



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

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

March 4, 2021

NOTICE OF PERMIT

By-Email
tjfanell@usironworks.us

In the Matter of an
Application for Permit by:
U.S. Ironworks Company
328 Wahoo Road
Panama City Beach, Florida 32417

Hillsborough County
WACS # 106062
Tire Shredders of America WTPF

Attention: Mr. Fanell

DEP File No: 391792-001-WT/02

Enclosed is Permit Number 391792-001-WT/02 to operate a Waste Tire Processing Facility, issued pursuant to Section 403.061(14) and 403.707, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit under Section 120.68, Florida Statutes, by the filing of a Notice of Appeal under rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, 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 Notice is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

A blue ink signature of Pamela Vazquez, written in a cursive style.

Pamala Vazquez, Program Administrator
Permitting and Waste Cleanup Program
Southwest District Office

PERMITTEE: U.S. Ironworks Company
FACILITY NAME: Tire Shredders of America

PERMIT #: 391792-001-WT/02
WACS Facility ID: 106062

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.




Clerk

March 4, 2021

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were sent before the close of business on March 4, 2021 to the listed persons.



Clerk

Enclosure: Permit No. 391792-001-WT/02

Copies furnished to:

Robert Middleton, U.S. Ironworks Co., robertdemet@aol.com

Donald Fairbairn, P.E., Northside Engineering, Inc., don@northsideengineering.net

Ron Cope, Hillsborough County EPC, Cope@epchc.org

Steve Morgan, DEP Southwest District, steve.morgan@floridadep.gov

Melissa Madden, DEP Southwest District, melissa.madden@floridadep.gov

Justin Chamberlain, P.G., DEP Southwest District, justin.chamberlain@floridadep.gov

Emily Wargo, DEP Southwest District, Emily.Wargo@floridadep.gov

Financial.Assurance.Working.Group@dep.state.fl.us

SWD_Waste@FloridaDEP.gov



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13051 North Telecom Parkway #101
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Permit Issued to:

U.S. Ironworks Company
328 Wahoo Road
Panama City Beach, Florida 32417
(516) 384-7404

Facility WACS ID No.: 106062

Facility Name:

Tire Shredders of America
6902 East 6th Avenue
Tampa, Hillsborough County, Florida

Contact Person:

Robert Middleton, VP of Marketing
P.O. Box 9220
Panama City Beach, Florida 32417
robertdemet@aol.com
(516) 384-7404

Solid Waste Operation Permit – Waste Tire Processing Facility

Permit No.: 391792-001-WT/02

Permit Issued: March 4, 2021

Permit Renewal Application Due Date: January 2, 2026

Permit Expires: March 4, 2026

Permitting Authority:

Florida Department of Environmental Protection
Southwest District Office
13051 N. Telecom Parkway, Suite 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 construct/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 construction/operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-701, and 62-711.

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 6902 East 6th Avenue, Tampa, in Section 14, Township 29S, Range 19E, in Hillsborough County, Florida (Latitude 27° 57' 36.96" and Longitude 82° 22' 41.55").

C. Facility Description

The Tire Shredders of America waste tire processing facility is operated by U.S. Ironworks Company. The facility includes a paved outdoor storage area for whole waste tires measuring 2,500 square feet. A scale is located at the facility to weigh both inbound whole tires and outbound shredded tires. The maximum quantity of whole tires to be stored at the facility is 80 tons. Whole waste tires are processed onsite using feed conveyors with an outside shredder manufactured by Shredding Systems, Inc. The shredder is a "primary" shredder designed to cut rubber tires into pieces that are 3-inches wide, lengths varying from 3-inches to 9-inches and producing de minimis residuals (less than 1%). The shredder has a throughput range of 15 to 20 tons per hour (TPH). All of the shredder's processed discharge materials will be conveyed directly into the hauling vehicles which will transport the processed tires for disposal at a permitted solid waste management facility. The maximum quantity of processed tires to be stored at the facility is 40 tons.

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

If any of the time deadlines in the Time Sensitive Action Chart are inconsistent with the time deadlines in the permit conditions, the time deadline in the permit condition shall be followed.

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), and include but are not limited to:
 - a. Sheet C4.1 – Site Plan (Site Plan) [ref. APP-2, Para. 1.b.]
 - b. Operational Plan (Operation Plan) [ref. APP-2, Para. 1.c.]
 - c. Contingency Plan, (Contingency Plan) [ref. APP-2, Para. 1.d.]
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. 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. All construction shall be done in accordance with the approved permit application documents [ref. APP-2, Para. 1.]. The Department shall be notified before any changes, other than minor deviations, to the approved plans are implemented in order to determine whether a permit modification is required.
2. Certification of Construction Completion. Upon completion of construction and prior to accepting any tires at the facility, the engineer of record shall certify to the Department in accordance with Rule 62-701.320(9)(b), F.A.C., that the permitted construction is complete and was done in substantial conformance with the approved construction plans except where minor deviations were necessary. All deviations shall be described in detail and the reasons therefore enumerated.
3. Approval of Certification. The permittee shall not accept tires at the facility until one of the following has occurred: (1) the Department has stated in writing that it has no objection to the certification of construction completion; or (2) at least 30 days have passed since the certification was submitted and the Department has not responded in writing to the certification.

C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the facility in accordance with the approved Operation Plan. 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.
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.
 - b. Processed 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 Plan.
4. Maximum Storage Quantities. The maximum storage at the facility for whole waste tires, shall be 80 tons 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 outdoors in accordance with the facility Site Plan [ref. APP-2, Para. 1.b.] and shall meet the fire department's standards along with the applicable storage requirements cited in Rule 62-711.540, F.A.C.
7. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan. 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 submit quarterly reports to the Department that summarizes 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, Rule 62-711.530(5), F.A.C.

C. Operation Requirements (cont.)

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.
12. Housekeeping.
 - a. The facility shall provide for control of mosquitoes and rodents so as to protect the public health and welfare.
 - b. The facility shall be kept free of grass, underbrush, and other potentially flammable vegetation at all times.

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. Supporting 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:

Financial Assurance Working Group
Florida Department of Environmental Protection
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.

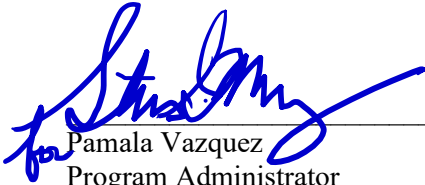
All submittals in response to this specific condition shall be sent to the Southwest District Office Compliance Assurance Program at SWD_Waste@FloridaDEP.gov and a copy to the address identified in Specific Condition F.1. or to the following email address:
Financial.Assurance.Working.Group@FloridaDEP.gov.

PERMITTEE NAME: U.S. Ironworks Company
FACILITY NAME: Tire Shredders of America

PERMIT NO.: 391792-001-WT/02
WACS Facility ID: 106062

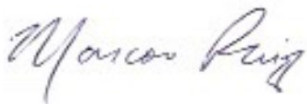
Executed in Hillsborough County, Florida.

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.



Clerk

March 4, 2021
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 (cont.)

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 Statutes 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.

PERMITTEE NAME: U.S. Ironworks Company
FACILITY NAME: Tire Shredders of America

PERMIT NO.: 391792-001-WT/02
WACS Facility ID: 106062

APPENDIX 1 – General Conditions (cont.)

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

This permit is valid for the operation of the Tire Shredders of America Waste Tire Processing Facility and related systems in accordance with all applicable requirements of Department rules, and in accordance with the reports, plans and other information prepared by U.S. Ironworks Company, or as otherwise noted, as follows:

1. Waste Tire Processing Facility Permit Application, dated August 26, 2020 (received August 27, 2020) prepared by U.S. Ironworks Company, as revised, replaced or amended by information received October 23, 2020, January 11, 2021 and February 8, 2021. This information includes, but is not limited to:
 - a. Waste Tire Processing Facility Application – DEP Form #62-701.900(23), dated October 13, 2020;
 - b. Sheet C4.1 – Site Plan, prepared by Northside Engineering. Inc., dated December 8, 2020;
 - c. Operational Plan, received August 27, 2020, as revised January 11, 2021;
 - d. Contingency Plan, received August 27, 2020, as revised January 11, 2021.

PERMITTEE NAME: U.S. Ironworks Company
FACILITY NAME: Tire Shredders of America

PERMIT NO.: 391792-001-WT/02
WACS Facility ID: 106062

ATTACHMENT 1 – Time Sensitive Action Chart

SPECIFIC CONDITION	SUBMITTAL DUE DATE	REQUIRED ITEM
A.3.	61 days prior to expiration of permit	Submit permit renewal application
C.10.	Quarterly, by January 20 th , April 20 th , July 20 th and October 20 th each year	Submit waste tire processing reports
G.1.	Annually	Financial assurance proof of funding submitted
G.2.	Annually	Submit revised cost estimates