition, and conforms to Rule 62-103.070, F.A.C. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 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 DEP at 3900 Commonwealth Boulevard MS #35, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, DEP Permit File Number and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of DEP's action or proposed action;

- (c) A statement of how each petitioner's substantial interests are affected by DEP's action or proposed action;
 - (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrants reversal or modification of DEP's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of DEP's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants DEP to take with respect to DEP's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, DEP's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of DEP with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of DEP. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of DEP in the Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of DEP.

Mediation is not available for this permit renewal.

Executed in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Brian Durden

Environmental Manager

PERMITTEE NAME: Advanced Tire Recycling, Inc. FACILITY NAME: Advanced Tire Recycling, Inc.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

PERMIT No.: 321853-003-WT

Facility WACS I.D.: 101060

Financial Assurance Working Group, DEP,

Financial.Assurance.Working.Group@floridadep.gov

Jeff Schroer, NED-DEP

Michael Bogin, NED-DEP

Cyn DeLee Dalton, Advanced Tire Recycling, Inc., cyndelee@advancedtirerecycling.com

Paul W. Porter, P.E., Encon Consulting, LLC, paul.porter@enconbridges.com

FILING AND ACKNOWLEDGMENT

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

February 21, 2020 Date

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FLORIDA DEPARTMENT OF Environmental Protection

Jeanette Nuñez

Ron DeSantis

Governor

Lt. Governor

Noah Valenstein Secretary

Northeast District 8800 Baymeadows Way West, Suite 100 Jacksonville, FL 32256

Permit Issued to:

Jon E. Bischoff, President/Owner Advanced Tire Recycling, Inc. 8369 SW County Road 313 Trenton, Florida 32693 Phone No.: 352.463.8448

Email address: trentontireman1@aol.com

Facility WACS I.D. No.: 101060 Advanced Tire Recycling, Inc. 8369 SW County Road 313 Trenton, Gilchrist County, Florida

Contact Person: Cyn DeLee Dalton 8369 SW County Road 313 Trenton, Florida 32693

Email address: cyndelee@advancedtirerecycling.com

Phone No.: 352.463.8482

Solid Waste Operation Permit – Waste Tire Processing Facility

Permit No.: 321853-003-WT Replaces Permit No.: 321853-001-WT

Permit Issued: February 21, 2020
Permit Renewal Application Due Date: 61 days before expiration
Permit Expires: February 21, 2025

Permitting Authority

Florida Department of Environmental Protection Northeast District Office 8800 Baymeadows Way West, Suite 100 Jacksonville, Florida 32256 Phone No.: 904.256.1700

Fax No.: 904.256.1587

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The Permittee is hereby authorized to operate a waste tire processing facility in accordance with the specific and general conditions of this Permit and any documents attached to this Permit or specifically referenced in this Permit and made a part of this Permit. This solid waste operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-701, and 62-711. This Permit does not relieve the Permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permit from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other sections within the Department or of the Water Management District.

B. Facility Location

The Advanced Tire Recycling, Inc. facility (Facility) is located on the property of 15 acres at 8369 SW County Road 313 in Trenton, Gilchrist County, Florida. The location is further identified as latitude 29°36'53" and longitude 82°52'59", which is located in Section 14, Township 10 South, Range 14 East. An Aerial Map of the Facility is provided as ATTACHMENT 1. A Topographic Map of the Facility is provided as ATTACHMENT 2.

C. Facility Description

The Facility is self-described as a used tire refurbishment company of passenger and truck tires. The Facility receives waste tires from various businesses throughout Florida. The waste tires are delivered to the Facility in 53-foot commercial truck trailers and are unloaded into the Facility's 250 feet by 165 feet warehouse. A Site Layout of the Facility is provided as ATTACHMENT 3. Then, the waste tires are inspected and sorted into two main classes - Used Tires for Resale and Junk Tires both meeting the definition of waste tire provided for by 62-701.200(126), F.A.C. The tires classified as Used Tires for Resale are cleaned, repaired/refurbished if it is necessary, sorted by size, and relocated into designated areas or in racks inside of the warehouse for retail sale. These areas and racks are sorted by size and utility. An Indoor Tires Layout of the Facility is provided as ATTACHMENT 4. Once the number of used tires exceeds the interior storage capacity of the Facility, excess used tires are loaded neatly into 53-foot trailers and stored outside for future hauling to customers. The Junk Tires are separated from the Used Tires in the warehouse and are replaced into 53-foot truck trailers. Once the truck trailer is filled with approximately 1,200 PTE, the trailer is placed in a "Junk Tire Holding Area" for later truck pickup to be delivered to one of two processing facilities - Liberty Tire Recycling or Argos Rock Plant. Liberty Tire Recycling processes the tires for a disposal. Argos Rock Plant processes the tires for use in power generating for their facility.

D. Appendices Made Part of This Permit

APPENDIX 1 – General Conditions

APPENDIX 2 – Approved Application Documents

E. Attachments Made Part of This Permit

ATTACHMENT 1 - Aerial Map

ATTACHMENT 2 – Topographic Map

ATTACHMENT 3 - Site Layout

ATTACHMENT 4 – Indoor Tires Layout

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

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

B. Construction Requirements

Construction Requirements are not applicable to this Facility as it is constructed.

C. Operation Requirements

- 1. <u>General Operating Requirements</u>. The Permittee shall operate the Facility in accordance with the approved Operations. The Department shall be notified before any changes, other than minor deviations, to the approved operations are implemented in order to determine whether a permit modification is required.
- 2. <u>Authorized Waste and Material Types</u>. The Facility is authorized to manage only the following:

- a) Waste tires as defined in Rule 62-701.200(126), F.A.C.
- 3. <u>Unauthorized Waste Types</u>. The Facility is not authorized to accept or manage any waste types not listed in C.2., above. Any unauthorized waste inadvertently received by the Facility shall be managed in accordance with the approved operations.
- 4. <u>Maximum Storage Quantities</u>. The maximum amount of waste tires at the Facility shall be less than 125,000 tires. No tires shall be kept in piles on the ground (outside).
 - a) The maximum amount of used tires within the 250 feet by 165 feet Warehouse shall not exceed 865 tons (86,500 Passenger Tire Equivalents (PTE)).
 - b) The maximum amount of used tires within the Waste Tire Inventory Storage Area shall not exceed 289 tons (28,900 Passenger Tire Equivalents (PTE)). No more than twenty four 53-feet trailers with used tires shall be stored within this area at any time.
 - c) The maximum amount of junk tires within the Junk Tire Holding Zone shall not exceed 96 tons (9,600 Passenger Tire Equivalents (PTE)). No more than eight 53-feet trailers with junk tires shall be stored within this area at any time.
- 5. <u>Facility Capacity</u>. If the Facility has reached its permitted capacity for storage of waste tire amounts specified in Permit Specific Condition 4, 4a, b, or c, above then the Permittee shall not accept additional waste for processing until sufficient capacity has been restored.
- 6. <u>Storage and Management</u>. Waste tires shall be managed as indicated on ATTACHMENTs 3 and 4, and as described in the Facility Operation of Document 4.
 - a) Tire piles insight of the Warehouse shall not be more than 40 feet in length, shall not be more than 25 feet in width, and shall not be more than eight feet in height. The width of main aisles between tire piles shall not be less than eight feet. The clearance from the top of tire piles to roof structure shall not be less than three feet.
 - b) Used tires for resale that are store outside shall be kept in 53-feet trailers within the Waste Tire Inventory Storage Area. This area is located south of the Warehouse. A minimum of 50-foot wide fire lane from the property line to the trailers and 50-foot wide fire lane between rows of trailers shall be maintained at any time. Trailers rows shall not be longer than 200 feet in length.
- 7. <u>Contingency Plan and Notification of Emergencies</u>. The Permittee shall notify the Department in accordance with the approved Emergency Action Plan. Notification shall be made to the Department's Northeast District Office at 904.256.1700.
- 8. <u>Operations Involving Use of Open Flames</u>. No operations involving the use of open flames shall be conducted within 25 feet of a waste tire pile per paragraph 62-711.540(1)(b), F.A.C.

9. <u>Processing Requirements</u>. At least 75% of the waste tires that are delivered to or are contained on the Facility at the beginning of each calendar year shall be processed and removed for resale, recycling or disposal from the Facility during the year in accordance with subsection 62-711.530(3), F.A.C.

- 10. Quarterly Reports. The Permittee shall record and maintain for three years the information collected under subsection 62-711.530(4), F.A.C. In addition, The Permittee shall submit quarterly reports to the Department that summarize the information required in subsections 62-711.530(4) and 62-711.530(5), F.A.C. The reports shall be submitted on DEP Form 62-701.900(21), on the 20th of the month following the close of each calendar quarter to the Department of Environmental Protection, Northeast District, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256, with a copy to the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399.
- 11. <u>Fire Safety Survey</u>. The Permittee shall conduct the fire safety survey at least annually in accordance with paragraph 62-711.540(1)(d), F.A.C.
- 12. <u>Emergency Preparedness Manual</u>. The Permittee shall maintain and update the Emergency Preparedness Manual in accordance with paragraph 62-711.540(1)(e), F.A.C.
- 13. <u>Records</u>. The Permittee shall maintain records of the quantity of waste tires received, stored, and shipped from the Facility in accordance with paragraph 62-711.540(1)(g), F.A.C.

D. Water Quality Monitoring Requirements

No solid waste water quality monitoring requirements are required for operations at this Facility.

E. Closure Requirements

In the event of closure of this Facility, the Permittee shall be responsible for the removal of all processed and unprocessed waste tires as required by Chapter 62-711, F.A.C. Failure to properly remove all waste tires and close the Facility may result in forfeiture of the financial mechanism to the Department.

F. Financial Assurance and Cost Estimates

1. <u>Financial Assurance Mechanism</u>. The Permittee shall maintain, in good standing, the financial assurance mechanism. Supporting documentation and evidence of increases associated with cost estimate increases shall be submitted within the time frames specified in Rule 62-701.630, F.A.C.

All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection Financial Assurance Working Group 2600 Blair Stone Road, MS 4565

Tallahassee, Florida 32399-2400

2. <u>Cost Estimates.</u>

- a. The Permittee shall submit closure cost estimates, including annual adjustments for inflation, in accordance with the requirements of subsections 62-701.630(3), and (4), F.A.C., and 40 CFR Part 264.142(a), and .144(a) using Form 62-701.900(28).
- b. An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the inflation adjusted cost estimate(s) between January 1 and March 1.
- c. All submittals in response to this specific condition shall be sent to the District Office and a copy to the address identified in Specific Condition F.1. or to the following email address: Financial.Assurance.Working.Group@floridadep.gov.
- d. Pursuant to paragraph 62-701.630(8)(b), F.A.C., at the time of permit renewal, the Permittee shall revise, and provide the updated cost estimates to the Department. Revisions shall be made by recalculating (by a professional engineer) the total cost of closure and long-term care, in current dollars, for a third party to perform the work.

Executed in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Brian Durden

Environmental Manager

General Conditions

- 1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, 403.727, or 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- 2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- 3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of rights, nor any infringement of federal, State, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
- 4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- 5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- 6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- 7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- 8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

- 9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- 10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- 11. This permit or a copy thereof shall be kept at the work site of the permitted activity.
- 12. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;

- 3. the dates analyses were performed;
- 4. the person responsible for performing the analyses;
- 5. the analytical techniques or methods used;
- 6. the results of such analyses.
- 13. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Approved Application Documents

The following documents were provided with the subject permit renewal application (DEP file number 321853-003):

Document 1 – *Preliminary Permit Application - Advanced Tire Recycling, Inc.*, prepared by Encon Consulting, LLC, submitted by Paul W. Porter, P.E. on January 24, 2020.

Document 2 – Advanced Tire Recycling Waste Tire Processing Facility Permit Application and Documentation, prepared by Encon Consulting, LLC, signed and sealed by Paul W. Porter, P.E., dated and received on January 24, 2020.

Document 3 – *DEP RAI Draft Response DEP App. No. 321853-003*, prepared by Encon Consulting, LLC, submitted by Paul W. Porter, P.E. on January 29, 2020.

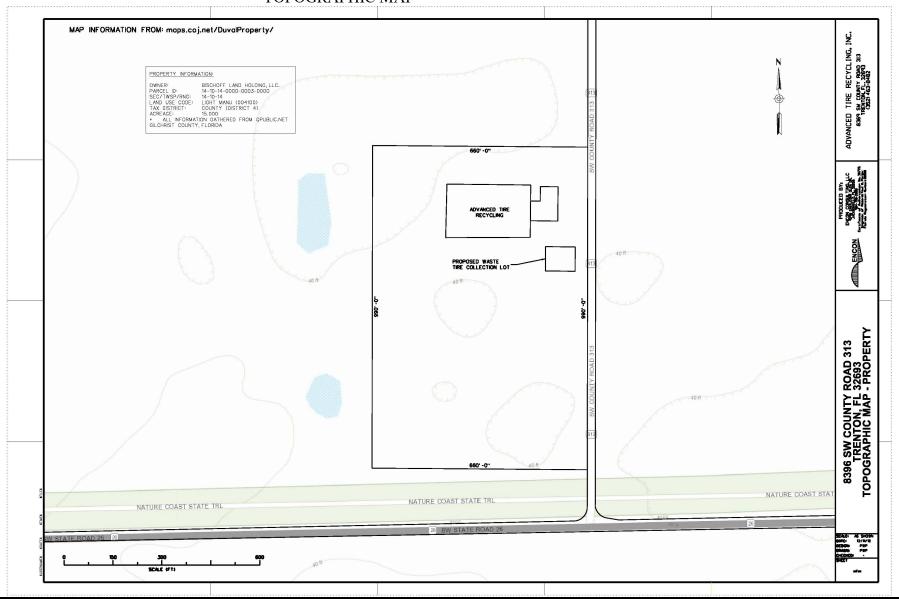
Document 4 – Advanced Tire Recycling RAI Response, prepared by Encon Consulting, LLC, signed and sealed by Paul W. Porter, P.E., dated and received on February 18, 2020.

Document 5 – In-compliance letter related to the cost estimate financial assurance, prepared and submitted by Susan Eldredge (Solid Waste Financial Assurance) on February 19, 2020.

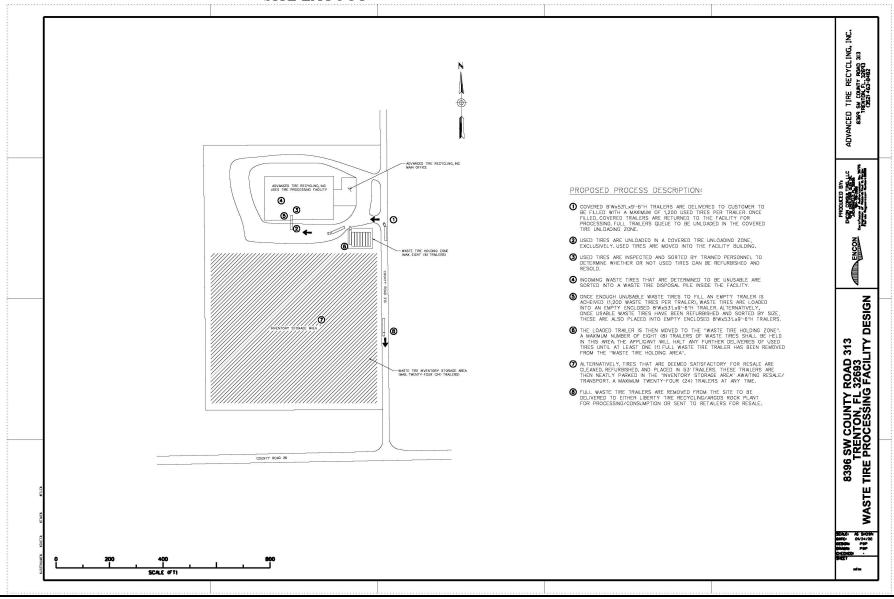
AERIAL MAP



TOPOGRAPHIC MAP



SITE LAYOUT



INDOOR TIRES LAYOUT

