



Department of Environmental Protection

FILE
P 109 457 655

Lawton Chiles
Governor

Southeast District
P.O. Box 15425
West Palm Beach, Florida 33416

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mrs. Susan K. Wilson, President
Florida Tire Recycling, Inc.
9675 Range Line Road
Port St. Lucie, FL 34987

DEP File No. 41202-WT-001
St. Lucie County
Permit File

Dear Mrs. Wilson:

Enclosed is Permit Number 41202-WT-001 to operate a Waste Tire Processing Facility.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

If you have any questions, please contact Mr. Joseph Lurix of this office, telephone number (561)681-6669.

Executed in West Palm Beach, Florida on this 28 day of MAY, 1998.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Carlos Rivero-deAguilar
Carlos Rivero-deAguilar
Director of District Manager
Southeast District

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on JUN 01 1998 to the listed persons.

FILING AND ACKNOWLEDGMENT: FILED, on this date, pursuant to \$120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Jon Lurix
Clerk

JUN 01 1998
Date

*Copies furnished to:

Jeffrey Brown, OGC/TLH
Frances Keith, SW/TLH
Joseph T. Friscia, P.E.
Leo Cordeiro, SLC

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.



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PERMITTEE:

Mrs. Susan K. Wilson, President
Florida Tire Recycling, Inc.
9675 Range Line Road
Port St. Lucie, FL 34987

I.D. NUMBER: 5056P01887
PERMIT/CERTIFICATION NUMBER: 41202-WT-001
DATE OF ISSUE: June 1, 1998
EXPIRATION DATE: May 31, 2003
COUNTY: St. Lucie County
LATITUDE/LONGITUDE: 27°14'22"/80°29'00"
SECTION/TOWNSHIP/RANGE: 1/37S/38E
PROJECT: FTIRI - WTPF

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Chapters 62-4, 62-701 and 62-711, Florida Administrative Code. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO OPERATE: A Waste Tire Processing Facility utilizing shredders, classifiers and magnetic separators for the production of rubber products, Tire Derived Fuel and steel.

IN ACCORDANCE WITH: An application for permit to construct a Solid Waste Resource Recovery and Management Facility dated June 2, 1994 and additional information submitted on July 20, 1994 and April 2, 1998.

LOCATED AT: 9675 Range Line Road, Port St. Lucie, Florida.

SUBJECT TO: General Conditions 1-15 (attached as pages 2 and 3) and Specific Conditions 1 through 12 (attached as pages 4 through 5).

* This permit does not supersede the Consent Final Judgment nor its Amendments for this facility.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, Florida Statutes. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.
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), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit does not constitute 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 the 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, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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 at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as 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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
 - a. Having access to and copying any records that must be kept under the conditions of the permit;
 - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sampling or monitoring 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 the permit, the permittee shall immediately notify and provide the Department with the following information:
 - a. a description of and cause of non-compliance; and
 - b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.

GENERAL CONDITIONS Cont'd:

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 arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.
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 is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.
13. This permit also constitutes:
 - () Determination of Best Available Control Technology (BACT)
 - () Determination of Prevention of Significant Deterioration (PSD)
 - () Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
 - () Compliance with New Source Performance Standards
14. The permittee shall comply with the following monitoring and record keeping requirements:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the Department, during the course of any unresolved enforcement action.
 - b. The permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements
 - the date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - analytical techniques or methods used; and
 - results of such analyses.
15. 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 that 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 submitted or corrected promptly.

SPECIFIC CONDITIONS:

1. Unless otherwise approved by the Department, the permittee shall operate the waste tire processing facility in accordance with all the applicable sections of Chapters 62-711, 62-701 and 62-4, F.A.C.
2. The permittee shall maintain compliance in accordance with Section 62-711.630, F.A.C. The permittee shall maintain moneys adequate to cover the closure cost estimate dated March 27, 1997 totaling \$326,917.00. The permittee shall provide closing cost estimates for the quantity of waste tires on their site or the quantity of waste tires that they are permitted to have on their site, whichever is greater. The cost estimate shall be the amount that would be expended to remove, process, and dispose of waste tires on the site and to close the site. The costs shall be based on a third party, who is not a subsidiary or parent company, performing the work, reported on a per unit basis. Quantity estimates shall be certified by a Professional Engineer. The closing cost estimate shall be re-estimated at least annually and submitted to the Department at least 60 days prior to the anniversary date of the instrument. All original submittals in response to this specific condition shall be submitted to:

Department of Environmental Protection
Waste Tire Financial Coordinator
Solid Waste Section
2600 Blair Stone Road
Tallahassee, FL 32399-2400;

and a copy to:

Department of Environmental Protection
Southeast District Office
Solid Waste Section
P.O. Box 15425
West Palm Beach, FL 33416

3. All waste tires and processed tires shall be stored in accordance with the waste tire site requirements in Rule 62-711.530, F.A.C., and storage requirement in Rule 62-711.540, F.A.C.
4. The maximum amount of waste tires that shall be stored on site at any time is 20,504 tons (2,050,400 PTE). The maximum daily throughput of the equipment proposed in the application for this facility shall be 25,000 Passenger Tire Equivalents (PTE) per day, 7,825,000 PTE per year. The average daily throughput is projected to be 16,800 PTE per day and 5,258,400 PTE per year. The permittee shall not accept any waste tires for processing at this facility if the permittee has reached the permitted storage limit for any category of waste tires, or if the number of waste tires on the site exceeds the quantity estimate in the closing cost estimate.
5. Processed tires stored for recycling or disposal shall meet the minimum size requirements specified in Rule 62-711.400(3)(b), F.A.C. At least 75 percent of the whole tires, used tires, and processed tires that are delivered to or are contained on the site of the waste tire processing facility at the beginning of each calendar year shall be processed and removed for disposal or recycling from the facility during the year, or disposed at an off-site permitted solid waste management facility. Processed tires stored for recycling or disposal shall meet the minimum size requirements specified in Rule 62-711.400(3)(b), F.A.C., unless a demonstration is made as part of a permit application or modification that storage of a larger size will not adversely affect the environment or the public health or welfare, and that storage of a larger size is necessary for purposes of recycling or transportation.
6. The permittee shall comply with Sections 62-711.530(4) and (5), F.A.C., inclusive. The permittee shall submit a quarterly report to the District Office that summarizes all of the information collected under Section 62-711.530(4), F.A.C., no later than the 20th day of the month following the close of each calendar quarter. The reports shall be submitted to the Department on DEP Form 62-711.900(4), attached as Exhibit A.
7. The permittee shall apply for a renewal of this permit at least sixty (60) days prior to the expiration date.
8. In the event of damage or failure of any of the site facilities/equipment, the permittee shall immediately notify the Department, explaining such occurrences and remedial measures to be taken and time needed for repairs. A detailed written notification shall be submitted within one week to the Department

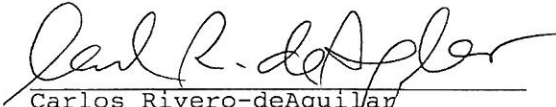
SPECIFIC CONDITIONS Cont :

following the occurrence.

9. In the event of closure of this facility, the permittee shall be responsible for the removal of all processed and unprocessed tires to a facility approved by the Department for disposal or processing. Failure to properly remove all tire material and close the site may result in forfeiture of the financial mechanism to the Department.
10. The permittee shall maintain the facility in compliance with the fire safety survey prepared by Lieutenant Lowell J. Nance, dated March 31, 1998.
11. The permittee shall build this facility in accordance with the Site Plan prepared by Joseph T. Friscia, P.E., dated May 25, 1994, modified July 17, 1995, Engineer's Job No. 9243, Sheet 1.
12. The permittee shall construct and operate the surface water management system in accordance with Environmental Resource Permit numbers 562453458 and MS 56-2451186, issued by the Division of Environmental Resource Permitting on September 16, 1994, November 7, 1994 and as modified on July 17, 1995, respectively.

Issued this 29 day of MAY, 1998

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Carlos Rivero-deAguilar
Director of District Management
Southeast District

CRA/VK/LH/jl



Department of Environmental Protection

DEP Form # 62-701.900(21)
Waste Tire Processing Facility
Form Title <u>Quarterly Report</u>
Effective Date <u>12/23/96</u>
DEP Application No. _____ (Filled in by DEP)

Waste Tire Processing Facility Quarterly Report

Pursuant to Rule 62-711.530, Florida Administrative Code, the owner or operator of a waste tire processing facility shall submit the following information to the Department quarterly.

Quarter covered by this report: _____ (First quarter begins on January 1 of any given year)

1. Facility name: _____
2. Facility mailing address: _____
City: _____ County: _____ Zip: _____
3. Facility permit number: _____
4. Facility telephone number: (_____) _____
5. Authorized person preparing report: _____
6. Affiliation with facility: _____
7. Telephone number (if different from above): (_____) _____
8. Activity: Report in tons.

	Beginning Inventory	Received	Processed	Consumed	Removed	Adjustments	Ending Inventory
Used Tires							
Other whole tires							
Processed tires							
Processing Waste							
Other							
Total							

a. Explain all inventory adjustments. _____

b. List any period in which one or more category of inventory exceeded the permitted maximum for that category. How was that condition relieved? _____

For any excess inventory at the end of the quarter, state how and when this condition will be relieved. Attach additional sheets, if necessary. _____

9. Certification:

To the best of my knowledge and belief, I certify the information provided in this report is true, accurate and complete.

Name of Authorized Agent

Signature of Authorized Agent

Date

Mail complete form to
the appropriate district office

Northwest District
160 Governmental Center
Pensacola, FL 32501-5794
904-444-8360

Northeast District
7225 Baymeadows Way, Ste. B200
Jacksonville, FL 32256-7590
904-448-4300

Central District
3319 Maguire Blvd., Ste. 232
Orlando, FL 32803-3767
407-894-7555

Southwest District
3804 Coconut Palm Dr.
Tampa, FL 33619
813-744-6100

South District
2295 Victoria Ave., Ste. 364
Fort Myers, FL 33901-3881
941-332-6975

Southeast District
400 North Congress Ave.
West Palm Beach, FL 33401
561-681-6600

— EXHIBIT A —

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mrs. Susan K. Wilson, President
Florida Tire Recycling, Inc.
9675 Range Line Road
Port St. Lucie, FL 34987

4a. Article Number

P109 457 655

4b. Service Type

- | | |
|---|---|
| <input type="checkbox"/> Registered | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail | <input type="checkbox"/> Insured |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD |

7. Date of Delivery

6-2-94

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.