

Dawes, Leigh-Ann

From: Dawes, Leigh-Ann
Sent: Tuesday, October 12, 2010 4:12 PM
To: 'ptuohy@libertytire.com'; 'George Woodward'
Cc: James, Robyn
Subject: Liberty Tires Follow-up Inspection Report 10.07.10
Attachments: 10.07.10 Follow-Up Inspection report Liberty Tires.pdf

Good Afternoon Phil and George,

Our latest follow-up inspection report for your records is attached. Please pay special attention to F.A.C. Rule 62.780.600 http://www.dep.state.fl.us/waste/quick_topics/rules/documents/62-780.pdf . A site assessment is required within 60 days the first fire on-site.

Regards,

Leigh-Ann Dawes

Environmental Specialist II

FDEP - Solid Waste

400 North Congress Avenue, Suite 200

West Palm Beach, Florida 33401

office: (561) 681-6714/ fax: (561) 681-6770



Florida Department of
Environmental Protection
Inspection Checklist

FACILITY INFORMATION:

Facility Name: LIBERTY TIRE RECYCLING, LLC (FRMERLY) FL. TIRE RECYCLING,INC

On-Site Inspection Start Date: 10/07/2010

On-Site Inspection End Date: 10/07/2010

WACS No.: 70963

Facility Street Address: 10151 RANGE LINE ROAD

City: PORT ST.LUCIE

County Name: ST. LUCIE

Zip: 34987

INSPECTION PARTICIPANTS:

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: Leigh-Ann A. Dawes, ESII

Other Participants: Robyn James, ESII; Phil Touy, Region Manager; George Woodward, General Manager

INSPECTION TYPE:

Follow-up Operation Inspection for Other Facilities - Waste Tire Facility

ATTACHMENTS TO THE INSPECTION CHECK LIST:

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

SECTION 1.0 - FILE REVIEW

SECTION 9.0 - WASTE TIRE FACILITIES

SECTION 13.0 - COMPLAINT INVESTIGATIONS

Inspection Date: 10/07/2010

SECTION 1.0 - FILE REVIEW**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.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.) Completed	Ok	Not Ok	Unk	N/A
1.1	For landfills and C&D disposal facilities, does the facility have a current plan for the method and sequence of filling wastes? 62-701.500(2)(f) for landfills; 62-701.730(7)(a) for C&D debris sites				✓
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK) <input type="checkbox"/> Waste reports (annually) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)				✓
1.3	Is leachate sampled, tested and disposed as required? 62-701.500(8)(a), 62-701.510(6)(c)				✓
1.4	Is gas monitoring being performed as required by the permit? 62-701.500(9), 62-701.530(2)				✓
1.5	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)(c)				✓
1.6	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? 62-701.510(2) for landfills; 62-701.730(4)(b) and (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.				✓
1.7	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) and (4); 62-701.730(4)(c) and (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.				✓
1.8	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.600(6)(b), 62-701.730(9)(d)				✓
1.9	Is financial assurance adequate? 62-701.630 for landfills; 62-701.710(7)(a) and (10)(a) for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.		✓		
1.10	Are cost estimates current and adjusted every year? 62-701.630(4) for landfills; 62-701.710(7)(b) and (10)(a) for waste processing facilities; 62-701.730(11)(b) and (c) for C&D debris facilities; 62-713.600(6)(b) and (c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.		✓		
1.11	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by April 1st of each year? 62-701.730(12)				✓
1.12	For C&D recycling facilities with no disposal, is an Annual Report for the recycling facility submitted to the Department by April 1st of each year? 62-701.710(9)(b)				✓
1.13	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.14	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓

Inspection Date: 10/07/2010

SECTION 9.0 - WASTE TIRE FACILITIES**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)) Completed	Ok	Not Ok	Unk	N/A
9.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility? 62-701.300(1)(a)	✓			
9.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
9.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?				✓
9.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)	✓			
9.4	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)				✓
9.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)				✓

Item No.	WASTE TIRE FACILITY - GENERAL REQUIREMENTS FOR STORAGE Completed	Ok	Not Ok	Unk	N/A
9.6	If the facility accepts tires from the public, is a sign posted at the facility entrance stating operating hours, cost of disposal and site rules? 62-711.540(1)(a)	✓			
9.7	Are operations involving the use of open flames conducted no closer than 25 feet of a waste tire pile? 62-711.540(1)(b)	✓			
9.8	If the facility accepts tires from the public, is an attendant always present on site when the site is open for business? 62-711.540(1)(c)	✓			
9.9	Are fire protection services assured through notification to local fire protection authorities? 62-711.540(1)(d)	✓			
9.10	Is an annual fire safety survey conducted? 62-711.540(1)(d)		✓		
9.11	Is a copy of the annual fire safety report made part of the next quarterly report? 62-711.540(1)(d)		✓		
9.12	Does the facility have an Emergency Preparedness Manual (EPM) on-site? 62-711.540(1)(e)	✓			
9.13	Does the EPM contain the following information? (Check all that are Not OK) <input type="checkbox"/> Contact names and numbers 62-711.540(1)(e)1 <input type="checkbox"/> List of emergency response equipment and locations on-site 62-711.540(1)(e)2 <input type="checkbox"/> Procedures to be followed in the event of a fire 62-711.540(1)(e)3	✓			
9.14	Is the operator at the facility maintaining records of the quantity of waste tires received at the site, stored at the site, and shipped from the site? 62-711.540(1)(g) and 62-711.400(5)	✓			
9.15	If the operator of the site is not the owner of the property, has written authorization been obtained from the property owner to operate the facility? 62-711.540(1)(h)	✓			
9.16	Is adequate communications equipment available at the site? 62-711.540(1)(i)	✓			
9.17	Is the owner or operator providing for control of mosquitoes and rodents so as to protect the public health and welfare? 62-711.540(1)(j)	✓			

Item No.	WASTE TIRE FACILITY - STORAGE INDOORS Completed	Ok	Not Ok	Unk	N/A
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Inspection Date: 10/07/2010

Item No.	WASTE TIRE FACILITY - STORAGE INDOORS Completed	Ok	Not Ok	Unk	N/A
9.18	Are waste tire piles more than 50 feet in width? 62-711.540(2)(a)				✓
9.19	Are waste tire piles along a wall more than 25 feet in width? 62-711.540(2)(a)				✓
9.20	Are widths of main aisles between piles less than 8 feet? 62-711.540(2)(b)				✓
9.21	Is there less than 3 feet of clearance between the top of storage to sprinkler detectors or roof structures? 62-711.540(2)(c)				✓
9.22	Is there less than 3 feet of clearance between waste tire piles and unit heaters, etc.? 62-711.540(2)(d)	✓			
9.23	If waste tires are stored up to 15 feet in height, do walls have at least a 4- hour fire rating? 62-711.540(2)(e)				✓
9.24	If waste tires are stored more than 15 feet in height, do walls have a fire rating of not less than 6 hours and columns one hour FR? If more than 20 feet, do columns and its connections with other structural members have two hour FR? 62-711.540(2)(f)				✓
9.25	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(2)(h)				✓

Item No.	WASTE TIRE FACILITY - STORAGE OUTDOORS Completed	Ok	Not Ok	Unk	N/A
9.26	Is the waste tire site operated within 200 feet from a body of water? 62-711.540(3)(a)				✓
9.27	Does the waste tire pile have a width less than 50 feet? 62-711.540(3)(b)		✓		
9.28	Does the waste tire pile have an area less than 10,000 sq. ft? 62-711.540(3)(b)		✓		
9.29	Does the waste tire pile have a height less than 15 feet? 62-711.540(3)(b)	✓			
9.30	Is there a 50 feet wide fire lane around the perimeter of the waste tire pile? 62-711.540(3)(c)		✓		
9.31	Is there unobstructed access to the fire lane? 62-711.540(3)(c)		✓		
9.32	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(3)(d)	✓			
9.33	Is the site kept free of grass, underbrush, and other potentially flammable vegetation? 62-711.540(3)(f)	✓			
9.34	Is the site bermed or given other adequate protection to prevent liquid runoff from entering water bodies? 62-711.540(3)(e)	✓			
9.35	Are residuals contained on-site and disposed of in a permitted solid waste management facility or properly recycled? 62-711.540(5)	✓			
9.36	Does the waste tire site qualify for the exceptions to the technical and operational standards as allowed by rule? 62-711.540(6)	✓			

Item No.	WASTE TIRE FACILITY - COLLECTION CENTER Completed	Ok	Not Ok	Unk	N/A
9.37	Are no more than 1,500 tires at the collection center at any one time? 62-711.550(1)(a)	✓			
9.38	Are all waste tires, which are not used tires, removed from site yearly for recycling, processing, or disposal? 62-711.550(1)(b)	✓			

Inspection Date: 10/07/2010

SECTION 13.0 - COMPLAINT INVESTIGATIONS**Requirements:**

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Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18)) Completed	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	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 ground water 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)	✓			

Inspection Date: 10/07/2010

Current Violations:

Area: Waste Tire storage
Rule: 62-711.540(3)(b)
Question Number: 9.27
Explanation: (b) An outdoor waste tire pile shall have no greater than the following maximum dimensions:
1. Width: 50 feet;
2. Area: 10,000 square feet; and
3. Height: 15 feet.
Corrective Action: Facility has 30 days to comply.

Rule: 62-701.300(3)
Question Number: 13.8
Explanation: Open flames within 25 feet of a waste tire pile.
Corrective Action: Maintain proper waste tire pile size and dimensions.

Pre-existing Areas Of Concern:

Rule: 62-711.540(3)(b)
Question Number: 9.28
Explanation: This area is 260ft width x 465ft between x 10ft in height, this area is where the fire took place and is being removed.
Corrective Action: Remove burnt waste tires and create the neccessary fire lanes.

Rule: 62-701.710(7)(a), 62-711.500(3), 62-701.630, 62-701.710(10)(a), 62-701.730(11)(a), 62-713.600(6)(a)
Question Number: 1.9
Explanation: Financial Assurance on file for Feb. 2010.
Corrective Action: Updated Financial Assurance is needed in order to be in compliance with conditions of the permit.

Rule: 62-711.500(3), 62-701.630(4), 62-701.730(11)(b), 62-701.730(11)(c), 62-713.600(6)(c), 62-713.600(6)(b), 62-701.710(10)(a), 62-701.710(7)(b)
Question Number: 1.10
Explanation: Financial on File Feb. 2010
Corrective Action: Needs to be updated

Rule: 62-711.540(1)(d)
Question Number: 9.10
Explanation: No fire survey on file

Inspection Date: 10/07/2010

Corrective Action: Fire Survey must be submitted to the Dept. in 30 days.

Rule: 62-711.540(3)(c)

Question Number: 9.30

Explanation: There are no fire lanes on-site.

Corrective Action: 30 days to have fire lanes in place in accordance with permit as the facility cleans up area.

Rule: 62-711.540(3)(c)

Question Number: 9.31

Explanation: Due to recent fire at the facility, there are no fire lanes.

Corrective Action: Facility has 30 days to reconstruct the fire lanes.

Rule: 62-711.540(1)(d)

Question Number: 9.11

Explanation: No fire survey on file

Corrective Action: Fire Survey must be submitted to the Dept. in 30 days.

COMMENTS:

10/12/2010

Arrived 10:25 a.m. Attendees: Leigh-Ann Dawes and Robyn James Met with George Woodward and Phil Touy Fire started on pile of waste tire product. 3 piles were still steaming when we were on-site. This was approximately 3,200 tons of tires. The Fire Dept instructed the facility to combine piles, creating one pile large pile which was 190 ft wide. This pile was behind a processing building on-site. Industrial tires (unregulated) were also caught on fire. Since the fire in September 2010, about 2,500 tons of burned waste tire have been hauled off site. This facility needs to submit a Site Assessment Survey within 60 days. The Person Responsible for Site Rehabilitation (PRSR) shall commence a site assessment within 60 days after a discharge is discovered in accordance with F.A.C. 62-780.600. The date of the discharge was August 31, 2010. For purposes of a site assessment, ¿commence¿ means that the PRSR has employed or contracted with a professional engineer or geologist to design, implement, and complete the requirements of this section, and has given the professional the authority to proceed with the required work. The PRSR shall conduct the site assessment in accordance with the requirements of F.A.C. 62-780 and the time frames of Table A below:

10/12/2010

TABLE A.

Submittals and Time Frames for PRSR Type of Report or Activity PRSR Action or Submittal Time Frames

Notice of Initiation of Emergency Response Action or Interim Source Removal Action

Within 24 hours of initiation of the action

Interim Source Removal Plan When seeking approval before implementation of an alternative product recovery method, groundwater recovery, soil treatment or disposal technique (Rule 62-780.500, F.A.C.)

Interim Source Removal Status Report Within 60 days of initiating interim source removal activities and every 60 days thereafter or when the field activity is terminated, whichever occurs first

Inspection Date: 10/07/2010

Interim Source Removal Report Within 60 days of completion of interim source removal activities

Site Assessment Commenced Within 60 days after a discharge is discovered

Site Assessment Report (SAR) SAR submitted within 270 days of discharge or discovery

Risk Assessment Report (RAR) Optional (within 60 days of SAR approval or within the scheduled approved in the Risk Assessment work plan)

Well Survey and Sampling Results pursuant to

paragraph 62-780.600(3)(h), F.A.C. Within 60 days of discovery of contamination beyond the property boundaries

No Further Action (NFA) Proposal When the site meets the criteria for NFA (Rule 62-780.680, F.A.C.)

Natural Attenuation with Monitoring (NAM) Plan When the site meets the criteria for NAM (Rule 62-780.690, F.A.C.)

Natural Attenuation with Monitoring (NAM) Report Within 60 days of sample collection

Remedial Action Plan (RAP) Within 90 days of approval of a SAR or RAR

As-Built Drawings Within 120 days of initiating operation of active remediation system

Initiate Operation of Active Remediation System Within 120 days of RAP approval

Remedial Action Status Report Within 60 days of the anniversary date of initiating operation of active remediation system

Proposals submitted pursuant to subsection 62780.700(15), F.A.C. Optional during active remediation

Post Active Remediation Monitoring (PARM) Plan When the site meets the criteria for NFA (Rule 62-780.680, F.A.C.) or Leveling Off (subsection 62780.700(19), F.A.C.)

Post Active Remediation Monitoring (PARM) Report Within 60 days of sample collection

Leveling Off Determination Within 60 days of sample collection

Post Active Remediation Monitoring Plan resampling proposal (paragraph 62-780.750(4)(e), F.A.C.) Within 60 days of sample collection

Site Rehabilitation Completion Report (SRCR) Within 60 days of the final sampling event. If SRCR is not approved then submit modifications, etc. within 60 days of Department's response

Pilot Study Work Plan When seeking approval before implement

ATTACHMENTS:

Cleared Area



Back view of piles



Inspection Date: 10/07/2010

Back of pile



Extra large undamaged pile



Fire damaged pile



Fire damaged pile 2



Fire damaged product pile



smoldering pile



Inspection Date: 10/07/2010

Unregulated burned piles



Unregulated tire pile



Inspection Date: 10/07/2010

Signed:

Leigh-Ann A. Dawes

PRINCIPAL INSPECTOR NAME**PRINCIPAL INSPECTOR SIGNATURE**

ESII

PRINCIPAL INSPECTOR TITLE

FDEP

ORGANIZATION

10/12/2010

DATE

Robyn James

INSPECTOR NAME

ESII

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

FDEP

ORGANIZATION

Phil Touy

INSPECTOR NAME

Region Manager

INSPECTOR TITLE

NO SIGNATURE

INSPECTOR SIGNATURE

Liberty Tires

ORGANIZATION

George Woodward

REPRESENTATIVE NAME

General Manager

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Liberty Tires

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.