



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Mr. Vincent Contestabile
Empire Tire of Edgewater, LLC
4888 West Colonial Drive
Orlando, FL 32808

OCD-SW-08-0287

Orange County – SW
Empire Tire
Waste Tire Processing Facility
Permit Application WT48-0287891-001
Second Request For Additional Information

Dear Mr. Contestabile:

The additional information dated June 23, 2008 and July 10, 2008, and received on July 1, 2008 and July 14, 2008 respectively, was reviewed. The items listed on the attached page remain incomplete. Evaluation of your application will continue to be delayed until all the requested information has been received.

Pursuant to Section 120.60(2), Florida Statutes, the Department may deny an application, if the applicant, after receiving timely notice, fails to correct errors and omissions, or supply additional information within a reasonable period of time. Accordingly, please provide the additional information within 30 days of the date you receive this letter. Submit three copies of the requested information to the Department and reference the above permit application number in your correspondence.

If you have any questions, please contact me at 407-893-3328.

Sincerely,

F. Thomas Lubozynski, P.E.
Waste Program Administrator

Date: July 18, 2008

FTL/gc/ew

Enclosure

cc: Luke Miorelli, P.E. – Consulting Engineers/M.E. Construction, Inc.,
7607 Coral Drive, West Melbourne, FL 32904

The Item Numbers are the same as in Florida Department of Environmental Protection Request For Additional Information letter OCD-SW-08-0205, dated May 5, 2008.

4. Provide information on how the owner or operator will control mosquitoes and rodents, Rule 62-711.540(1)(j), F.A.C. This item remains incomplete based on your response dated June 23, 2008.

5. On Page 3 of 4, DEP Form 62-701.900(23), for Part III-B, include in the required emergency preparedness manual:

- Within 24 hours, the Florida Department of Environmental Protection (FDEP), Central District, shall be notified of any fire or other emergency which poses an unanticipated threat to the public health or the environment. The notification can be by telephone 407-893-3328 during business hours and 407-894-7555 after business hours or e-mail Gloria.depratine@floridadep.net . 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.
- A description of the procedures to be followed in the event of a fire, including procedures to contain and dispose of the oily materials generated by the combustion of large number of waste tires, Rule 62-711.540(1)(j), F.A.C.

This item remains incomplete based on your response dated June 23, 2008.

6. The closure cost estimate dated July 10, 2008 and received on July 14, 2008, was dated and signed but not sealed by a professional engineer licensed in Florida. Submit a closing cost estimate for the facility, in accordance with Rule 62-711.500(3), signed and sealed by a professional engineer, licensed in Florida. The closing cost estimate must include the tires destined for the re-sale in addition to the tires destined for processing. The costs shall be based on a third party, who is not a subsidiary or a parent company, performing the work on a per unit basis.

7. Before the application can be deemed complete, a financial mechanism must be funded in the amount specified in the approved cost estimate and accepted by the Department's Financial Coordinator before this application can be deemed complete. Financial responsibility arrangements for the facility, Rule 62-711.500(3), F.A.C. for the approved amounts are to be made with the Financial Coordinator, Solid Waste Section, MS-4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and a copy of the approval letter submitted to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.