



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan Matthews
Interim Secretary

January 27, 2017

Mr Dennis Mulberger, General Managing Director
Consolidated Tire Processing, LLC
3100 S. Ridgewood Unit 190
South Daytona, Florida 32119
E-Mail: consolidatedtire@aol.com

Volusia County – SW WACS # 100465
Consolidated Tire Processing, LLC
Solid Waste Operation Permit – Waste Tire Processing Facility
DEP File No. 0310464-002-WT


Dear Mr. Mulberger,

Enclosed is the renewal of the Waste Tire Processing Facility Permit to operate the Consolidated Tire Processing, LLC Facility. It is 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


F. Thomas Lubozynski, P.E.
Environmental Administrator
Permitting and WCU
Waste, Air, & Stormwater Permitting

Enclosures:

1. Permit No. 0310464-002-WT

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

January 27, 2017
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 January 27, 2017 to the listed persons.


Clerk

cc:

Brian Pohl, P.E., Universal Engineering Sciences., bpohl@UniversalEngineering.com
Cory Dilmore, P.E. – FDEP Tallahassee, cory.dilmore@dep.state.fl.us
FDEP Central District: Tom Lubozynski, Stephen Amirault, Sirena Davila,
Gloria-Jean DePradine



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Permit Issued to:

Consolidated Tire Processing, LLC
3100 S. Ridgewood Unit 190
South Daytona, Florida, Volusia County
Telephone No. (386) 212-2048

Facility WACS ID No.: 100465
Consolidated Tire Processing, LLC
3100 S. Ridgewood Unit 190
South Daytona, Florida, Volusia County

Contact Person:

Dennis Mulberger, General Managing Director
consolidatedtire@aol.com

Solid Waste Operation Permit – Waste Tire Processing Facility

Permit No.: 0310464-002-WT
Replaces Permit No.: WT64-0310464-001

Permit Issued: January 27, 2017
Permit Effective Date: 3/9/2017 (expiration date of WT64—0310464-001)
Permit Renewal Application Due Date: 1/7/2022
Permit Expires: 03/09/2022

Permitting Authority

Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
Telephone No. (407) 897-4304
DEP_CD@dep.state.fl.us

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The permittee is hereby authorized to operate a waste tire processing facility in accordance with the specific and general conditions of this permit and any documents attached to this permit or specifically referenced in this permit and made a part of this permit.

This waste tire processing facility operation permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4, 62-701, and 62-711.

This permit does not relieve the permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permit from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other sections within the Department or of the Water Management District.

B. Facility Location

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

C. Facility Description

The above-named permittee is hereby authorized for the following operations:

- To operate a waste tire processing facility. Processing involves the storage and baling of whole waste tires.
- All storage and operations are performed indoors.
- On-site waste tire storage capacity is 10,000 tires. This includes whole waste tires, baled tires, and used tires for resale.

D. Appendices Made Part of This Permit

APPENDIX 1 - General Conditions

APPENDIX 2 – List of Documents Incorporated into this Permit

E. Attachments for Informational Purposes Only

ATTACHMENT 1 - Facility Permit History

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application as contained in the Department's files is made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation or monitoring requirements of this permit may require a modification to this permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.

3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified in writing within 30 days: (1) of any sale or conveyance of the facility; (2) if a new or different person takes ownership or control of the facility; or (3) if the facility name is changed.

B. Construction Requirements

1. General Construction Requirements. This Permit does not authorize any construction activities. The Department shall be notified before any construction or changes, other than minor deviations, to the approved Site Plan are implemented in order to determine whether a permit modification is required.

C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the facility in accordance with the pages 8 thru 11 of Appendix 2, Reference 3 and Rules 62-711.530 and 62-711.540, F.A.C. The Department shall be notified before any changes, other than minor deviations, to that information in order to determine whether a permit modification is required.
2. Authorized Waste and Material Types. The facility is authorized to manage only the following:
 - a) Whole waste tires as defined in Rule 62-701.200, F.A.C.
3. Unauthorized Waste Types. The facility is not authorized to accept or manage any waste types not listed in C.2. above. Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan.
4. Maximum Storage Quantities. The maximum storage at the facility for whole waste tires, baled tires, and used tires for resale is 10,000 tires (100 tons).
5. Facility Capacity. If the facility has reached its permitted capacity for storage of waste tires, the permittee shall not accept additional waste tires until sufficient capacity has been restored.
6. Storage and Management. All waste tires will be stored indoors and shall meet the fire department's standards along with the applicable storage requirements cited in Rule 62-711.540, F.A.C.
7. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan (that is, emergency preparedness manual). The approved plan is Appendix 2, Reference 2. Notification shall be made to DEP's Central District Office at (407) 897-4100. The Contingency Plan must be updated annually. [Rule 62-711.540(1)(e), F.A.C.]
8. 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 in accordance with 62-711.540(1)f. Within two weeks of any emergency,

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.

9. 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.
10. Processing Requirements. At least 75% of the whole tires and used 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 in a permitted solid waste management facility, Rule 62-711.530(3), F.A.C.
11. 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), not later than the 20th of the month following the close of each calendar quarter to the Department of Environmental Protection, Central District, 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. The submittal to the Central District can be electronic. The e-mail address is DEP_CD@dep.state.fl.us.
12. Fire Safety Survey. A fire safety survey shall be conducted at least annually by the local fire protection authorities, Rule 62-711.540(1)(d), F.A.C. The survey report shall be made part of the next quarterly report in Specific Condition Section **2.C.11** above.

D. Water Quality Monitoring Requirements

There are no water quality monitoring requirements for this facility.

E. Gas Management System Requirements

There are no gas management requirements for this facility.

F. Closure Requirements

1. At least 30 days prior to receiving the final waste tire shipment, the owner or operator shall notify the Department in writing prior to ceasing operations, and shall specify a closing date. No additional waste tires shall be received by the facility after the closing date.
2. Within 30 days after receiving the final waste tire shipment, the owner or operator shall remove or otherwise dispose of all waste tires in accordance with the approved closure plan.
3. The owner or operator shall certify in writing to the Department when closure is complete.

G. Financial Assurance and Cost Estimates

1. Financial Assurance Mechanism. The permittee shall maintain, in good standing, the financial assurance mechanism 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. All submittals in response to this specific condition shall be sent to:

Solid.waste.financial.coordinator@dep.state.fl.us


Or:

Florida Department of Environmental Protection
Financial Coordinator - Solid Waste Section
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

2. Cost Estimates. 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. In this case, the annual cost estimate is due by October 8th of each year (original financial assurance bond was submitted on December 8, 2016).

Executed in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


F. Thomas Lubozynski, P.E.
Environmental Administrator
Permitting and WCU
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FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to Section 120.52, F.S. with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

January 27, 2017
Date

APPENDIX 1

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, 403.161, 403.727, or 403.861, Florida Statutes. 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 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, are required by Department rules. This provision includes the operation of backup or 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 the 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.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 this permit, the permittee shall immediately provide the Department with the following information:

General Conditions

Page 2 of 2

- (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 Sections 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 or a copy thereof shall be kept at the work site of the permitted activity.
12. 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 instrumentation) 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.
13. 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.

APPENDIX 2

List of Documents Incorporated into this Permit

Documents Generated for this Permit Application:

1. Application for a Waste Tire Processing Facility, Consolidated Tire Processing, LLC, dated December, 14, 2016. Received and stamped December 20, 2016, DEP – Central District.
2. Response to Request for Additional Information, dated January 20, 2017, from Consolidated Tire Processing, LLC. Received and stamped January 20, 2017, DEP – Central District.

Historical Documents That Are Included in This Permit

3. Application for a Waste Tire Processing Facility, consolidated Tire Processing, LLC dated February 27, 2012. Received and stamped February 27, 2012, DEP – Central District
4. Site Plan for the Consolidated Tire Processing Facility, dated February 27, 2012. Prepared by Mid-Florida Engineering Consultants. Received and stamped February 27, 2012, DEP – Central District.

Permit History Log

Facility: Consolidated Tire Processing, LLC Waste Tire Processing Facility

Permittee: Consolidated Tire Processing, LLC

WACS #: 100465

County: Volusia

Site ID #: 0310464

Permit Type	Project Number	Permit Sub-Type	Facility Type	Issued Date	Expiration Date	Comments
SO	001	Initial Operation	Waste Tire Processing Facility	4/11/2011	03/09/2017	Application received 02/27/2012. Approval of initial operations of a Waste Tire Processing facility. Permit authorized on-site waste tire storage capacity of 7,000 tires
SO	002	Operation Permit Renewal	Waste Tire Processing Facility	TBD, 2017	03/09/2022	Application received 12/20/2016. In addition to renewing the permit, they requested a modification to increase on-site waste tire storage capacity to 10,000 tires..

Entrance – Latitude is: 29° 09' 8.37" North; and, Longitude is: 80° 59' 48.56" West