



Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

April 11, 2012

NOTICE OF PERMIT

By-Email
dmulberger@cfl.rr.com

In the matter of an
Application for Permit
By:

Mr. Dennis Mulberger
Consolidated Tire Processing, LLC
3665 Darby Road
New Smyrna Beach, FL 32168

OCD-SW-12-154

Volusia County - SW WACS # 100465
Consolidated Tire - Waste Tire Processing Facility
DEP File No. WT64-0310464-001

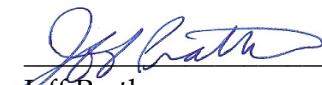
Dear Mr. Mulberger:

Enclosed is Permit Number WT64-0310464-001 to construct and operate the Consolidated Tire Processing Facility, issued under Sections 403.061(14) and 403.707, of the Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit under section 120.68 of the Florida Statutes, by the filing of a Notice of Appeal under rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 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 thirty days after this notice is filed with the Clerk of the Department.

Executed in Orlando, Florida.

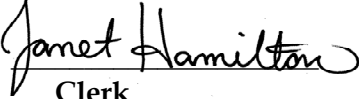
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jeff Prather
Director, Central District

FILING AND ACKNOWLEDGMENT

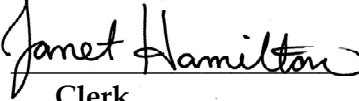
FILED, April 11, 2012 pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

April 11, 2012
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were sent before the close of business on April 11, 2011 to the listed persons.


Clerk

JP/kr

Enclosures
Permit No. WT64-0310464-001

Copies furnished to:

Richard Tedder, P.E. - DEP - Tallahassee, Richard.Tedder@dep.state.fl.us

Steve W. Monroe, P.E., ME Construction Inc., stevem@meconstruction.com

FDEP Solid Waste Financial Coordinator, solid.waste.financial.coordinator@dep.state.fl.us



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Permit Issued to:

Consolidated Tire Processing, LLC
Located at: 3100 S. Ridgewood Unit 190
South Daytona, Florida, Volusia County
Telephone No. (386) 212-2048
Facility ID No.: WACS ID # 100465

Authorized Representative: Mr. Dennis Mulberger
Title: General Managing Director
3665 Darby Road
New Smyrna Beach, Florida 32168

**Solid Waste Operation Permit - Consolidated Tire Processing
Waste Tire Processing Facility
Permit No. WT64-0310464-001**

Permit Issued: 4/11/2012
Permit Renewal Application Due Date: 01/07/2017
Permit Expires: 03/09/2017

Permitting Authority
Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
Telephone No. (407) 897-4304

PERMITTEE NAME: Mr. Dennis Mulberger
FACILITY NAME: Consolidated Tire Processing, LLC

PERMIT NO.: WT64-0310464-001
WACS Facility ID: 100465

PERMITTEE:
Consolidated Tire Processing, LLC
Attention: Mr. Dennis Mulberger

WACS Facility: 100465
Permit No.: WT64-0310464-001
Expiration Date: 03/09/2017

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

- To construct and operate a waste tire processing facility. Processing involves the bailing of whole waste tires.
- To process waste tires by compacting and baling tires. Baled tires will be shipped overseas for the use in manufacturing of plastic items.
- All storage and operations are performed indoors.
- On-site waste tire storage capacity is 7,000 tires including waste tires, baled tires and used tires for resale.

LOCATION: The facility is located at 3100 S. Ridgewood Unit 190, South Daytona, in Section 33, Township 33, Range 15, in Volusia County, Florida.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are “permit conditions” and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.) The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither 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 is not 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 this 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, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; 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 properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup and auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when 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 and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of this permit;

- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

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 for revocation of this permit.

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 involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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 Rule 62-4.120 and 62-730.300, Florida Administrative Code (F.A.C.), 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 or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following:

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- (b) The permittee shall hold 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 information) required

by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained 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:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

14. 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 the 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 corrected promptly.

SPECIFIC CONDITIONS:

1. Plans and Specifications: Drawings, plans, documents and specifications submitted by the permittee, not attached hereto but on file at the Central District office, are made a part of this permit. The documents are listed in Appendix A.
2. Document Requirements: A copy of the permit, with a complete copy of the permit application and engineering drawings, shall be kept on file at the facility for inspection and review upon request.
3. Other Permits: This permit does not relieve the permittee from complying with any other appropriate stormwater, Environmental Resource Permitting, Air permitting (e.g., Title V or NSPS) or other permit requirements.
4. Signs: Signs shall be posted at the entrance to the site stating operating hours, cost of disposal and site rules, Rule 62-711.540(1)(a), F.A.C.
5. Site Access: Access to the site shall be restricted by an effective barrier designed to prevent unauthorized entry and dumping, Rule 62-711.540(3)(d), F.A.C.
6. Operations Involving Use of Open Flames: No operations involving the use of open flames shall be conducted within 25 feet of a waste tire pile, Rule 62-711.540(1)(b), F.A.C.
7. Safety Devices: Safety devices shall be provided on equipment to shield and protect the operators from potential hazards during operation.
8. Equipment Breakdown: In the event of equipment malfunction, destruction, breakdown or other problems resulting in the permittee being temporarily unable to comply with any of the conditions of this permit, the permittee shall immediately notify the Department. The notification shall address the cause of the problem, corrective action, and what steps are being taken to prevent a recurrence, as required by Rule 62-4.130, F.A.C.
9. Emergency Situations: The operator of the site shall immediately notify the Department in the event of a fire or other emergency which poses an unanticipated threat to the public health or the environment. Within two weeks of any emergency involving potential off-site impact, the operator of the site shall submit to the Department, a written report on the emergency. This report shall describe the origins of the emergency, the actions that were taken to deal with the emergency, the results of the actions that were taken, and an analysis of the success or failure of the actions, Rule 62-711.540(1)(f), F.A.C.
10. Improper Operations: When the Department, after investigation, has good reason (such as complaints, questionable maintenance of equipment, improper operations, etc.) to believe that any applicable standard contained in Chapter 62-701, F.A.C., Chapter 62-711, F.A.C or in this permit is being violated, it may require the owner or operator of the source to identify the nature of the problem and to submit a report to the Department, in writing,

describing the results of the investigation and corrective action taken to prevent its recurrence.

11. Storage Requirements: All waste tires will be stored indoors and shall meet the fire department's standards along with the provisions cited in Rule 62-540, F.A.C.
12. Maximum Storage: The maximum storage at the facility for whole waste tires, processed baled tires, and used tires for re-sale shall be 7,000 tires in accordance with Rule 62-711.530(2), F.A.C.
13. Processing Requirements: At least 75% of the whole tires, used tires, and processed baled tires that are delivered to or are contained on the site at the beginning of each calendar year must be processed and removed for disposal or recycling from the facility during the year, or disposed of in a permitted solid waste management facility Rule 62-711.530(3), F.A.C.
14. Quarterly Reports: Owners or operators of waste tire processing facilities shall submit quarterly reports to the Department that summarize the information collected under Rule 62-711.530(4), F.A.C. The reports shall be submitted on DEP Form 62-701.900(21), on the 20th of the month following the close of each calendar quarter to the Department of Environmental Protection, Central District - Solid Waste Section, 3319 Maguire Blvd., Ste 232, Orlando, Florida 32803, with a copy to the Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399, Rule 62-711.530(5), F.A.C.
15. Operation Permit Renewal: An operation permit renewal application must be submitted at least 61 days prior to the expiration date of this permit, Rule 62-4.090, F.A.C.
16. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the operation authorized by this permit.
17. Financial Assurance Mechanism: The permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance. Support documentation and evidence of financial assurance increases shall be submitted within the time frames specified in Rule 62.711.500(3), F.A.C. and 40CFR Part 264.143. All submittal in response to this specific condition shall be sent to:

FDEP Financial Coordinator, Solid Waste Section
2600 Blair Stone Road, MS-4565
Tallahassee, Florida 32399-2400
18. Annual Closing Cost Estimate Adjustment: The permittee shall annually adjust the closing cost estimate in accordance with Rule 62-711.500(3), F.A.C. The owner or operator shall submit the annual cost estimate at least 60 days prior to the anniversary date of their financial assurance mechanism. All submittals in response to this specific condition shall be sent to:

PERMITTEE NAME: Mr. Dennis Mulberger
FACILITY NAME: Consolidated Tire Processing, LLC

PERMIT NO.: WT64-0310464-001
WACS Facility ID: 100465


FDEP, Central District - Solid Waste Section
3319 Maguire Blvd., Ste 232
Orlando, Florida 32803

with a copy to:

FDEP Financial Coordinator, Solid Waste Section
2600 Blair Stone Road, MS-4565
Tallahassee, Florida 32399-2400

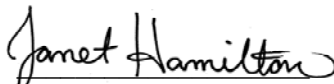
Enclosure:
Appendix A: List of Documents Incorporated into Permit

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Jeff Prather
Director, Central District

FILING AND ACKNOWLEDGMENT

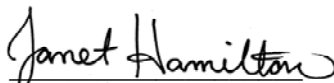
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Clerk

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Date

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Clerk

Appendix A

List of Documents Incorporated into Permit

1. Application for a Permit to Construct, Operate, Modify or Close a Solid Waste Management Facility, Permit Renewal Application, Golden Gem Road Class III Landfill, dated December 18, 2009. Received and stamped December 21, 2009, DEP - Central District.
2. First Request for Additional Information from DEP - Central District dated January 12, 2010.
3. Response to FDEP First Request for Additional Information from Orange County Environmental, LLC, dated March 10, 2010. Received and stamped March 12, 2010, DEP - Central District.
4. Second Request for Additional Information from DEP - Central District dated April 8, 2010.
5. Response to FDEP Second Request for Additional Information from Orange County Environmental, LLC, dated May 7, 2010. Received and stamped May 7, 2010, DEP - Central District.
6. Third Request for Additional Information from DEP - Central District dated May 25, 2010.
7. Response to FDEP Third Request for Additional Information from Orange County Environmental, LLC, dated June 7, 2010. Received and stamped June 9, 2010, DEP - Central District.
8. Permit Application Completion Letter from DEP - Central District dated March 7, 2011.