



North Carolina Department of Environmental Quality

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WASTE MANAGEMENT  
SOLID WASTE SECTION

**SCRAP TIRE COLLECTION FACILITY**

**Permit No. 9238-TIRE-COLL-2009**

**JESUS FERNANDEZ DBA KILLY'S TIRE (OWNER)**

is hereby issued a

**PERMIT TO OPERATE**

SCRAP TIRE COLLECTION

FACILITY

Located at 716 Broad Street, Fuquay-Varina, Wake County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description of the site or the property map contained within the approved application.

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Edward F. Mussler, III, P.E.,  
Permitting Branch Supervisor  
Solid Waste Section

**ATTACHMENT 1**  
**PART I: PERMITTING HISTORY**

<b>Permit Type</b>	<b>Date Issued</b>
Original Permit to Operate	July 21, 2009
Permit to Operate Amendment	November 1, 2012
Permit to Operate Amendment	June 22, 2016

**PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN**

1. Operation Plan. Email Message, June 2009. Prepared by: Jesus Fernandez, Clayton, North Carolina. Prepared for: Division of Waste Management – Solid Waste Section, Raleigh, North Carolina. June 16, 2009.
  
2. Request to Renew Permit. Correspondence prepared by: Jesus Fernandez, Clayton, North Carolina. August 22, 2012. Doc ID No. 17525.
  
3. Request to Renew Permit. Correspondence prepared by: Jesus Fernandez, Fuquay Varina, North Carolina. June 14, 2016. Doc ID No. 26310

**PART III: GENERAL PERMIT CONDITIONS**

1. This permit expires at the close of business June 22, 2019. Pursuant to 15A NCAC 13B .1106(a), no later than January 22, 2019, the owner or operator must submit a request to the North Carolina Department of Environmental Quality, Division of Waste Management, Solid Waste Section (“Section”) for permit review and must update pertinent facility plans including, but not limited to, the facility operations plan.
2. The persons to whom this permit is issued (“permittee”) are the owners and operators of the scrap tire collection facility.
  
3. (Intentionally blank)
  
4. By receiving scrap tires at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
  
5. Operation of this scrap tire collection facility must be in accordance with the Solid Waste Management Rules 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-309.57, et seq.), the conditions contained in this permit and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
  
6. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, Part II, “List of Documents for Approved Plan,” and which constitute

the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.

7. This permit may be transferred only with the approval of the Section, through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g) the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.

8. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

*- End of Section -*

## **ATTACHMENT 2 CONDITIONS OF PERMIT TO CONSTRUCT**

1. No construction is permitted under this permit.

## **ATTACHMENT 3 CONDITIONS OF PERMIT TO OPERATE**

### **PART I: OPERATING CONDITIONS**

1. The facility is permitted to receive scrap tires as defined in NCGS 130A -309.53.
2. The facility must be operated in accordance with the requirements of 15A NCAC 13B.1107.
3. The facility is restricted to storing less than 300 scrap tires at any time in accordance with the Financial Responsibility requirements of 15A NCAC 13B. 1111.
  - a) Financial Responsibility must be maintained in full effect at all times for site closure and property damage and bodily injury to third parties and public property in accordance with 15A NCAC 13B .1111 (c)
  - b) Failure to comply with the Financial Responsibility requirements may result in voiding this Permit to Operate.
4. This facility is permitted to receive scrap tires from all counties in North Carolina. Tires must be removed from the site when a total of 300 tires are accumulated. Unwanted tires must be immediately sent to an appropriately permitted disposal facility. The approved plan identifies shipment to out-of-the-country destinations as a management option for collected tires.
5. The permittee must obtain Section approval in writing for any revisions or modifications to the approved plans prior to the initiation of any changes or modifications.
6. The facility must not cause nuisance conditions.

7. Copies of this permit, the approved plans and all records are required to be maintained by the permittee at the facility unless otherwise approved by the Section and must be made available to the Section upon request during normal business hours.

8. The owner or operator must maintain records of the following.

- a. Daily records of the amount of scrap tires received and origins of the tires.
- b. The amount of scrap tires shipped to each destination.
- c. The daily reports are to be summarized into a monthly report for use in the required annual reports.
- d. On or before August 1 annually, the Permittee must submit an annual facility report to the Section on forms prescribed or approved by the Section. The reporting period shall be for the previous year beginning July 1 and ending June 30.

*-End of Permit Conditions-*