



**Florida Department of
Environmental Protection
Inspection Checklist**

FACILITY INFORMATION:

Facility Name: ACTION TIRE & AUTO SERVICE, INC.

On-site Inspection Start Date: 01/22/2021

On-site Inspection End Date: 01/22/2021

WACS No.: 96128

Facility Street Address: 2365 FORTUNE RD

City: KISSIMMEE

County Name: OSCEOLA

Zip: 34744

INSPECTION PARTICIPANTS:

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: Mary Powers, Inspector

Other Participants: St. Francis Smith, Special Agent; Maggie Figueroa, Manager;

INSPECTION TYPE:

Routine Operation Inspection for Other - Waste Tire Collector

ATTACHMENTS TO THE INSPECTION CHECKLIST:

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

Note: Checklist items with shaded boxes are for informational purposes only.

13.0 - SECTION 13.0 - COMPLAINT INVESTIGATIONS

Inspection Date: 01/22/2021

13.0 - SECTION 13.0 - COMPLAINT INVESTIGATIONS**Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18))	Ok	Not Ok	Unk	N/A
13.1	Unauthorized storing, processing, or disposing of solid waste except as authorized at a permitted solid waste management facility or a facility exempt from permitting under this chapter? 62-701.300(1)(a)				✓
13.2	Authorized or unauthorized storing, processing, or disposing of solid waste in a manner or location that causes air quality standards to be violated or water quality standards or criteria of receiving waters to be violated? 62-701.300(1)(b)				✓
13.3	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)				✓
13.4	Unauthorized disposal or storage in a dewatered pit without liner or leachate controls? 62-701.300(2)(c)				✓
13.5	Unauthorized disposal or storage prohibited in any natural or artificial body of water including groundwater and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)				✓
13.6	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)				✓
13.7	Unauthorized storage or disposal on the right of way of any public highway, road or alley? 62-701.300(2)(f)				✓
13.8	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)				✓
13.9	Are the following unauthorized wastes or special wastes properly managed? (Check any that are Not OK)				
13.9.1	CCA treated wood being ground into mulch, compost, or any wood product that is applied to the ground or burned 62-701.300(14)				✓
13.10	Unauthorized storage or disposal of yard trash within 100 feet of potable water wells (except on-site), and/or 50 feet of water bodies? 62-701.300(12)				✓
13.11	Waste tire prohibitions:				
13.11.1	Maintaining a waste tire site consisting of more than 1500 tires that is not an integral part of a permitted waste tire processing facility. 62-711.400(1)		✓		
13.11.2	Disposing of waste tires except as permitted at a permitted solid waste management facility. 62-711.400(2)	✓			
13.11.3	Storing waste tires only as a part of a waste tire collection center, permitted waste tire processing facility, permitted solid waste management facility, or other exempt facility. 62-711.400(4)	✓			
13.11.4	Contracting with only registered or exempt waste tire collectors for the transportation, disposal, or processing of more than 25 waste tires. 62-711.400(5)	✓			
13.12	Is disposal of bodies of domestic animals, upon the death of such animals due to disease, accomplished pursuant to Section 823.041(1), F.S.? 62-701.520(5)(a)				✓
13.13	Is disposal of dead poultry and hatchery residue accomplished pursuant to Section 583.181(2), F.S.? 62-701.520(5)(b)				✓
13.14	Are bodies of captive wildlife, of fish or marine mammals, as well as bodies of domestic animals that have not died due to disease, either used, burned, disposed of in a Class I landfill, or disposed of on the property where they died, or other properties approved of by the Department, provided they are buried at least two feet below the surface of the ground and above the water table? 62-701.520(5)(c)				✓
13.14.5	For biological waste disposal complaints, the Facility or Responsible Party was provided a copy of the Department's Disposal of Deceased Domestic Animals Guidance Document dated November 9, 2018. (Note: The Guidance Document is to provide direction regarding the				

Inspection Date: 01/22/2021

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18))	Ok	Not Ok	Unk	N/A
	disposal of deceased domestic animals pursuant to Chapter 62-701.520(5), F.A.C. and Chapter 823.041, F.S.) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A				
13.15	Are all additional specific conditions (not otherwise addressed above) in the permit, registration, Department order or certification, if any, being followed? 62-701.320(1), 403.161, F.S.				✓

Inspection Date: 01/22/2021

Current Violations:

Rule: 62-711.400(1)

Question Number: 13.11.1

Explanation: No person may maintain a waste tire site unless such site is an integral part of a permitted waste tire processing facility, except as provided in Rule 62-711.500, F.A.C. For the purpose of this rule, "an integral part of a waste tire processing facility" means the waste tire site is on the same property as the processing facility.

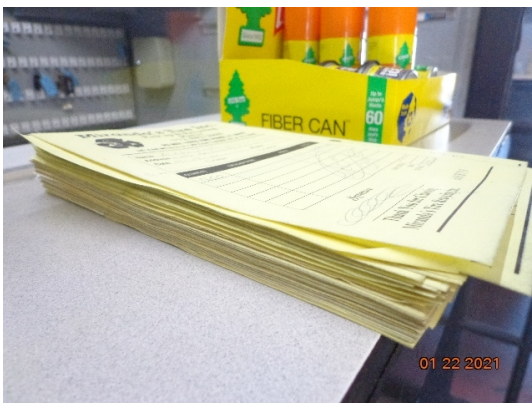
According to Rule 62-711.300(9) (a)(b), F.A.C., the facility is a waste tire collection center exempt from the permitting process due to its business operations of selling used/waste tires and changing tires on vehicles. However, the facility must comply with the storage requirement of Rule 62-711.540, F.A.C. The facility cannot maintain more than 1,500 waste tires onsite at any given time.

Specifically, Action Tire & Auto Service, Inc. was maintaining more than 1500 tires on site.

Corrective Action: On February 5, 2021, a follow up investigation conducted by St. Francis Smith of FDEP Law Enforcement revealed that all used/waste tires in excess of 1,500 had been removed from the site and properly disposed of. The disposable receipts were dated 1/25/2021, 1/26/2021, 1/28/2021, 1/29/2021, and 2/2/2021, and showed a total of 2,629 tires removed from the site since 1/22/2021, the date of the initial inspection. The estimated number of tires remaining on site was 1,357, putting Action Tire & Auto Service, Inc. back into compliance.

ATTACHMENTS:

Disposal Receipts

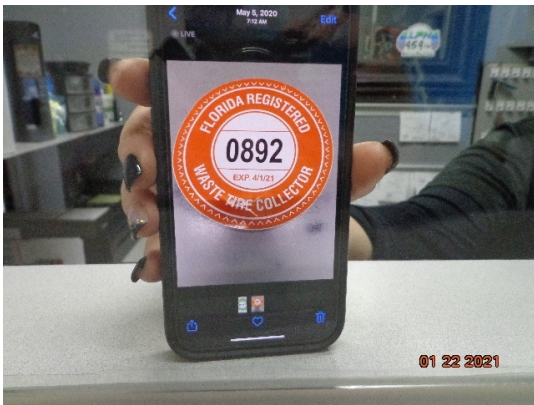


Store front - auto shop



Inspection Date: 01/22/2021

Decal on registered vehicle



Outdoor tire storage



Full trailer + outdoor tire pile



Outdoor tire storage



Outdoor tire storage



Outdoor tire storage



Inspection Date: 01/22/2021

Tire pile height is over 6 feet



2.5.2021 - Disposal Receipt

Miranda's Tire Inc.
Pick up & Recycling
Marco 60136
772-882-2988
PO BOX 12952 FORT PIERCE, FL 36879
LIC. # SW-WT15773-14 • DEP Permit # 0328001-001-wt ID # 102095

Name: Action Tire
Address: 2365 Fortune Rd Kissimmee FL
Date: 02-02-21
Phone:
☐ CASH ☐ CHECK

QUANTITY	DESCRIPTION	PRICE	TO PA L
433		1.50	655.50
Signature			
SUB-TOTAL			TAX
TOTAL			655.50

2.5.2021 - Disposal Receipt

Miranda's Tire Inc.
Pick up & Recycling
Marco 60111
772-882-2988
PO BOX 12952 FORT PIERCE, FL 36879
LIC. # SW-WT15773-14 • DEP Permit # 0328001-001-wt ID # 102095

Name: Action Tire
Address: 2365 Fortune Rd Kissimmee FL
Date: 01-28-21
Phone:
☐ CASH ☐ CHECK

QUANTITY	DESCRIPTION	PRICE	TOTAL
537		1.25	671.25
pago \$ 700.00 con Targeta			
paga el balance (28.75)			
Signature			
SUB-TOTAL			TAX
TOTAL			700.00

Looking inside trailer view



2.5.2021 - Disposal Receipt

Miranda's Tire Inc.
Pick up & Recycling
Marco 60136
772-882-2988
PO BOX 12952 FORT PIERCE, FL 36879
LIC. # SW-WT15773-14 • DEP Permit # 0328001-001-wt ID # 102095

Name: Action Tire
Address: 2365 Fortune Rd Kissimmee FL
Date: 01-29-21
Phone:
☐ CASH ☐ CHECK

QUANTITY	DESCRIPTION	PRICE	TOTAL
7		1.25	8.75
pago \$ 700.00 con Targeta			
paga el balance			
Signature			
SUB-TOTAL			TAX
TOTAL			708.75

2.5.2021 - Disposal Receipt

Miranda's Tire Inc.
Pick up & Recycling
Marco 60784
772-882-2988
PO BOX 12952 FORT PIERCE, FL 36879
LIC. # SW-WT15773-14 • DEP Permit # 0328001-001-wt ID # 102095

Name: Action Tire
Address: 2365 Fortune Rd Kissimmee FL
Date: 01-26-21
Phone:
☐ CASH ☐ CHECK

QUANTITY	DESCRIPTION	PRICE	TOTAL
544		1.25	680.00
Signature			
SUB-TOTAL			TAX
TOTAL			680.00

Inspection Date: 01/22/2021

2.5.2021 - Disposal Receipt

Miranda's Tire Inc.
Pick up & Recycling
Marco
772-882-2988
66782
PO BOX 12852 FORT PIERCE FL 38879
LIC. # SW-WT1573-14 • DEP Permit # 0228081-001-WC ID # 102805

Name: *Action Tire*
Address: *2365 Foxlane Rd Kissimmee FL*
Date: *01-25-21* Phone: _____
☒ CASH ☐ CHECK

QUANTITY	DESCRIPTION	PRICE	TOTAL
554		1.25	692.50

Signature: _____

SUB-TOTAL: 692.50
TAX: _____
TOTAL: 692.50

2.5.2021 - Remaining Tires



2.5.2021 - Remaining Tires



2.5.2021 - Remaining Tires

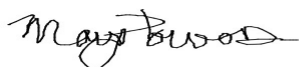


Inspection Date: 01/22/2021

Signed:

Mary Powers

Inspector

PRINCIPAL INSPECTOR NAME**PRINCIPAL INSPECTOR TITLE**

DEP

02/02/2021

PRINCIPAL INSPECTOR SIGNATURE**ORGANIZATION****DATE**

St. Francis Smith

Special Agent

INSPECTOR NAME**INSPECTOR TITLE**

NO SIGNATURE REQUIRED

FDEP Law Enforcement

INSPECTOR SIGNATURE**ORGANIZATION**

Maggie Figueroa

Manager

REPRESENTATIVE NAME**REPRESENTATIVE TITLE**

NO SIGNATURE REQUIRED

Action Tire

REPRESENTATIVE SIGNATURE**ORGANIZATION**

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

Report Approvers:**Approver:** David Smicherko**Inspection Approval Date:** 02/18/2021