



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

Shawn Hamilton
Secretary

May 11, 2022

NOTICE OF PERMIT MODIFICATION

By-Email

john.phillip.arnold@gmail.com

In the Matter of an
Application for Permit by:
Angelo's Aggregate Materials, LTD
855 28th Street South
St. Petersburg, Florida 33712

Pasco County
WACS # 87895
Enterprise Road Recycling and
Disposal Waste Tire Facility

Attention: Mr. John Arnold, P.E.

DEP File No: 303741-005-WT/MM

Pursuant to Sections 403.061(14) and 403.707, Florida Statutes, the Department hereby issues modification number 303741-005-WT/MM. The following conditions of permit number 303741-004-WT/02 are modified as follows:

| SPECIFIC CONDITIONS | FROM | TO | TYPE OF MODIFICATION |
|----------------------------|-------------|-----------|--|
| Cover Page | Existing | Amended | Updates Contact Person address; References Permit Modification No. 303741-005-WT/MM. |
| Section 1.C | Existing | Amended | Updates to include a description of the tire rim removal process. |
| Section 2.A.1 | Existing | Amended | Updates reference to Emergency Response Plan and Site Plan. |
| Appendix 2, Para. 2 | - | New | Adds new permitting documents submitted. |
| Attachment 2 | Existing | Amended | Replaced previous Site Plan. |

Attached is Permit Number 303741-004-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 or via electronic correspondence at Agency_Clerk@dep.state.fl.us.

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

PERMITTEE: Angelo's Aggregate Materials, LTD
FACILITY NAME: Enterprise Road Recycling and Disposal Waste Tire Facility

PERMIT #: 303741-005-WT/02
WACS Facility ID: 87895

the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us 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.


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Executed in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



 Shannon Herbon
Program Administrator
Permitting & 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.

 May 11, 2022
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 May 11, 2022 to the listed persons.


Clerk

Enclosure: Permit No. 303741-004-WT/02

Copies furnished to:

Dominic Iafrate, Angelo's Aggregate Materials, LTD, Diafrate@angelosrm.com

Walker Wrenn, P.G., Locklear & Associates, walker@locklearconsulting.com

Lisa Baker, Locklear & Associates, lisa@locklearconsulting.com

Melissa Madden, DEP SWD Permitting, Melissa.Madden@FloridaDEP.gov

Emily Stitt, DEP SWD Permitting, Emily.Stitt@FloridaDEP.gov

Emily Wargo, DEP SWD Permitting, Emily.Wargo@FloridaDEP.gov

SWD_Waste@FloridaDEP.gov



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

Permit Issued to:

Angelo's Aggregate Materials, LTD
855 28th Street South
St. Petersburg, Florida
(727) 612-9257

Facility WACS ID No.: 87895

Facility Name:

Enterprise Road Recycling and Disposal Waste Tire Facility
41111 Enterprise Road
Dade City, Pasco County, Florida

Contact Person:

John Arnold
1530 McDuff Avenue S
Jacksonville, Florida 32205
john.phillip.arnold@gmail.com
(813) 477-1719

Solid Waste Operation Permit – Waste Tire Processing Facility

Permit No.: 303741-004-WT/02
Includes Permit Modification No.: 303741-005-WT/MM
Replaces Permit No.: 303741-003-WT/02

Permit Issued: June 30, 2021
Permit Modification Issued: May 11, 2022
Permit Renewal Application Due Date: April 30, 2026
Permit Expires: June 30, 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 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.

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 41111 Enterprise Road, Dade City, Pasco County, Florida at Latitude 28° 19' 53" and Longitude 82° 08' 06".

C. Facility Description

The above-named permittee is hereby authorized to operate a Waste Tire Processing Facility where processing involves the storage and shredding of whole waste tires **and removal of rims as necessary**. All storage and operations are performed outdoors. On-site waste tire storage capacity is 1,407 tons of tires and includes whole waste tires and processed (shredded) tires.

Amended 303741-005

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.

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]. This information includes, but is not limited to:
 - a. Emergency Response Plan, [ref. APP-2, Para. 2.a.]
 - b. Site Plan, [ref. APP-2, Para. 2.b.]

Amended 303741-005

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. 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 Emergency Response Plan. The Department shall be notified before any changes, other than minor deviations, to the approved Emergency Response Plan are implemented in order to determine whether a permit modification is required.
 - a. Incoming loads shall be unloaded inside the designated waste tire stockpile areas as shown on the Site Plan.
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 Emergency Response Plan.

C. Operation Requirements (cont.)

4. Maximum Storage Quantities. The maximum storage at the facility for whole waste tires, including processed (shredded) tires shall be 1,407 tons of 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 outdoors in accordance with the Site Plan 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 Emergency Response 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 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, and the survey report shall be made part of the next quarterly report in accordance with Rule 62-711.540(1)(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 Assurance Working Group
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:
Fincancial.Assurance.Working.Group@FloridaDEP.gov.


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FACILITY NAME: Enterprise Road Recycling and Disposal Waste Tire Facility

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STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



 Shannon Herbon
Program Administrator
Permitting & Waste Cleanup Program
Southwest District Office

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


Clerk

May 11, 2022
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.
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. Waste Tire Processing Facility Permit Application (DEP Form No. 62-701.900(23), dated and received March 19, 2021 (application fee received March 26, 2021), prepared by John Arnold, P.E., as revised, replaced or amended by information received May 19, 2021, June 23, 2021, and June 29, 2021. This information includes, but is not limited to:
 - a. Emergency Response Plan (Preparedness Manual) Enterprise Road Recycling and Class III Disposal Facility – Waste Tire Processing Facility [ref. Emergency Response Plan], dated May 2021 (received May 19, 2021).
 - b. Enterprise Class III Landfill and Recycling Facility Waste Tire 2021 Permit Renewal Site Plan [ref. Site Plan], received June 23, 2021.
2. Waste Tire Processing Facility Permit Application (DEP Form No. 62-701.900(23), dated April 21, 2022 and received April 22, 2022 (application fee received May 2, 2022), prepared by John Arnold, P.E.. This information includes, but is not limited to:
 - a. Emergency Response Plan (Preparedness Manual) Enterprise Road Recycling and Class III Disposal Facility – Waste Tire Processing Facility [ref. Emergency Response Plan], dated April 2022 and received April 22, 2022 (replaces Emergency Response Plan referenced in APP-2, Para. 1.a., above).
 - b. Enterprise Class III Landfill and Recycling Facility Waste Tire 2022 Permit Renewal Site Plan [ref. Site Plan], received April 22, 2022 (replaces Site Plan referenced in APP-2, Para. 1.b., above).

New 303741-005

ATTACHMENT 1 – Time Sensitive Action Chart

| Specific Condition | Submittal Due Date | Required |
|---------------------------|--|-----------------------------------|
| 2.A.3 | No later than 61 days prior to the date of permit expiration | Submit permit renewal application |
| 2.C.10 | No later than the 20 th of the month following the close of each calendar quarter | Submit the quarterly waste report |
| 2.C.11 | With the next quarterly report following the fire safety survey | Submit the survey report |
| 2.G.1 & 2.G.2 | Annually | Submit proof of funding |
| | At least 60 days prior to the anniversary date of the financial assurance mechanism | Submit revised cost estimates |

ATTACHMENT 2 – Site Plan

ENTERPRISE CLASS III LANDFILL
AND RECYCLING FACILITY
WASTE TIRE 2022 PERMIT MODIFICATION
SITE PLAN

