



April 30, 2021

VIA ELECTRONIC MAIL: sales@jetires.net

In the Matter of an
Application for Permit By:

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

FDEP Project No. 0394629-001-WT
WACS No. 106805
DERM No. SW-2019

NOTICE OF PERMIT

Dear Mr. Nasr:

Enclosed is Permit Number 0394629-001-WT to operate the waste tire processing facility issued by the Miami-Dade County Department of Regulatory and Economic Resources (RER) – Division of Environmental Resources Management (DERM), under delegation by the Florida Department of Environmental Protection (FDEP). This Permit issued pursuant to Chapter 403, Florida Statutes (F.S.) and Chapters 62-4 and 62-701, Florida Administrative Code (F.A.C.).

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 Office of the Miami-Dade County Attorney, c/o The Chief of the Zoning, Land Use & Environment Section, 111 N.W. 1st Street, Suite 2810, Miami, Florida 33128 or via electronic mail at atty@miamidade.gov 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.

DONE AND ENTERED this 30th day of April, 2021, in the City of Miami, Miami-Dade County, Florida

DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

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



FILING AND ACKNOWLEDGMENT

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

Clerk: _____ 

Date: _____ 04/30/2021 _____

CERTIFICATE OF SERVICE

This is to certify that this **NOTICE OF PERMIT ISSUANCE** and all copies were mailed before the close of business on _____ 04/30/2021 _____ to the listed persons.

Clerk: _____ 

Enclosure(s):

1. Permit No. 0394629-001-WT

Copies furnished to:

Johnny Vega, P.E., Bruce Coward, P.E., Danielle Jimenez, Alejandro Vergara – DERM
Tor Bejnar - FDEP/TLH (via e-mail: tor.bejnar@FloridaDEP.gov)
SW Financial Coordinator – FDEP (via e-mail: Solid.Waste.Financial.Coordinator@FloridaDEP.gov)
Peter P. Baljet, P.E. – Baljet Environmental, Inc. (via email; peterbaljet1941@gmail.com)
Oculus (WACS No. 106805)/ ECM (DERM No. SW-2019)



SOLID WASTE OPERATING PERMIT – WASTE TIRE PROCESSING FACILITY

Permit Issued To: JE Tires of Florida, LLC 5280 NW 165 Street Miami Gardens, FL 33014	Facility WACS ID No.: 106805
Facility Name: JE Tires of Florida, LLC	Permit No.: 0394629-001-WT
Facility Address: 5280 NW 165 Street Miami Gardens, Miami-Dade County, Florida	Replaces Permit No.: N/A
Contact Person: Mr. Roland Nasr, President	Issued Date: April 30, 2021
	Expiration Date: April 30, 2026
	Renewal App. Due By: February 28, 2026

The Miami-Dade County Department of Regulatory and Economic Resources (RER) – Division of Environmental Resources Management (DERM), under delegation by the Florida Department of Environmental Protection (jointly referred to as the Department, hereafter), hereby issues this permit under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-701, 62-711, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to operate the facility shown on the application and approved drawings, plans and other documents on file with the Department, and made a part thereof, and specifically described as follows:

TO OPERATE: A Waste Tire Processing Facility limited to the storage of no more than 600 tons (60,000 passenger tire equivalents) of waste tires as defined in Rule 62-701.200, F.A.C. at any one time.

LOCATED AT: 5280 NW 165 Street, Miami Gardens, Miami-Dade County, FL
 LATITUDE: 25°55'21.32" N / LONGITUDE: 80°17'11.94" W
 SECTION: 18; TOWNSHIP: 52; RANGE: 41

IN ACCORDANCE WITH: the information referenced in Specific Condition #1 of this permit.

SUBJECT TO: the General Conditions and Specific Conditions of this permit.

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, 403.727, or 403.859 through 403.861, 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 403.987(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 personal 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 this permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic 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 at all times properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as 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 this 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 reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
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 non-compliance; and
 - b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. 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 revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and any 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 the 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (BACT)
 - b. Determination of Prevention of Significant Deterioration (PSD)
 - c. Certification of compliance with state Water Quality Standard (Section 401, PL 92-500)
 - d. Compliance with New Source Performance Standards
14. 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 (3) 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:

- i. the date, exact place, and time of sampling of measurements;
 - ii. the person responsible for performing the sampling or measurements;
 - iii. the dates analyses were performed;
 - iv. the person responsible for performing the analyses;
 - v. the analytical techniques or methods used;
 - vi. the results of such analyses.
15. 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.

SPECIFIC CONDITIONS

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 A.

Construction Requirements

[There are no construction requirements for this facility]

Operational Requirements

2. 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 pursuant to Rule 62-701.320(4), F.A.C.
3. Authorized Waste and Material Types. The facility is authorized to manage only whole Waste Tires as defined in Rule 62-701.200, F.A.C.
4. Unauthorized Waste Types. The permittee is not authorized to accept or manage any waste types not listed in specific condition #3. Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan.
5. Maximum Storage Quantities. The maximum storage quantity at the facility for whole waste tires, including used tires, shall be 600 tons (approximately 60,000 passenger tire equivalents) in accordance with Rule 62-711.530(2), F.A.C.
6. 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.
7. Storage and Management. The permittee shall store and manage waste tires at the facility pursuant to the following requirements:
 - (a) All incoming waste tires shall be tipped and stored in the areas indicated in the permit application documents identified in Appendix A.
 - (b) All waste tires shall be stored inside an enclosed building and in accordance with the applicable storage requirements of Rule 62-711.540, F.A.C.
 - (c) No operations involving the use of open flames shall be conducted within 25 feet of a waste tire pile in accordance with Rule 62-711.540, F.A.C.
8. Fire Safety Survey. Fire protection services for the site shall be assured through notification to local fire protection authorities. A fire safety survey shall be conducted at least annually and the survey report shall be made part of the next quarterly report in accordance with Rule 62-711.540, F.A.C.
9. Processing Requirements. At least 75 percent of the whole tires and used tires that are delivered to, or are contained at the waste tire processing facility at the beginning of each calendar year shall be processed and removed for disposal or recycling from the facility during the year, or disposed of at a permitted solid waste management facility in accordance with Rule 62-711.530(3), F.A.C.

10. Putrescible and Unauthorized Wastes. Putrescible waste received with the incoming loads shall be removed for disposal within forty-eight (48) hours. Any other unauthorized waste shall be segregated and transported to an authorized disposal or recycling facility within thirty (30) days of receipt.
11. Hazardous Waste. If any regulated hazardous wastes are discovered to be deposited at the facility, the facility operator shall promptly notify the Department, the person responsible for shipping the wastes to the facility, and the generator of the wastes, if known. The area where the wastes are deposited shall immediately be cordoned off from public access. If the generator or hauler cannot be identified, the facility operator shall assure the cleanup, transportation, and disposal of the waste at a permitted hazardous waste management facility. In the event that hazardous wastes are discovered they shall be managed in accordance with the procedures provided in the facility's Operation Plan.
12. Emergency Preparedness Manual. The facility's Emergency Preparedness Manual shall be kept by the permittee at the site and a copy shall be maintained at a designated off site location. The manual shall be updated at least once a year and upon changes in operations in accordance with Rule 62-711.540, F.A.C.
13. Contingency Plan and Notification of Emergencies. In the event of an emergency (e.g., fires, explosions, etc.) that may require the implementation of the facility's approved contingency plan, or should the facility suffer damage or failure to any of the site facilities or equipment, or if the facility is disabled or otherwise unable to operate, the following shall be implemented as applicable:
 - (a) The permittee shall notify the Department within twenty-four (24) hours of such an event, explaining the occurrence and remedial measures to be taken and time needed for repairs. The 24-hour emergency telephone number for the State's Warning Point, as designated in Chapter 62-150, F.A.C., is 850-413-9911. The telephone number for Miami-Dade County RER emergency hotline (24 hours) is (305) 372-6955. Provide the name of the permittee, the facility file number (RER File No. SW-2019), and a brief description of the incident. The permittee shall comply with the notification requirements, reporting requirements and timeframes in the event of an abnormal occurrence in accordance with the provisions of Section 24-20 of the Code of Miami-Dade County. The permittee shall adhere to all applicable federal, state and local discharge notifications.
 - (b) The permittee shall adjust operation of the facility and implement appropriate procedures (e.g., transfer of existing and incoming solid waste to other permitted solid waste management facilities in Miami-Dade County), to prevent accumulation of solid waste in excess of the allowable storage quantities authorized by this permit.
 - (c) The facility operator or his/her designee shall take appropriate actions to protect the health and safety of the environment, personnel and populace by following procedures which will mitigate, lessen or prevent damage to the environment or health and welfare of personnel and the public.
14. Housekeeping. The facility shall be operated to control dust, vectors, litter and objectionable odors. Storage of waste tires shall not result in vector breeding and animal attraction, or discharge of contaminants to ground or groundwater, or cause a public nuisance, or result in violations of the conditions of this permit.
15. Access Control. Access control to the facility shall be maintained during non-working hours of the facility to prevent disposal of unauthorized solid waste.

Water Quality Monitoring Requirements

[There are no water quality monitoring requirements for this facility]

Gas Management System Requirements

[There are no gas management requirements for this facility]

Reporting Requirements

16. The permittee shall submit a quarterly report on DEP Form 62-701.900(21) to the Department that summarizes all of the information required by Rule 62-711.530(4), F.A.C., no later than the twentieth (20) day of the succeeding month following the close of each calendar quarter to:
 - Department of Regulatory and Economic Resources
Pollution Regulation Division
Attn: Solid Waste Program Compliance Supervisor
701 NW 1st Ct., 7th Floor
Miami, Florida 33136

In addition to the information required in Rule 62-711.530(4), F.A.C., the following information shall be included:

- (a) The facility name, address and permit number;
- (b) The quarter covered by the report;
- (c) The total quantity, by category, of waste tires received at the facility during the quarter covered by the report;
- (d) The total quantity, by category, of waste tires shipped from the facility during the quarter covered by the report;
- (e) The total quantity of waste tires processed during the quarter;
- (f) The total quantity, by category, of waste tires located at the facility on the last day of the quarter; and
- (g) A list of all dates on which one or more category of waste tires exceeded the storage limit, which category was in excess, and how this condition was relieved or will be relieved.

The permittee shall record and maintain for three (3) years all of the information collected pursuant to Rule 62-711.530(4), F.A.C. Said records shall be available for inspection by RER personnel during normal business hours.

Financial Assurance and Cost Estimate Requirements

17. Financial Assurance Mechanism. The permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance. Supporting documentation and evidence of financial assurance shall be submitted in accordance with the provisions of Rule 62-711.500, 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

18. Annual Cost Estimates. The permittee shall annually adjust the closure cost estimate for the facility in accordance with Rule 62-711.500(3), F.A.C. The permittee shall submit the annual cost estimate at least sixty (60) days prior to the anniversary date of the approved financial assurance mechanism. All submittals in response to this specific condition shall be sent to:

- Department of Regulatory and Economic Resources
Pollution Regulation Division
Environmental Permitting Section
Attn: Section Manager
701 NW 1st Ct., 7th Floor
Miami, Florida 33136

With a copy to:

- Florida Department of Environmental Protection
Financial Coordinator - Solid Waste Section
2600 Blair Stone Road, MS 4548
Tallahassee, Florida 32399-2400
Or via email to: Solid.Waste.Financial.Coordinator@FloridaDEP.gov

Closure Requirements

19. Closure Specific Requirements. The permittee shall be responsible for the removal of all waste tires to a facility approved by RER for disposal or processing.

20. Closure Notification Requirements. The permittee shall notify the Department prior to ceasing operations, and shall submit a written certification to the Department when closure is complete. Upon closure of this facility, the permittee shall stop public access to the site; post a notice indicating that the site is closed and giving the phone number of the county solid waste authority; notify the Department; remove all waste tires and residuals to a waste tire processing facility, solid waste management facility authorized to accept waste tires, or a legitimate user of waste tires; remove any solid waste to a permitted solid waste management facility; and notify the Department when closing is complete.

Other

21. Permit Modification. Any change to 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.
22. 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 sixty-one (61) days prior to the expiration of this permit is considered timely and sufficient.
23. 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.
24. Non-Compliance with Permit Conditions. If for any reason, the permittee does not comply with or is unable to comply with any condition specified herein, the permittee shall immediately notify and provide the Department with the following information: (a) a description of and cause of non-compliance; and (b) the period of non-compliance including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps taken to reduce, eliminate, and prevent recurrence of the non-compliance. The Permittee shall be responsible for any and all environmental damages, which may result and may be subject to enforcement action by the Department.
25. Facility Inspections. The Permittee specifically agrees to allow access to the facility at reasonable times by Department personnel presenting credentials for the purposes of inspection and testing to determine compliance with this Permit and Department rules.
26. Compliance with Department Rules. Unless otherwise notified by the Department, the Permittee shall comply with all applicable requirements of Chapters 62-701 and 62-711, F.A.C.
27. This Permit does not release the Permittee from obtaining all other required permits and approvals for the construction, operation, and closure of the Facility.

Appendices Made Part of this Permit

Appendix A – List of Approved Permit Application Documents
Appendix B – Permit History Summary

Issued this 30th day of April, 2021

DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES



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

Appendix A

List of Approved Permit Application Documents

1. Permit application package to operate a Waste Tire Processing Facility dated October 14, 2020 submitted on FDEP Form #62-701.900(23) and received by the Department on November 7, 2020.
2. Response dated January 25, 2021 to the Department Request for Additional Information #1 dated December 7, 2020 submitted on January 28, 2021 which includes a revised Waste Tire Processing Facility Permit Application dated January 25, 2021 and the Department approved Operations Plan and Emergency Preparedness Manual.
3. Department approved Site Plan dated February 25, 2021 submitted to the Department on February 26, 2021 as part of the response to the Department Request for Additional Information #1 dated December 7, 2020.

Appendix B

Permit History Summary

Issuance Date	Permit No.	Permit Description
04/30/2021	0394629-001-WT	Permit issued for the operation of a Waste Tire Processing Facility limited to the storage of no more than 600 tons (60,000 passenger tire equivalents) of waste tires as defined in Rule 62-701.200, F.A.C. at any one time.