



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PERMIT



CERTIFIED MAIL NO. 7005 3110 0002 9314 3829
RETURN RECEIPT REQUESTED

In the matter of an
Application for Permit by:
Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

Re: Highlands County – SW
Florida Tire Terminal
DEP File No. 0245850-001-WT/02
WACS ID No. 00094452

Enclosed is Permit No.0245850-001-WT/02 to operate an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida. The permit is issued under Sections 403.061, 403.087 and 403.707 of the Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-711.

Any party to this order (permit) has the right to seek judicial review of the permit under Section 120.68 of the 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 in the office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, 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 (30) days after this notice is filed with the Clerk of the Department.

Executed in Lee County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Jon M. Iglehart
Director of
District Management

Continued...

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency Clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on August 31, 2007, to the listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



(Clerk)

August 31, 2007

(Date)

Enclosure
JMI/GAM/MR/se

Copies furnished to:

The Honorable Sharon Schuler, Mayor, City of Avon Park
(Certified Mail No. 7005 3110 0002 9314 3805:)

Terry Feickert, Chief, Avon Park Fire Department
(Certified Mail No. 7005 3110 0002 9314 3812)

Roger Dale Polston, P.E., Polston Engineering, Inc.

Richard Tedder, DEP (via e-mail)

Chris McGuire, OGC DEP (via e-mail)

Jack Chisholm, OGC DEP (via e-mail)

Tor Bejnar, DEP Tallahassee (via e-mail)

Jack D. Myers, DEP

Bill Krumbholz, DEP



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PERMITTEE:

Beck's Tire Service, Inc.
c/o Robert A. Reisig, Manager
Florida Tire Terminal
P.O. Box 1733
Avon Park, Florida 33826

WACS ID No. 00094452
Permit/Certification No. 0245850-001-WT/02
Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
County: Highlands
Latitude: 27° 35' 31"
Longitude: 81° 30' 18"
Section/Township/Range: 22/33S/28E
Project: Florida Tire Terminal

This Permit is issued pursuant to Sections 403.061, 403.087 and 403.707, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-711. The above-named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawings(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

an existing used tire dealer business as a waste tire processing facility (based on storage of used tires) that specializes in repairing and selling used tires or transferring to a permitted facility for processing/disposal. The facility is specifically identified as Florida Tire Terminal and is located at 400 Feagin Street, City of Avon Park in Highlands County, Florida.

The Permit is subject to the following fifteen (15) General and twelve (12) Specific Conditions. An approved copy of the application package is enclosed for your records.

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.

PERMITTEE:
Beck's Tire Service, Inc.

WACS ID No. 00094452
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Date of Issue: August 31, 2007
Expiration Date: August 31, 2012
Project: Florida Tire Terminal

GENERAL CONDITIONS:

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 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 the Permit.
4. This Permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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 any order from the Department.
6. 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, 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 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 credential 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 the 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.

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Project: Florida Tire Terminal

GENERAL CONDITIONS:

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 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C, 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 noncompliance 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)

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GENERAL CONDITIONS:

- (c) Certification of compliance with State Water Quality Standards (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 this Permit, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit.
 - (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.
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. Florida Tire Terminal (the Facility) is permitted to receive used tires for repairing and selling or transferring to a permitted facility for processing/disposal in accordance with all applicable requirements of Florida administrative Code (F.A.C.) Rule 62-711.

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Project: Florida Tire Terminal

SPECIFIC CONDITIONS:

2. Appropriate signs indicating name of the Facility, operating agent and other pertinent information shall be posted at the entrance to the site. A sign indicating that the Facility accepts only used tires and not other solid or hazardous waste shall also be posted at the facility entrance.
3. The site of operations shall be easily accessible by trucks and cars, with all-weather access roads maintained in a clean condition.
4. The Permittee shall strictly abide by the indoor and outdoor storage capacities furnished in the application for permit and to the quantity for which the financial responsibility is submitted. For storage of larger quantity of used tires (by weight, volume or number), the Permittee shall demonstrate the indoor and outdoor capacities for storage available on the site and furnish the corresponding financial responsibility. However, the number of used tires stored shall not exceed 15,000 in accordance with the Approval of Alternate Procedures (Case SWAP-04-02).
5. At least seventy-five (75) percent of the used tires and waste tires that are delivered to or are stored by the facility at the beginning of each calendar year must be removed for proper use, recycling or disposal from the facility during the year.
6. All used tires shall be stored in a manner that does not create mosquito or rat harborage. Records documenting the type and quantity of insecticides and rodenticides (approved by the Department of Agriculture and Consumer Services) used to control vectors shall be kept on-site, and shall be made available to Department personnel upon request.
7. Tires shall not be processed on-site in a manner rendering them to be no longer whole.
8. The Permittee shall comply with the fire control requirements of the City of Avon Park Fire Department, which among other things includes compliance with the National Fire Protection Association (NFPA) Standard 2312D, Standard for Storage of Rubber Tires.

A fire survey shall be conducted semi-annually by the local fire authority showing that the Facility does not represent a fire hazard to the local community. Results of the survey shall be submitted to the Department in January and July of each year, beginning on January 15, 2008.
9. The operator shall keep a copy of the Emergency Preparedness Manual at the site at all times.

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SPECIFIC CONDITIONS:

10. Stormwater and surface water runoff shall be managed as indicated in the construction/operation Permit application package approved by the Department.
11. **The Permittee shall submit a recalculated closure cost estimate certified by a Professional Engineer by December 24, 2007, and the corresponding financial assurance instrument pursuant to F.A.C. Rule 62-711.500(3) and every year thereafter, at least sixty (60) days prior to the anniversary date of the last financial instrument.** The recalculated closure cost estimate shall be submitted to the District office in Fort Myers and the corresponding financial assurance instrument to Solid Waste Financial Coordinator, Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 4565, Tallahassee, Florida 32399-2400.
12. The Permittee shall notify the Department and Highlands County of the anticipated date of the Facility's closure and submit an updated closure plan to the Department at least ninety (90) days prior to the date when used tires will no longer be accepted.

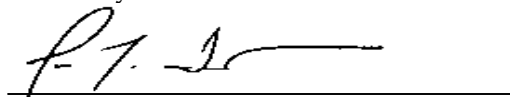
This Permit is issued for **five (5) years** and **will expire on August 31, 2012**. If a renewal of this Permit is desired, the Permittee shall apply on forms and in a manner prescribed by the Department, along with the appropriate fee, **sixty (60) days** before the expiration of the Permit.

These conditions do not exempt the Permittee from complying with requirements of other federal, state, municipal, county or regional pollution control rules, regulations, ordinances or codes.

Should you need further information regarding the above, please call Ghous Minhaj, Solid Waste Permitting Engineer, at (239) 332-6975, extension 185.

Note: In the event of an emergency, the Permittee shall contact the Department by calling (850) 413-9911 or toll free at (800) 320-0519. During normal business hours, the Permittee shall call (239) 332-6975.

Sincerely,



Jon M. Iglehart
Director of District Management

JMI/GAM/MHR/se