



Florida Department of Environmental Protection

South District Office
Post Office Box 2549
Fort Myers, FL 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

October 25, 2010

VIA ELECTRONIC MAIL



Robert Weber
Garden Street Iron and Metal Inc. of S.W. Florida
E-mailed to: rob@gsimrecycling.com
3350 Metro Parkway
Fort Myers, FL 33902

RE: Lee County – SW
Garden Street Iron and Metal (Waste Tire Processing Center)
3350 Metro Parkway
Fort Myers, FL 33902
WACS ID No. 98386
Permit/Certification No. 0296251-001-WT/02

Dear Mr. Weber:

A Compliance Inspection was conducted at your facility on October 20, 2010. A copy of the inspection report is attached for your perusal. This inspection was conducted under the authority of Section 120.57(5), Florida Statutes.

During the inspection, one potential violation was noted.

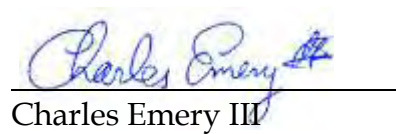
Florida Administrative Code (F.A.C.) Rule 62-711.540(3)(c) states that a 50-foot wide fire lane shall be placed around the perimeter of each outdoor waste tire pile. Access to the fire lane for emergency vehicles must be unobstructed at all times. During the inspection, the 50 foot fire lane was not maintained around the processed tire material (shredded tire and wire). In accordance with F.A.C. Rule 62-711.540(6)(b) and Specific Condition No. 4 of the permit, the Department will accept a letter from the local fire authority stating that the existing fire suppression system is satisfactory. **If the letter is not received within 10 days, the permittee must provide 50 foot fire lanes around all whole and processed tire piles.**

In accordance with F.A.C. Rule 62-711.530(5) and Specific Condition No. 8 of your permit, as referenced above, quarterly reports shall be submitted within 10 days via electronic mail to Jay Standiford.

Failure to address these issues may result in future violations of Department regulations and may subject the facility to enforcement action.

If you have any questions, please feel free to contact Jay Standiford at (239) 332-6975, extension 167; or Bill Krumbholz (239) 332-6975, extension 155. **Whenever possible, please submit written documentation by e-mail to James.Standiford@dep.state.fl.us or Bill.Krumbholz@dep.state.fl.us.**

Sincerely,

A handwritten signature in blue ink that reads "Charles Emery III". The signature is written in a cursive style and is positioned above a horizontal line.

Charles Emery III
Environmental Administrator

Attachment
CE/JAS/rcd

cc: John Hoving - GSIMR (via e-mail john@gsimrecycling.com)
Tim Keene, P.E. - Keene Development, LLC (via e-mail tim@keenefl.com)



**Florida Department of
Environmental Protection
Inspection Checklist**

FACILITY INFORMATION:

Facility Name: GARDEN STREET IRON & METAL (WASTE TIRE PROCESSING CENTER)

On-Site Inspection Start Date: 10/20/2010

On-Site Inspection End Date: 10/20/2010

WACS No.: 98386

Facility Street Address: 3350 METRO PARKWAY

City: FORT MYERS

County Name: LEE

Zip: 33916

INSPECTION PARTICIPANTS:

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: James Standiford, Environmental Specialist II

Other Participants: Tim Keene, PE, Contractor; Rob Weber, Owner; Bill Krumbholz, Environmental Manager

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

Inspection Date: 10/20/2010

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: 10/20/2010

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: 10/20/2010

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: 10/20/2010

Current Violations:

Rule: 62-711.540(3)(c)

Question Number: 9.30

Explanation: A 50-foot wide fire lane shall be placed around the perimeter of each outdoor waste tire pile. Access to the fire lane for emergency vehicles must be unobstructed at all times.

A 50- foot wide fire lane was not maintained around the perimeter of processed tires.

Corrective Action: The Facility must maintain a 50 foot wide fire lane, unless the fire authority is satisfied with the current status.

COMMENTS:

10/20/2010

The Waste Tire Processing Facility operates under Permit # 0296251-001-WT/02, which expires 12/9/2014.

At the time of the inspection, there was not a 50 foot perimeter fire lane around the processed tire material (shredded tire and wire). The processed tire material was noted encroaching onto the grassy area.

In accordance with F.A.C. Rule 62-711.540(6)(b) and Specific Condition No. 4 of the permit, the Department will accept a letter from the local fire authority stating that the existing fire suppression system is satisfactory. If the letter is not received within 10 days, the permittee must provide 50 foot fire lanes around all whole and processed tire piles.

Section 9.36 was marked unknown because the Department has not received the letter from the local fire authority stating that there may be exceptions to the technical and operational standards as allowed by rule.

In accordance with F.A.C. Rule 62-711.530(5) and Specific Condition No. 8 of the permit, quarterly reports shall be submitted within 10 days via electronic mail to Jay Standiford.

If permit modification is requested to store more tires, the Financial Instrument will have to be adjusted.

Inspection Date: 10/20/2010

Signed:

James Standiford

PRINCIPAL INSPECTOR NAME

Environmental Specialist II

PRINCIPAL INSPECTOR TITLE**PRINCIPAL INSPECTOR SIGNATURE**

FDEP

ORGANIZATION

10/20/2010

DATE

Tim Keene

REPRESENTATIVE NAME

PE, Contractor

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Keene Engineering

ORGANIZATION

Rob Weber

REPRESENTATIVE NAME

Owner

REPRESENTATIVE TITLE

NO SIGNATURE

REPRESENTATIVE SIGNATURE

Garden Street

ORGANIZATION**Report Approvers:**

Bill Krumbholz

SUPERVISOR NAME

Environmental Manager

SUPERVISOR TITLE

NO SIGNATURE

SUPERVISOR SIGNATURE

FDEP

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.