



**Florida Department of  
Environmental Protection  
Inspection Checklist**

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**FACILITY INFORMATION:**

**Facility Name:** RJ TIRES  
**On-site Inspection Start Date:** 02/23/2021  
**On-site Inspection End Date:** 02/23/2021  
**WACS No.:** 106464  
**Facility Street Address:** 507 NILSEN ST  
**City:** HAINES CITY  
**County Name:** POLK  
**Zip:** 33844

**INSPECTION PARTICIPANTS:**

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: Kelby A Callahan, Inspector

Other Participants: Matthew Dinning, Operations Analyst; Robert Vargas, Owner;

**INSPECTION TYPE:**

Complaint Investigation Inspection for WPF - Waste Tire Processing Facility

**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: 02/23/2021

**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				

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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 checked="" 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.				✓

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**Current Violations:**

Rule: 62-701.300(1)(a)

Question Number: 13.1

Explanation: During the January 27, 2021 inspection, Department staff observed that the facility was storing greater than 1,500 tires on-site and was processing waste tires (de-rimring, doubling and packaging tires for shipment overseas) without a Department Solid Waste Permit authorization. A review of Department files, performed on February 23, 2021, indicates that a Compliance Assistance Site Visit (CASV) was conducted at the facility on March 15, 2018. During the CASV, the owner, Mr. Vargas, was notified of the requirement to obtain a Waste Tire Processing Facility (WTPF) permit for the RJ Tires facility. An application for a WTPF permit was submitted to the Department on March 1, 2020. However, the application remains incomplete due to the applicant's difficulty in obtaining financial assurance in the amount of the provided closure cost estimate for the facility.

Corrective Action: Robert and Sons Tire Corporation has knowingly operated a Waste Tire Processing Facility without a Department Solid Waste Permit authorization for three years following the Department's 2018 CASV. The storage and processing of waste tires at the above referenced site is not authorized and must cease operations until a Waste Tire Processing Permit is obtained. Per the attached Warning Letter, (#WL21-41SW53SWD), please contact the Department within 7 days its receipt to schedule a meeting to discuss these matters.

Rule: 62-711.400(1)

Question Number: 13.11.1

Explanation: Please refer to item 13.1.

Corrective Action: Please refer to item 13.1.

Rule: 62-711.400(4), 62-711.400(4)(a), 62-711.400(4)(b), 62-711.400(4)(c), 62-711.400(4)(d)

Question Number: 13.11.3

Explanation: Please refer to item 13.1.

Corrective Action: Please refer to item 13.1.

**Current Areas of Concern:**

Rule: 62-711.400(5)

Question Number: 13.11.4

Explanation: The Department is unaware of who RJ Tires uses for waste tire collection.

Corrective Action: Please provide the Department with the name and registration number of the waste tire collector(s) within 7 days of receipt of this report and Warning Letter.

**COMMENTS:**

Item 13.11.2: The facility is currently shipping all waste tires to Puerto Rico, and they are not disposing any waste tires as part of their operation.

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**ATTACHMENTS:**

Stacks of Waste Tires (1/2)



Stacks of Waste Tires (2/2)



Inspection Date: 02/23/2021

**Signed:**

Kelby A Callahan

Inspector

**PRINCIPAL INSPECTOR NAME****PRINCIPAL INSPECTOR TITLE**

DEP

02/23/2021

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

Matthew Dinning

Operations Analyst

**INSPECTOR NAME****INSPECTOR TITLE**

NO SIGNATURE REQUIRED

DEP

**INSPECTOR SIGNATURE****ORGANIZATION**

Robert Vargas

Owner

**REPRESENTATIVE NAME****REPRESENTATIVE TITLE**

NO SIGNATURE REQUIRED

RJ Tires

**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:** Steve Tafuni**Inspection Approval Date:** 03/08/2021