



February 26, 2021

VIA ELECTRONIC MAIL: sales@jetires.net

Attn: Roland Nasr, President
JE Tires of Florida, LLC
5280 NW 165th Street
Miami Gardens, FL 33014

RE: Response dated January 25, 2021 to FDEP Request for Additional Information (RAI) #1 issued by DERM on December 7, 2020 related to an FDEP Waste Tire Processing Facility Permit Application submitted by JE Tires of Florida, LLC and pertaining to the proposed establishment a waste tire storage facility to be located at, near, or in the vicinity of 5280 NW 165th Street, Miami Gardens, Miami-Dade County, FL; Folio No. 34-2118-004-0016; FDEP Project No. 0394629-001-WT; FDEP WACS No. 106805; DERM No. SW-2019.

Dear Mr. Nasr:

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 response on January 28, 2021 followed by receipt of additional material (dated February 23 and February 25, 2021) on February 25 and February 26, respectively. Based on the Department's review, the application is 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 below. Be advised that failure to provide a timely response may also result in enforcement action by DERM.

If you have any questions concerning the above, please contact Bruce Coward (bruce.coward@miamidade.gov) or the undersigned (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., Bruce Coward, P.E., Danielle Jimenez, Patti Emad, Alejandro Vergara – DERM (via email)
Peter Baljet, P.E. – Baljet Environmental, Inc. (via email: peterbaljet1941@gmail.com)
Tor Bejnar – FDEP (via email: tor.bejnar@dep.state.fl.us)
ECM (DERM No. SW-2019) / Oculus (FDEP WACS No. 106805)



ATTACHMENT: REQUEST FOR ADDITIONAL INFORMATION No. 2 (RAI #2)

In order to complete the review of the referenced application pursuant to Section 403.087(4), Florida Statutes (F.S.), Chapters 62-4, 62-701 and 62-711, Florida Administrative Code (F.A.C.), please address the comments noted below.

- 1) Response accepted. Proof of publication previously provided to the Department via email on December 16, 2020.

Application Part I – General Information

- 2) Response accepted as of January 25, 2021.
- 3) Response accepted as of January 25, 2021.
- 4) Response accepted as of January 25, 2021.

Application Part II – Operations

- 5) The storage information provided under Section C of the referenced FDEP permit application for waste tires (including used tires), listed as 120 tons, is inconsistent with the following:
 - (a) Response accepted as of January 25, 2021.
 - (b) Response accepted as of January 25, 2021.
 - (c) Response accepted as of January 25, 2021.

Application Part III – Attachments

- 6) The documentation (e.g., site plan, boundary survey) submitted to satisfy the requirements of Section A, item #2, did not include the following required information:
 - (a) Response accepted as of January 25, 2021.
 - (b) Response accepted as of January 25, 2021.
 - (c) Response accepted as of January 25, 2021.
 - (d) Response accepted as of January 25, 2021.
- 7) The submitted site plan (sheet 1 of 1) shall be revised to address the following additional comments:
 - (a) Response accepted as of January 25, 2021.
 - (b) Response accepted as of January 25, 2021.
 - (c) Response accepted as of February 25, 2021.
 - (d) Response accepted as of January 25, 2021.
- 8) Page 1 of the submitted “Operations Plan” states in part that the storage of tires will be conducted in compliance with Rule 62-711.540(1), F.A.C. and refers the reader to an annexed copy of the actual rule. This methodology for presenting the information is not acceptable as it does not provide substantiation to the reviewer as to how compliance is being achieved or will be achieved for some of the requirements listed in said rule. For this reason, the comments listed below shall be addressed. Additionally, revisions to the formatting and organization of the Operations Plan are strongly recommended so that the information can be understood not only by the reviewer but also by facility staff responsible for its implementation.
 - (a) Response accepted as of January 25, 2021.
 - (b) Response accepted as of January 25, 2021.
 - (c) Response accepted as of January 25, 2021.
 - (d) Response accepted as of January 25, 2021.
 - (e) Response accepted as of January 25, 2021.
- 9) Response accepted as of January 25, 2021.
- 10) Response accepted as of January 25, 2021.
- 11) Response accepted as of February 23, 2021.

- 12) **Completion of item remains outstanding.** The closure cost estimate dated February 23, 2021 received on February 25, 2021 in the amount of \$75,000.00 is hereby considered approved by the Department. Therefore, in accordance with the provisions of Rule 62-711.500(3)(a), Florida Administrative Code (F.A.C.), you are required to provide the FDEP with proof of financial assurance issued in favor of the State of Florida for this amount. All required financial assurance shall be submitted to the FDEP Financial Assurance Working Group at the address provided below. For additional information pertaining to the preparation and submittal of applicable financial assurance documents, please visit <https://floridadep.gov/waste/permitting-compliance-assistance/content/solid-waste-financial-assurance> or contact Mr. Tor Bejnar of the FDEP Solid Waste Financial Assurance Section via email at Tor.Bejnar@FloridaDEP.gov.

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

As previously noted, this comment shall remain outstanding until the applicant has obtained the FDEP's Solid Waste Financial Coordinator's approval for the establishment of a suitable financial assurance mechanism for the facility.

- 13) Response accepted as of January 25, 2021.

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. The response to this Request for Additional Information (RAI) shall comply with the provisions of Rule 62-701.320, F.A.C.. Please reference the FDEP permit number and County (DERM) tracking number for the facility in the response to ensure that it is properly and promptly routed upon receipt.
- C. Failure to provide a timely response may result in enforcement action by DERM.
- D. 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.
- E. Be advised that additional information may be required by DERM upon receipt and review of the information requested in this letter.
- 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.
- G. In the case that electronic submittals 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 transmitted electronically must be 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.
- H. For electronically transmitted submittals, be advised that documents that require certification by a licensed professional (e.g., professional engineer, surveyor, geologist, etc.) must be digitally/electronically signed and sealed in accordance with the rules governing the use of digital/electronic seals and signatures established by the applicable licensing board. Furthermore, be advised that the referenced permit application will not be deemed complete until the Department is in receipt of documents that bear the proper digital/electronic seal and signature.