



June 4, 2019

Regulatory and Economic Resources  
Environmental Resources Management  
701 NW 1st Court • 7th Floor  
Miami, Florida 33136-3912  
T 305-372-6600 F 305-372-6893

miamidade.gov

Attn: Alfredo Revati, Manager  
American Tire Recycling Group, LLC  
3551 NW 116<sup>th</sup> Street  
Miami, FL 33167

CERTIFIED MAIL NO. 7017 2400 0000 7832 9842  
RETURN RECEIPT REQUESTED

Re: Pending response to the Request for Additional Information #2 letter dated November 21, 2016 pertinent to a FDEP Waste Tire Processing Facility permit modification application submitted by American Tire Recycling Group, LLC for the facility located at, near or in the vicinity of 3551 NW 116 Street, Miami, Miami-Dade County, Florida.  
FDEP Project No. 303329-004-WT / FDEP WACS No. 99254; DERM No. SW-1731.

Dear Mr. Revati:


A review of the Department of Regulatory and Economic Resources (RER) records concerning the above referenced facility and permit application indicates that more than ninety (90) days have passed since the Request for Additional Information #2 (RAI #2) letter dated November 21, 2016 (copy attached) was delivered to the applicant of record, American Tire Recycling Group, LLC (ATRG). Reference is also made to an email communication issued by the Florida Department of Environmental Protection (FDEP) Solid Waste Program Administrator, Mr. Cory Dilmore, P.E., on November 27, 2018 (copy attached) which included a determination regarding the applicability of the financial assurance requirements stipulated in Chapter 62-711, Florida Administrative Code (F.A.C.), to processed waste tire material generated at the ATRG facility. Said email also requested ATRG to work with RER to address all outstanding permitting issues associated to the permit modification application and the financial assurance requirements applicable to the operation in accordance with Chapter 62-711, F.A.C. To date, ATRG has failed to provide a response to the RAI #2 letter which is required to complete the permit modification process and to provide the necessary information (e.g., updated closure cost estimate, updated financial assurance mechanism, etc.) to demonstrate compliance with all pertinent provisions of Chapter 62-711, F.A.C. as discussed in Mr. Dilmore's email communication.

Be advised that Rule 62-4.055, F.A.C. states in part that the applicant "shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department". At this time, RER will grant the applicant one last opportunity to provide a complete response that satisfactorily address the comments outlined in the RAI #2 letter. A complete response to the RAI #2 letter shall be submitted to RER **on or before July 19, 2019**. Failure to provide a timely and complete response shall result in RER proceeding with the denial of the permit application in accordance with the provisions of Rule 62-701.320(9)(a)4, F.A.C., Chapter 62-711, F.A.C. and Chapter 62-4, F.A.C.

Be advised that the establishment of adequate financial assurance is a requirement of Chapter 62-711, F.A.C. that is also incorporated by reference in specific conditions #18 and #19 of ATRG's FDEP permit 303329-003-WT as well as condition #2 of ATRG's RER permit no. SW-1731 (local permit). Note that closure cost estimate and financial assurance requirements are also addressed in comment #3 of the RAI #2 letter. Furthermore, Mr. Dilmore's email references the need to coordinate with RER concerning the placement of limitations on the storage on those specific types of processed waste tire materials (i.e, dyed and bagged mulch material only) that may be conditionally excluded from the financial assurance requirements. Failure to provide a revised closure cost estimate accordance with RER and FDEP requirements within the above referenced timeframe and to establish adequate financial assurance shall result in the initiation of enforcement action by RER.

If you have any questions regarding the above, please contact the undersigned or Bruce Coward, P.E. with the RER Environmental Permitting Section at (305)372-6600 or via email at johnny.vega@miamidade.gov. and bruce.coward@miamidade.gov.

Sincerely,

  
Johnny Vega, P.E., Manager  
Environmental Permitting Section  
Pollution Regulation Division

Enclosures: Copy of RAI #2 letter dated 11/26/16 and Copy of FDEP email dated 11/27/18

ec: Patti Emad, Johnny Vega, P.E., Bruce Coward, P.E., Keith McIntosh, Danielle Jimenez, Alejandro Vergara – DERM  
Alfredo Revati – ATRG (via e-mail: areviati@gmail.com & areviati@atrg1.com)  
Ana Ruiz – ATRG (via e-mail: aruiz@atrg1.com)

## Vega, Johnny (RER)

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**From:** Dilmore, Cory <Cory.Dilmore@dep.state.fl.us>  
**Sent:** Tuesday, November 27, 2018 4:52 PM  
**To:** ricardo.fraxedas@woodplc.com  
**Cc:** aruiz@atrg1.com; areviati@atrg1.com; ashok.aitharaju@woodplc.com; Vega, Johnny (RER)  
**Subject:** RE: Petition for Waiver, Status of Response to Request for Additional Information

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message [reportspam@miamidade.gov](mailto:reportspam@miamidade.gov) **Enterprise Security Office**

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Rick,

The Department has evaluated the applicable financial assurance required under the waste tire processing permit for American Tire Recycling Group, LLC (ATRG). This message is intended to provide the outcome of that evaluation. The Department understands that ATRG and Rubber 2 Go, LLC, are located on the same property, that ATRG processes the waste tires into chips, and that Rubber 2 Go, LLC, performs additional processing steps on the tire chips to obtain a colored mulch material. ATRG is regulated as a waste tire processing facility. The description of operation you provided suggests that Rubber 2 Go, LLC, is also a waste tire processing facility subject to the permitting requirements of the Chapter 62-711, Florida Administrative Code (F.A.C.). In lieu of obtaining two permits this activity may be included under the ATRG permit, provided adequate financial assurance is provided.

Rule 62-711.300 F.A.C. provides under subparagraph 62-711(10) (e), F.A.C. the following:

“(e) Facilities which cut, shred, or otherwise alter whole waste tires, or accept processed tires for further processing, are considered waste tire processing facilities, and the processed tires produced will be considered waste tires, even if the resulting processed tire material meets the above specifications for nominal one-inch chips or crumb rubber. Facilities that receive, consume, or process whole waste tires or processed tires other than these specified types and sizes will continue to be regulated as waste tire processing facilities.”

Even if Rubber 2 Go, LLC, purchases the tire chips, they are accepting processed tires for further processing. You also stated that, ATRG sells non-mulch material (Tire Derived Fuel or TDF) to clients that use the material for fuel. This material, regardless of its identification as a TDF, is still a regulated under the waste tire rule and must be managed in accordance with the permit until it is transferred to the end user. An end user, such as Titan, would be exempt from obtaining a waste tire processing facility permit if it receives and consumes the processed tires meeting the specifications provided in Rule 62-711, F.A.C.

The Department will consider processed tire chips which have been dyed and bagged for sale as a product and therefore not subject to financial assurance requirements. However, limits need to be applied to stored, bagged, material present onsite.

For determining required financial assurance, ATRG is subject to the aggregate of whole waste tires, processed waste tires, and residuals (at ATRG and Rubber 2 Go, LLC). Detailed description is provided under Rule 62-711.530, F.A.C.

It is my understanding there are outstanding permit issues regarding the ATRG facility (permit application/review 0303329-003-WT). Please work with Miami Dade DERM directly to address these issues moving forward, to assure

appropriate conditions are applied to your operation. If you require any additional clarifications, I would be glad to meet with you and DERM to discuss.

Thanks,

**Cory D. Dilmore, P.E.**  
Environmental Administrator  
FDEP Permitting and Compliance  
Assistance Program  
2600 Blair Stone Road, MS 4565  
Tallahassee, FL 32399  
850-245-8712  
[cory.dilmore@dep.state.fl.us](mailto:cory.dilmore@dep.state.fl.us)







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**Regulatory and Economic Resources**

Environmental Resources Management

701 NW 1st Court • 7th Floor

Miami, Florida 33136-3912

T 305-372-6600 F 305-372-6893

November 21, 2016

Alfredo Reviati, President  
American Tire Recycling Group, LLC  
3551 NW 116th Street  
Miami, FL 33167

CERTIFIED MAIL NO. 7014 1200 0002 0823 1739  
RETURN RECEIPT REQUESTED

Re: Response dated October 24, 2016 to the Request for Additional Information No.1 (RAI#1) dated September 16, 2016 pertinent to a Waste Tire Processing Facility Permit Modification Application for the American Tire Recycling Group, LLC facility located at, near, or in the vicinity of 3551 NW 116<sup>th</sup> Street, Miami, Miami-Dade County, Florida; FDEP Project No. 0303329-003-WT / WACS No. 99254 / DERM File No. SW-1731.

Dear Mr. Reviati:

The Environmental Permitting Section (EPS) of the Department of Regulatory and Economic Resources (RER)-Division of Environmental Resources Management (DERM), under delegation by the Florida Department of Environmental Protection (hereafter jointly referred to as the Department), hereby acknowledges receipt of the referenced response via e-mail on October 24, 2016 and associated revision on November 3, 2016. Please see the item checked below for the status of your application.

- ☐ This letter constitutes notice that a permit will be required for your project pursuant to Chapter(s), Florida Statutes.
- ☐ Your application for permit is complete as of xx-xx-xxxx and processing has begun. You are advised that the Department under Chapter 120, Florida Statutes, must take final action on your application within ninety (90) days unless the time is tolled by administrative hearing.
- ☒ Your application for permit remains incomplete. Please provide the information requested on the attached sheet within forty-five (45) days of receipt of this letter. Evaluation of your proposed project will be delayed until all requested information has been received.
- ☐ The submittal to the referenced RAI was reviewed and deemed incomplete. Therefore, the additional information requested in the (attached) shall be submitted within forty five (45) days from the date of this letter. Further evaluation of the permit modification will be delayed until the outstanding RAI items have been addressed.
- ☐ At this time, no permit is required for your project by the Solid Waste Section. Any modifications in your plans should be submitted for review, as changes may result in permits being required. This letter does not relieve you from the need to obtain any other permits (local, state or federal) that may be required.

If you have any questions regarding the above, please contact Susana Palomino, P.E. or Johnny Vega, P.E. with the DERM Environmental Permitting Section at telephone number (305)372-6600 or via email respectively at paloms@miamidade.gov and vegajo@miamidade.gov.

Sincerely,

Rashid Z. Istambouli P.E., Chief  
Pollution Regulation Division

cc: Patti Emad, Johnny Vega, P.E., Susana Palomino, P.E. – DERM  
Alfredo Reviati – American Tire Recycling Group, LLC (via e-mail: areviati@gmail.com)  
Ricardo Fraxedas, P.E. – Amec Foster Wheeler (via e-mail: ricardo.fraxedas@amecfw.com)

DERM File No. SW-1731

**WASTE TIRE PROCESSING FACILITY PERMIT APPLICATION  
REQUEST FOR ADDITIONAL INFORMATION No.1 (RAI #1)**

In order to complete the review of the referenced application pursuant to Section 403.087(4), Florida Statutes (FS), Chapter 62-701 and 62-711, Florida Administrative Code (F.A.C.), please address the following Request for Additional Information (RAI) comments noted below. Note that said comments follow the sequence of the items outlined in the FDEP Waste Tire Processing Facility Permit Application form #62-701.900(23).

1. Although the department acknowledges the information contained in the referenced response, it has been determined that additional information/clarification is necessary to address the following concerns pertaining to the proposal:

The proposed modification seeks an increase of approximately 133 % in the facility's daily processing throughput. The information received to date claims that the facility's quantity of waste tires will not be affected by the increase, although no specific analysis or supporting information was included to substantiate the same. Based on this information, the following additional comments shall be addressed by the applicant:

- (a) The department is of the opinion that an increase in the processing volume of tires to a level equivalent to 28,000 tires/day (based on equipment throughput of 1800 tires/hr or 20 tons/hr during a 16 hr work day) is expected to result in an increase in the quantity of waste tires (whole waste tires and processed waste tires) to be handled/stored at the facility at any time. Since the requested modification implies that the facility may manage up to 28,000 waste tires on a given day, it is possible that the maximum storage quantity of waste tires subject to financial assurance requirements may have to be re-established for such a figure. The maximum quantity is dependent on operational conditions (e.g., quantity of whole waste tires received/stored, removal/shipment of processed waste tires off-site during working hours, operational efficiency, downtimes, etc), capacity limitations and adherence to waste tire storage requirements as addressed in items (b) and (c) below, as well as any other factor affecting the storage capacity of the site. In order to properly assess the applicant's claim, please provide an evaluation of the site's waste tire storage needs that considers the aforementioned factors.
  - (b) Pursuant to item (a) above, indicate the maximum volumetric capacity of each area designated for the storage/staging of whole and processed waste tires. Refer to the attached site plan provided with the original permit application that outlines the extents and locations of all such areas of the facility. In the event that the configuration or uses of the areas have changed, an updated site plan shall be provided along with the volumetric capacities. The use of outdoor storage areas (in trailers, storage containers, etc) shall not be assumed/included in the calculations.
  - (c) Pursuant to item (b) above, provide calculations demonstrating the maximum quantity of waste tires (whole and processed) that each of the facility's storage/staging areas can accommodate. This demonstration shall be compliant with the storage requirements of Rule 62-711.540, F.A.C. and also consider material circulation and accessibility needs at the site. The response shall also take into account the passenger and truck tire tonnage conversion criteria included in the definition of the term "Quantity of Tires" captured in Rule 62-701.200, F.A.C. If both passenger and truck tires are accepted at the facility, quantity assumptions applicable to each type based on historical data and/or operational experience shall be included. Conversions of whole waste tire quantities to tons of material shall be shown for consistency since both whole and processed waste tires are present at the site.
2. In the process of formulating a response to comment #1 above, please clarify if the requested modification to process 28,000 tires/day remains feasible based on operational and physical factors/limitations. In the event of a change, please update all applicable information (e.g., permit application, process descriptions, operations plan, flow charts, etc) for consistency.
3. For increases in the maximum quantity of waste tires to be handled/stored at the site, the following shall be addressed:
  - (a) Provide a revised closure cost estimate that complies with the provisions of Rule 62-711.500(3), F.A.C. and that reflects the (updated) maximum quantity of waste tires (whole and processed) to be stored at the facility at any time. The permittee is not required to update the cost unit rate included in its most recent estimate recalculation as part of the response. In the event that a unit rate change is adopted, supporting information (e.g., third party estimates, etc) shall be included with the revised estimate.

- (b) Upon approval of a revised closure cost estimate inclusive of an increase in the facility's total closing cost, the permittee will be required to obtain the approval of the FDEP financial assurance coordinator for the establishment of a suitable financial instrument in accordance with the financial assurance requirements of Chapter 62-711, F.A.C. This shall be satisfied as a requirement for the completion of the permit modification process.

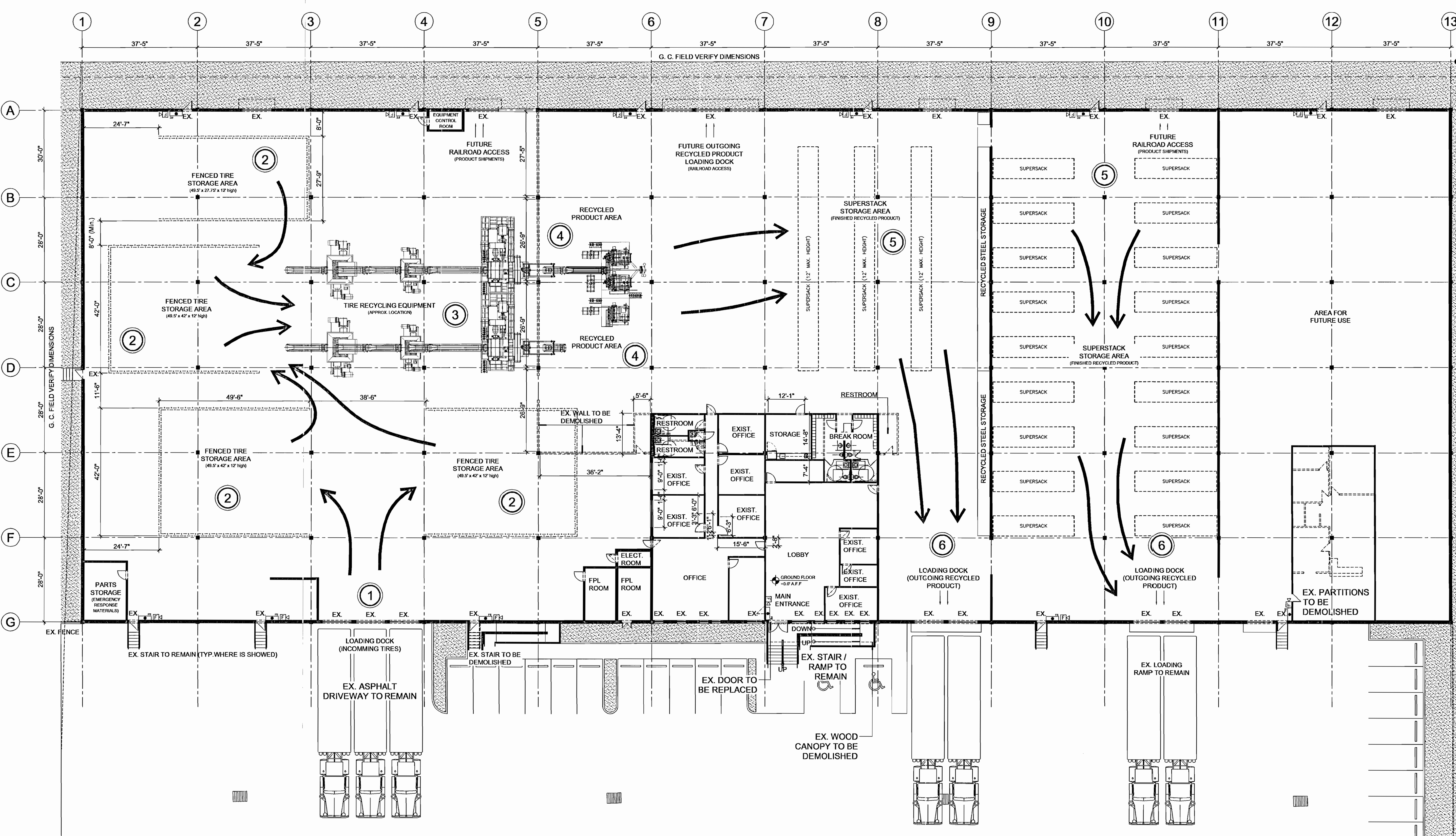
Additionally, be advised of the following:

- If necessary, a meeting may be scheduled with DERM to discuss the comments of this letter. Said meeting shall be requested within seven (7) days of receipt of this letter. Please contact the reviewer listed at the end of page #1 to make the appropriate arrangements.
- All application content, format, and sequence shall be in accordance with Rule 62-701.320(7), F.A.C.

**A minimum of two (2) original sets each of any plans, reports, and supporting information for the proposed construction, operation or closure of the facility shall be provided to RER.**

- **When responding to this Request for Additional information (RAI), if a response modifies a section of the documents, the respective section(s) should be updated accordingly. A revised, complete version of the documents that includes all revisions made in responding to this RAI should be attached. To enable the Department to view changes to the documents, all additions should be underlined (e.g., added) and all deletions should be struck through (e.g., ~~deleted~~). Additionally, the submittal should make a positive statement that all revisions have been tracked in the aforementioned way. By this method, the Department hopes to have one final version of the respective documents that includes all revisions made during this permitting process.**
- All revisions to the drawings shall be clearly indicated by clouding the affected area and placing an adjacent triangular flag circumscribing the appropriate revision number on the drawing. A brief description of the revision made shall also be noted in the revision block on the drawing.
- If your responses involve the practice of engineering or geology, as defined in Chapters 471 or 492, Florida Statutes respectively, please have that work signed and sealed by a professional engineer or professional geologist as appropriate.
- If the applicant intends to request the issuance of a permit with duration of more than five (5) years (i.e., 10 or 20 year permit) with the permit application, it shall be demonstrated that the facility is in compliance with the provisions of Rule 62-701.320(9)(d), F.A.C and the applicant shall clearly state said intent in writing. In the event that the issuance of a permit with duration exceeding five (5) years is authorized by rule, the applicant shall indicate how it intends to pay the permit fee as allowed under Rules 62-701.315(13) and (14), F.A.C.
- 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.





**FLOOR PLAN**  
SCALE: 1/16" = 1'-0"

- NOTES:**
- DRAWING IS ONLY USED TO DENOTE PROCESS FLOOR STORAGE AND EQUIPMENT AREAS. NOT TO BE USED AS CONSTRUCTION DRAWING.
  - PARTITIONS TO BE DEMOLISHED ARE NOT BEARING WALLS

**LEGEND:**

- DENOTES EXISTING 8"x8"x16" MASONRY UNITS TO REMAIN
- DENOTES EXISTING PARTITION TO REMAIN
- DENOTES WALL OR OBJECTS TO BE DEMOLISHED
- EXISTING WINDOW TO BE REMOVED
- EXISTING DOOR, WINDOW OR FIXTURE TO REMAIN
- EXISTING WINDOW TO BE REPLACED. CONTRACTOR TO VERIFY SIZE OPEN AND SIZE OF NEW WINDOW GIVEN IN WINDOW SCHEDULE PRIOR TO PURCHASING WINDOW AND COORDINATE EXISTING OPENINGS.
- FIRE EXTINGUISHER CABINET
- FIRE ALARM AUDIO / VISUAL DEVICE
- EXISTING DOOR AND FRAME TO BE REMOVED

**FLOOR PLAN UTILIZATION NOTES:**

- TIRES TO BE RECYCLED ARE UNLOADED HERE FOR STORAGE WITHIN THE FACILITY, PRIOR TO RECYCLING PROCESS.
- TIRES ARE STORED IN THESE FENCED AREAS.
- MAIN PROCESSING AND RECYCLING AREA FOR INCOMING TIRES.
- RESULTING RECYCLED PRODUCT IS OUTPUTTED HERE, FOR STORAGE IN SUPERSACKS.
- RECYCLED PRODUCT STORAGE AREA READY FOR SHIPPING.
- SHIPPING AREA FOR FINISHED RECYCLED AND PACKAGED PRODUCT.

**NOTE:**  
DRAWING CREATED FOR REFERENCE PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.

**REFERENCE:**  
SITE & DEMOLITION PLANS CREATED BY:  
**CRISTINA FANDIÑO AIA**  
ARCHITECT  
A.R. No. 0014682  
9281 S.W. 76 St. MIAMI FLORIDA 33173  
DATE: OCTOBER 2010 786.877.3179  
DRAWN BY: LL  
PROJECT MANAGER: C.F.

**PROFESSIONAL ENGINEER**  
SIGNATURE: (NOT VALID WITHOUT SIGNATURE & RAISED SEAL)  
DATE: 1/18/13  
NAME: RICARDO FRAVEDAS  
STATE: FLORIDA  
LICENSE No.: 43287  
EXP. DATE: 02/28/13

**MACTEC**  
MACTEC ENGINEERING & CONSULTING, INC.  
5845 N.W. 158th STREET  
MIAMI LAKES, FL 33014  
TEL: (305) 826-5588 / FAX: (305) 826-1799  
MACTEC PROJECT #: 6783-10-2164.01

**American Tire Recycling Group, LLC**

3551 NW 116th STREET  
MIAMI, FLORIDA 33167

**FIGURE 2**  
**FLOOR PLAN**

DRAWN BY: N.A.B.	DATE: 01/18/11
CHECKED BY:	SCALE: AS SHOWN