



June 5, 2020

VIA ELECTRONIC MAIL: areviati@atr1.com

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

RE: Response dated May 8, 2020 to the Request for Additional Information No.2 (RAI #2) letter dated November 21, 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 116th Street, Miami, Miami-Dade County, Florida; FDEP Project No. 0303329-004-WT / WACS No. 99254 / DERM No. SW-1731.

Dear Mr. Reviati:

The Environmental Permitting Section (EPS) of the Department of Regulatory and Economic Resources (DER)-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 submittal via email on May 8, 2020 and updated information on May 19, 2020. Based on the Department's review, the application remains incomplete at this time.

Please provide the information requested on the attached sheet(s) as soon as possible. The Department must receive a response within ninety (90) days of the date of this letter, unless a written request for additional time to provide the requested information is submitted and approved. Pursuant to Rule 62-4.055(1), Florida Administrative Code (F.A.C.) and Section 120.60, Florida Statutes (F.S.), be advised that failure of an applicant to provide the timely requested information by the applicable deadline may result in denial of the permit application.

The herein requested information shall be submitted to the individuals listed at the end of this letter via email in electronic format. Be advised that failure to provide a timely response may also result in enforcement action by DERM.

For files that exceed the maximum allowable file size for email transmittals, a file transfer service (e.g., dropbox, FTP service, etc.) must be used to submit the response. All files must be transmitted in portable document format (pdf), contain one layer (flattened) without any embedded objects, not be encrypted or password protected, and not exceed 500 megabytes in size. If the response includes documentation that is required to be signed and sealed by a licensed professional (e.g., engineer, geologist, surveyor, etc.), the files must be electronically/digitally signed, sealed and dated in accordance with the rules of the applicable licensing board.

If you have any questions concerning the above, please contact the undersigned (email: johnny.vega@miamidade.gov) of the EPS at (305) 372-6600.

Sincerely,

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

Copies furnished to:

Johnny Vega, P.E., Danielle Jimenez, Alejandro Vergara – DERM (via email)
Ricardo Fraxedas, P.E. - Wood PLC (via email: ricardo.fraxedas@woodplc.com)
ECM (DERM No. SW-1731 / Oculus (FDEP WACS No. 99254)



ATTACHMENT: REQUEST FOR ADDITIONAL INFORMATION No. 3 (RAI #3)

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 proposed modification:

- (a) Response accepted as of May 8, 2020.

- (b) Response not accepted. The updated site plan included with the response shall be dated, signed and sealed by the State of Florida registered professional engineer in charge of the preparing the permit application documents. As noted on page #1 of this letter, please ensure that the digital/electronic seal and signature conforms to the requirements stipulated in Rules 61G15-23.004 or 61G15-23.005, F.A.C. When using a digital signature/certificate to comply with Rule 61G15-23.004, F.A.C., be advised that said signature/certificate must be issued by a third party certification authority (e.g., Entrust, GlobalSign, etc.) that provides identity authentication (note: self-signed digital certificates are not acceptable).

- (c) Response not accepted. The calculation of the maximum quantity of truck tires referenced in the submitted storage summary table (217 truck tires / 10.85 tons for 100% usage of the storage area) could not be verified. Based on the information provided (i.e., 541 cu.yd. of volumetric storage capacity and density of 2.5 tires/cu.yd.) the theoretical maximum storage capacity for Area 4 is 1,353 truck tires / 67.65 tons. Please clarify said discrepancy. Additionally, the table's footnote #2 incorrectly references "2.5 tires per cubic foot" when it should instead reference "2.5 tires per cubic yard".

Note: when converting number of truck tires to tons of material, the conversion factor stated in the "Quantity of Tires" definition in Chapter 62-701, F.A.C. (i.e., 1 ton = 20 truck tires) shall be used.

2. Response accepted as of May 8, 2020.

3. For increases in the maximum quantity of waste tires to be handled/stored at the site, the following shall be addressed:

- (a) Response not accepted. The following comments are provided concerning the submitted closure cost estimate:

- (i) New comment. Material loading costs are not included in the estimate. Said costs shall account for factors such as loading equipment rental costs and associated mobilization/demobilization costs, and labor costs (e.g., loading equipment operator, etc). A third-party quotation that accounts for these factors and any other factors affecting the overall cost to remove the proposed maximum quantity of waste tires (processed and unprocessed) to be stored on-site shall be provided.

- (ii) New comment. For processed waste tires, the estimate assumes a disposal unit cost of \$92.84/ton based on the published Miami-Dade County Department of Solid Waste Management (DSWM) "non-contract" disposal fees. Documentation from the DSWM that supports the use of said disposal unit rate for the disposal of this type of material shall be provided. Otherwise, the cost estimate shall be revised to adopt DSWM's published waste tires disposal rate of \$114.18/ton.

- (b) Item remains outstanding. Upon approval of a revised closure cost estimate, the permittee will be required to obtain the approval of the FDEP financial assurance coordinator for the establishment of a suitable a 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.

4. New comment. The FDEP permit application form (FDEP form # 62-701.900(23)) previously submitted on August 19, 2016 as part of this permit modification process shall be revised and resubmitted for consistency with the current scope of the proposed facility modifications (e.g., changes in storage capacities and storage quantities, etc., changes in processing throughput capacity, etc.) documented in the referenced submittal.

Additionally, be advised of the following:

- A. If needed, a teleconference may be requested with this office to discuss the comments provided in this letter. Said request shall be made within seven (7) days of receipt of this letter.
- B. Failure to provide a timely response may result in enforcement action by DERM.
- C. 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 the permitting process.
- D. Be advised that additional information may be required by DERM upon receipt and review of the information requested in this letter.
- E. All revisions to plans 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 plan.
- F. 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.