FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 7, 2020

NOTICE OF PERMIT MODIFICATION

By-Email
us27tires@gmail.com

In the Matter of an
Application for Permit by:
US 27 Tires, LLC
29612 US Highway 27
Lake Hamilton, FL 33838
_____/

Polk County
WACS # 101295
US 27 Tires

Attention: Mr. Ali Belfakir

DEP File No: 369009-002-WT/MM

Pursuant to Sections 403.061(14) and 403.707, Florida Statutes, the Department hereby issues modification number 369009-002-WT/MM. The following conditions of permit number 369009-001-WT/02 are modified as follows:

SPECIFIC CONDITIONS	FROM	TO	TYPE OF MODIFICATION
Cover Page	Existing	Amended	Included Permit Modification No.: 369009-002-WT/MM
2.C.1	Existing	Amended	Updated reference to facility Operation Plan
2.C.6	Existing	Amended	Updated reference to facility Site Plan
Appendix 2, Para. 2	-	New	Additional permitting documents referenced
Attachment 2	Existing	Amended	Replaced previous Site Plan

Attached is Permit Number 369009-001-WT/02 as modified by this Order. The attached permit replaces all previous permits and permit modifications for this facility.

A person whose substantial interests are affected by this modification of permit may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by other persons must be filed within fourteen days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

(a.) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
(b.) A statement of how and when each petitioner received notice of the Department's action or proposed action;
(c.) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
(d.) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;
(e.) A statement of the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
(f.) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
(g.) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case under the provisions of that statute. This does not prevent any interested parties from agreeing to other forms of alternate dispute resolution.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of

the Department in the 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 order is filed with the clerk of the Department. Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

for Steve Morgan
_____
Pamala Vazquez
Program Administrator
Permitting and Waste Cleanup Program
Southwest District Office

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.

Shonathuray Burie
_____ April 7, 2020
Clerk Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT MODIFICATION and all copies were sent before the close of business on April 7, 2020to the listed persons.

Shonathuray Burie
_____ April 7, 2020
Clerk Date

Enclosure: Permit No. 369009-001-WT/02

Copies furnished to:
Steve Morgan, DEP SWD Permitting, Steve.Morgan@FloridaDEP.gov
Emily Wargo, DEP SWD Permitting, Emily.Wargo@FloridaDEP.gov
SWD_Waste@FloridaDEP.gov

FLORIDA DEPARTMENT OF
Environmental Protection

Southwest District Office
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

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Secretary

Permit Issued to:

US 27 Tires, LLC
29612 US Highway 27
Lake Hamilton, Florida 33838
(863) 248-2911

Facility WACS ID No.: 101295

Facility Name:
US 27 Tires
29612 US Highway 27
Lake Hamilton, Polk County, Florida 33838

Contact Person:
Ali Belfakir
29620 US Highway 27
Lake Hamilton, FL 33838
us27tires@gmail.com
(863) 248-2911

Solid Waste Operation Permit – Waste Tire Processing Facility
Permit No.: 369009-001-WT/02
Permit Modification No.: 369009-002-WT/MM

Permit Issued: December 26, 2018
Permit Modification Issued: April 7, 2020
Application for Permit Extension Due Date: January 1, 2022
Permit Expires: January 31, 2022

Permitting Authority:

Florida Department of Environmental Protection
Southwest District Office
13051 N. Telecom Parkway Ste 101
Temple Terrace, Florida 33637
Phone: (813) 470-5700
Fax: (813) 470-5996

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

The permittee's lease with the facility property owner expires on January 31, 2022. Pursuant to the provisions of Rule 62-4.070, F.A.C., this permit is issued until January 31, 2022, with the option of extending the permit to the length of a renewed/extended lease but not to exceed 5 years from the date of permit issuance, in accordance with Specific Condition #2.A.4. below.

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 29612 US Highway 27, Lake Hamilton in Section 20, Township 28 South, and Range 27 East in Polk County, Florida (Latitude 28^{o} 2' 16.3608" and Longitude 81^{o} 38' 15.0936").

C. Facility Description

The above-named permittee is hereby authorized to operate a Waste Tire Processing facility where processing involves storage and sorting of whole waste tires. All storage and operations are performed indoors. Tires are stored, sold, balanced and mounted on the east side of the building while the west side is used primarily for storage. On-site waste tire storage capacity is 5,300 tires and includes whole waste 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 - Time Sensitive Action Chart
ATTACHMENT 2 - Site Plan

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application **as finally revised, replaced or amended** in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2 [APP-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. Limited Permit Duration and Extension Requirements. This permit is issued until January 31, 2022 but may be extended up to five years from the date of permit issuance provided the following information is submitted to the Department:

   a. No later than January 1, 2022, the permittee shall submit documentation of a renewed/extended lease issued to US 27 Tires, LLC for the property on which the facility is currently located.

   b. No later than January 1, 2022, the permittee shall submit a request for permit time extension and $50 application fee, signed by the permittee. The time extension request shall be for the length of the lease provided in accordance with Specific Condition #2.A.4.a. above, but shall not exceed 5 years from the date issuance of this permit.

5. 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. No construction is authorized at this facility. The Department shall be notified before any planned construction at the facility is 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 approved operation procedures as described in the permit application [ref. APP-2, Para. 1.c. and Para. 2.b.]. The Department shall be notified before any changes, other than minor deviations, to the approved Operation Plan are implemented in order to determine whether a permit modification is required.

Amended 369009-002

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 procedures.

4. Maximum Storage Quantities. The maximum storage at the facility for whole waste tires, including used tires for re-sale shall be 5,300 tires in accordance with Rule 62-711.530(2), F.A.C.

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 in accordance with the facility site plan [ref. APP-2, Para. 2.a.] and shall meet the fire department's standards along with the applicable storage requirements cited in Rule 62-711.540, F.A.C.

Amended 369009-002

7. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan [ref. APP-2, Para. 1.a.]. Notification shall be made to the DEP's Southwest District Office Compliance Assurance Program at (813) 470-5700 or SWD_Waste@FloridaDEP.gov.

8. 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.

9. 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.

10. Quarterly Reports. Owner or operators of waste tire processing facilities shall quarterly report 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 Southwest District Office Compliance Assurance Program at SWD_Waste@FloridaDEP.gov, 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.

11. Fire Inspection. A fire safety survey should be conducted at least annually in accordance with Rule 62-711.540(d), F.A.C. The fire safety inspection report shall be maintained at the facility for five years and copies shall be provided to the Department upon request. In the event that deficiencies are noted in the annual fire safety inspection report, **within 30 days** of completion, the permittee shall provide documentation to the Department indicating correction of any deficiencies noted. The documentation shall include approval of the corrections by the local fire authority.

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

[There are no closure requirements for this facility.]

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:

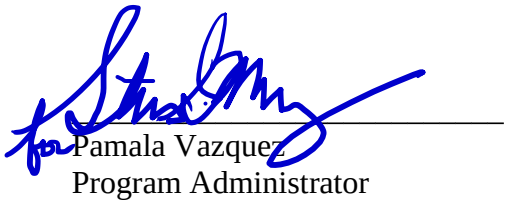
   Florida Department of Environmental Protection
   Financial Coordinator - Solid Waste Section
   2600 Blair Stone Road, MS 4548
   Tallahassee, Florida 32399-2400

2. Annual 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.

   All submittals in response to this specific condition shall be sent to the Southwest District Office Compliance Assurance Program at SWD_Waste@FloridaDEP.gov and a copy to the address identified in Specific Condition F.1. or to the following email address: Solid.Waste.Financial.Coordinator@FloridaDEP.gov.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Pamala Vazquez
Program Administrator
Permitting & Waste Cleanup Program
Southwest District

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

Jonathan Burie

April 7, 2020

Clerk 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 (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 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.

APPENDIX 1 – General Conditions (continued)

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 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 Statues 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.

APPENDIX 1 – General Conditions (continued)

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 – Approved Application Documents

1. DEP Form No. *62-701.900(24) US 27 Tires Processing Facility Application*, dated September 20, 2018 (application fee received September 26, 2018), prepared by EnviroTrac, Ltd, as revised, replaced or amended, received October 8, 2018, November 20, 2018, November 26, 2018 and December 13, 2018. This information includes, but is not limited to:

   a. Emergency Preparedness Manual, dated August 2018, received October 8. 2018.

   b. *Figure #2 Building Detail*, dated August 15, 2017, received October 8, 2018;

   c. Facility Operations, received October 8, 2018.

2. Request for Minor Permit Modification, dated March 27, 2020 (application fee received March 31, 2020), prepared by the permittee, as revised, replaced or amended by information received March 31, 2020. This information includes, but is not limited to:

   a. Site Plan, received March 27, 2020 (replaces Figure referenced in APP-2, Para. 1.b.).

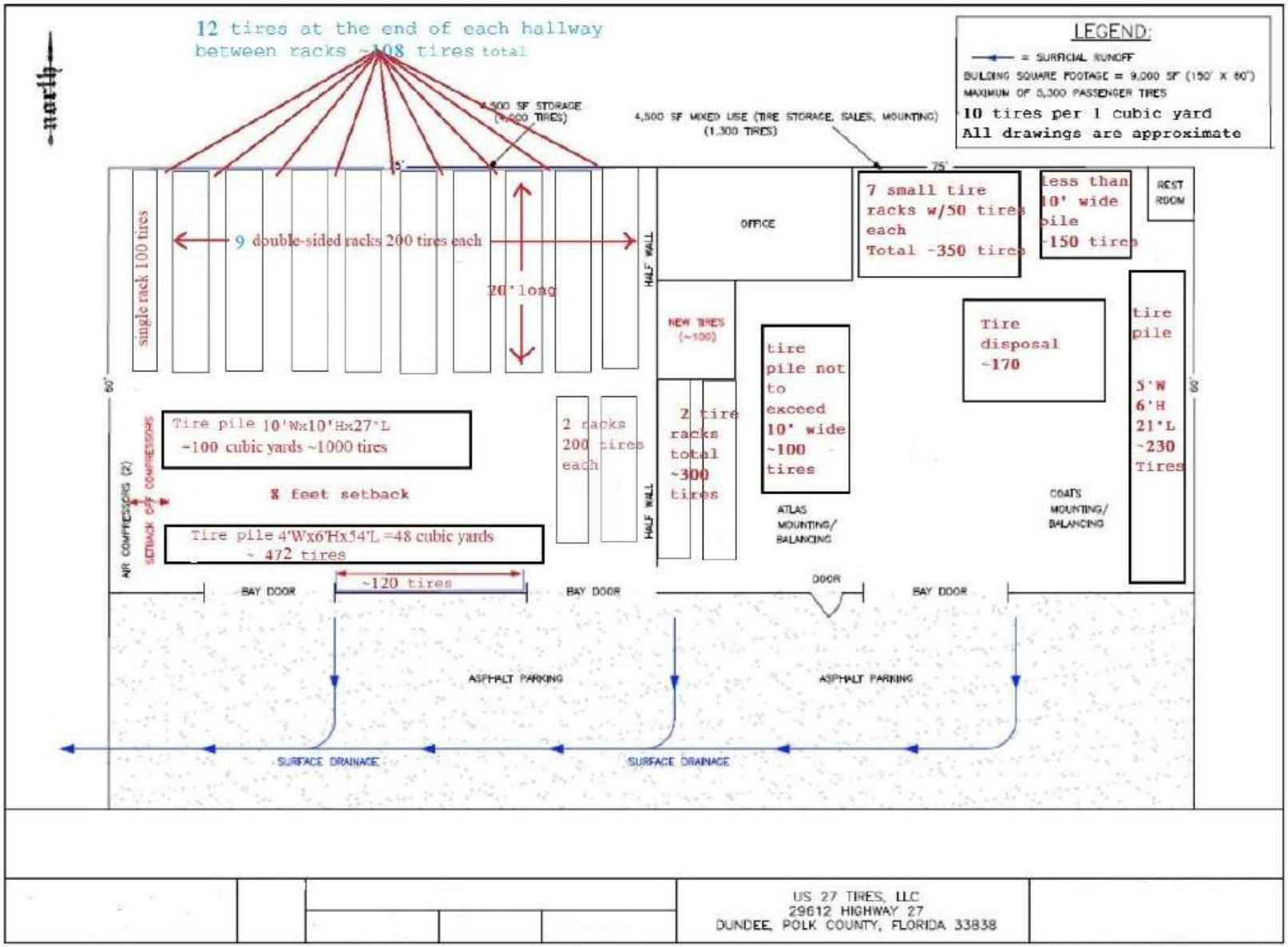
   b. Facility Operations replacement pages, received March 31, 2020 (replaces Section B.1 in APP-2, Para. 1.c.).

New 369009-002

ATTACHMENT 1 – Time Sensitive Action Chart		
Specific Condition	**Submittal Due Date**	**Required Item**
2.A.3	No later 61 days prior to date of permit expiration	Submit permit renewal application
2.A.4.	No later than January 1, 2022	Submit a copy of the new facility lease and permit extension request
2.C.10.	No later than the 20th of the month following the close of each calendar quarter	Submit the quarterly waste report
2.G.1. & 2.G.2.	Annually At least 60 days prior to the anniversary date of their financial assurance mechanism	Submit proof of funding Submit revised cost estimates

ATTACHMENT 2 – Site Plan

Site Plan



Amended 369009-002