



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

November 14, 2022

NOTICE OF PERMIT

E-Mail

frank@tirerecyclingcorp.com

In the Matter of an
Application for Permit by:
Tire Recycling Corp
4925 Industrial Lane, Suite 101
Kissimmee, Florida

Osceola County
WACS # 96128
Tire Recycling Corp.

Attention: Frank Veliz

DEP File No: 0400495-002-WT-02

Enclosed is Permit Number 0400495-002-WT-02 to construct and operate a Waste Tire Processing Facility issued pursuant to Section 403.061(14) and 403.707, Florida Statutes.

NOTICE OF RIGHTS

Judicial Review

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68, F.S. by the filing of a notice of appeal under Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department of Environmental Protection in the 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 must be filed within 30 days after this order is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker, Program Administrator
Permitting and Compliance Assistance Program

Attachment(s):

1. Permit No. 0400495-002-WT-02

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

John P. Smith, P.E., HSA Golden, jsmith@hsagolden.com
El Kromhout, P.G., FDEP PCAP Solid Waste Section, Elizabeth.Kromhout@FloridaDEP.gov
Jeremy Hart, P.G., FDEP PCAP Solid Waste Section, Jeremy.R.Hart@FloridaDEP.gov
Central District, DEP_CD@dep.state.fl.us

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



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

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Permit Issued to:

Tire Recycling Corp.
4925 Industrial Lane, Suite 101
Kissimmee, Florida 34758
407-552-8887

Facility WACS ID No.: 96128
Facility Name: Tire Recycling Corp.
Facility Address: 4925 Industrial Lane, Suite 101
Kissimmee, Osceola County, Florida

Contact Person:
Mr. Frank Veliz, Director
frank@tirerecyclingcorp.com

Solid Waste Construction/Operation Permit – Waste Tire Processing Facility
Permit No.: 0400495-002-WT-02

Permit Issued: November 14, 2022
Permit Renewal Application Due Date: September 14, 2027
Permit Expires: November 14, 2027

Permitting Authority
Florida Department of Environmental Protection
Division of Waste Management
Permitting and Compliance Assistance Program
2600 Blair Stone Road
Tallahassee, Florida 32399
(850) 245-8707

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The permittee is hereby authorized to construct and 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, 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 4925 Industrial Lane, Suite 101, Kissimmee, in Section 02, Township 26S, Range 28E, in Osceola County, Florida (Latitude 28° 15' 6.66" and Longitude 81° 28' 48.972").

C. Facility Description

The Tire Recycling Corp. is a waste tire collection and storage facility approximately 59,649 square feet and is located on Industrial Lane east of Poinciana Blvd. at the Trinity Industrial Park center. The facility receives waste tires that will be resold or processed via shredding. The tire shredding process consists of four components: shredding of whole tire for tire-derived fuel (TDF) or further processing, shredding to make mulch size rubber which also separates the wire from the tire, shredding to make rubber crumb and separates the fiber from the tire, and lastly shredding to rubber dust.

The Tire Recycling Corp. is hereby authorized for the following operations:

- To construct and operate a waste tire processing facility.
- Processing involves storage and sorting of whole waste tires / tire chips. Tires received will be sorted by grade, size and quality. Any unusable tire will be sent to the shredding system to be processed. The shredding process produces tire-derived fuel (TDF), mulch, and crumb. Processed tires are to be stored in sealed super bags. All parts of the shredded tire will be sold to different vendors, therefore no tire waste will remain.
- Whole waste tires will be stored and/or processed indoors. No tires will be stored outside. Super bags with shredded tire product will be stored both inside and outside.

- The anticipated average throughput is 73 tons with a maximum daily throughput of 220 tons.
- The facility also operates as a used tire wholesaler.

D. Appendices Made Part of This Permit

APPENDIX 1 - General Conditions

APPENDIX 2 – List of Documents Incorporated into this Permit

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 is 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.
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 Construction Plan/Site Plan (Appendix 2, Reference 3). The Department shall be notified before any changes, other than minor deviations, to the approved Construction Plan/Site Plan are 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 Operation Plan located in Appendix 2, Reference 3. 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) 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 Operation Plan.
4. Maximum Storage Quantities. The maximum storage at the facility for whole waste tires, including used tires for re-sale, and tire chips shall be 210 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 indoors and/or outdoors in accordance with the approved Operation Plan and shall meet the fire department's standards along with the applicable storage requirements cited in Rule 62-711.540, F.A.C. The facility cannot begin to accept or process waste tires until the Department has received the initial fire safety survey conducted and approved by the local fire protection authorities.
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 Solid Waste Section of the Department's Central District at (407) 897-4100 or DEP_CD@dep.state.fl.us.
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. Owners 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 Department of Environmental Protection, Central District – Solid Waste Section, DEP_CD@dep.state.fl.us, with a copy to the Department of Environmental Protection, Solid Waste Section, SWPP@floridadep.gov.

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

1. General Closure Requirements. The Permittee shall close the waste tire processing facility in accordance with the provisions of the approved Closure Plan (Appendix 2, Reference 4). The Department shall be notified before any changes, other than minor deviations, to the approved Closure Plan are implemented in order to determine whether a permit modification is required.
2. Notifications. The Permittee shall notify the Department prior to ceasing operations and shall submit a written certification to the Department when closure is complete.

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 Coordinator - Solid Waste Section
2600 Blair Stone Road, MS 4548
Tallahassee, Florida 32399-2400

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FACILITY NAME: Tire Recycling Corp.

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WACS Facility ID: 96128

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 District Office and a copy to the address identified in Specific Condition F.1. or to the following email address: Financial.Assurance.Working.Group@floridadep.gov.

Executed in Leon County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker, Program Administrator
Permitting & Compliance Assistance Program

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

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. 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.

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;

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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 List of Documents Incorporated into Permit

1. Proposed new facility Waste Tire Processing Facility Permit Application, prepared by HSA Golden, dated February 8, 2022 and received by the Department February 10, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.336572.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.336572.1]&[profile=Permitting_Authorization])
2. 1st Request for Additional Information, dated and submitted March 2, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.338242.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.338242.1]&[profile=Permitting_Authorization])
3. Response to 1st Request for Additional Information, prepared by HSA Golden, dated and received by the Department on May 2, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.342268.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.342268.1]&[profile=Permitting_Authorization])
4. Supplemental Documentation for Response to 1st Request for Additional Information, prepared by HAS Golden, dated and received May 25, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.347390.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.347390.1]&[profile=Permitting_Authorization])
5. 2nd Request for Additional Information, dated and submitted May 31, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.343444.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.343444.1]&[profile=Permitting_Authorization])
6. Response to 2nd Request for Additional Information, prepared by HSA Golden, dated and received by the Department on August 25, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.347383.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.347383.1]&[profile=Permitting_Authorization])
7. Supplemental Documentation for Response to 2nd Request for Additional Information, prepared by HSA Golden, dated June 30, 2022 and received by the Department on August 25, 2022.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.347382.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.347382.1]&[profile=Permitting_Authorization])
8. Supplemental Documentation for Response to 2nd Request for Additional Information received September 14, 2022. Secure Financial Assurance Documentation provided to fulfill RAI request.