

STATE OF MISSISSIPPI WASTE TIRE MANAGEMENT PERMIT

TO OPERATE A WASTE TIRE MANAGEMENT FACILITY IN
ACCORDANCE WITH THE REGULATIONS GOVERNING
WASTE TIRE MANAGEMENT

THIS CERTIFIES THAT

M & K Investments, L.L.C.

has been granted permission to operate a waste tire management facility

located at
6021 Highway 3
Sarah, Mississippi
in Section: 18, Township: 6N, Range: 9E
of Tate County

under the name of

Strayhorn Tire Recyclers

This permit is issued in accordance with the provisions of the Mississippi Code Annotated, and
the regulations and guidelines adopted and promulgated thereunder

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

AUTHORIZED SIGNATURE
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued:

Permit No.: WTP-0034

Expires:

CONDITIONS

A. EFFECT OF PERMIT

The permittee shall operate the waste tire processing facility in accordance with the Mississippi Waste Tire Management Regulations (11 Miss. Admin. Code Pt. 4, Ch. 4), the Mississippi Waste Tire Transportation Regulations (11 Miss. Admin. Code Pt. 4, Ch. 5), applicable state and federal regulations, and the conditions of this permit. Any changes, alterations, or modifications of the above referenced regulations which pertain to any condition of this permit shall supersede and replace the affected conditions of this permit. In such instances, the permittee shall comply with the altered condition(s) of the regulations.

B. PERMIT ACTIONS

This permit may be modified, revoked, and/or reissued for good cause or noncompliance with the terms and conditions of the permit. The filing of a request for a permit modification, revocation and reissuance, or termination or the notification of planned changes or anticipated noncompliance on the part of the permittee does not stay the applicability or enforceability of any permit condition.

C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

D. DUTIES AND REQUIREMENTS

1. Duty to Comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Mississippi Code Annotated and the regulations promulgated thereunder and is grounds for enforcement action, permit termination, revocation, reissuance, or modification, or for denial of a permit renewal application.
2. Duty to Reapply. If the permittee wishes to continue an activity authorized by this permit after the expiration date of this permit, the permittee must submit a complete application for a new permit at least 180 days before the expiration date of this permit.
3. Duty to Mitigate. The permittee shall take all reasonable steps to minimize, prevent, or correct any adverse impact on human health or the environment resulting from noncompliance with this permit.
4. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all equipment and systems which are installed or used by the

- permittee to achieve compliance with the conditions of this permit and the application as submitted to and approved by the Mississippi Department of Environmental Quality (Department).
5. Duty to Provide Information. The permittee shall furnish to the Department, within a reasonable time, any relevant information which the Department may request to determine whether cause exists for modifying, revoking, reissuing, or terminating this permit or to determine compliance with this permit.
 6. Inspection and Entry. The permittee shall allow an authorized representative of the Department upon the presentation of credentials and other documents as may be required by law to:
 - a. Enter on the permittee's premises where a regulated activity is located or conducted or where records must be kept under the conditions of this permit;
 - b. Have access to and copy at reasonable times any records that must be kept under the Mississippi Waste Tire Management Regulations, the Mississippi Waste Tire Transportation Regulations, and the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under this permit; and
 - d. Sample or monitor at reasonable times for the purposes of assuring permit compliance.
 7. Property Rights. It is the responsibility of the permittee to possess and maintain a sufficient interest in or right to the use of the property described in this permit, including the access route(s).

The issuance of this permit does not convey any property rights or interest in either real or personal property; nor does it authorize any injury to private property, invasion of personal rights, or impairment of previous contract rights; nor any infringement of Federal, State, or local laws or regulations outside the scope of the authority under which this permit is issued.

8. Anticipated Noncompliance. The permittee shall give written notice to the Department at least 30 days in advance of any planned changes in the permitted facility or activity which may result in noncompliance with the requirements of this permit, the Mississippi Waste Tire Management Regulations, or the Mississippi Waste Tire Transportation Regulations.
9. Modification of Permit. Any proposed modification to the approved application or plan of operation resulting in a significant change in the method of waste tire management must be approved by the Mississippi Environmental Quality Permit Board (Permit Board) or the Board's Designee prior to implementation. Other

proposed modifications to the approved facility design or operations must be approved by the Department prior to implementation.

10. Transfer of Permit. This permit is not transferable to any person or party except after notice to and approval of the Permit Board or the Board's Designee. The Permit Board may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary.
11. Signature Requirements. The permittee shall ensure that an application for the reissuance, modification, or transfer of this permit and all reports required by this permit or by state regulations shall be signed in accordance with Rule 1.2.G of the Mississippi Nonhazardous Solid Waste Management Regulations.
12. Disclosure. The permittee shall submit an updated disclosure statement with an application for the reissuance or modification of this permit. If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be submitted in lieu of an updated disclosure statement.
13. Financial Responsibility Requirements. Within 30 days of the issuance of this permit and prior to accepting any waste tires, the permittee shall submit to the Department proof of financial responsibility issued in the amount of the approved cost estimate for the processing and disposal of the maximum number of waste tires, reusable tires, and processed waste tires allowed at the facility as required by Rule 4.6 of the Mississippi Waste Tire Management Regulations.

E. OPERATING CONDITIONS

1. The permittee shall ensure that the facility is operated in accordance with all applicable regulations, the approved permit application, and the approved plan of operation, unless otherwise approved by the Department.
2. The permittee shall ensure that the facility is not located in wetlands, unless the applicant obtains approval as required by federal law from the U.S. Army Corps of Engineers.
3. The permittee shall ensure that the service area of the facility is consistent with the approved service area described in the approved plan of operation and as designated in the approved Tate County Solid Waste Management Plan. Waste tires generated in areas outside of the approved service area shall not be accepted at the facility.
4. The permittee shall ensure that loads of 50 or more waste tires or of any amount hauled for compensation shall not be accepted unless transported by a registered waste tire hauler who possesses a valid identification number pursuant to Rule 5.5.A of the Mississippi Waste Tire Transportation Regulations, unless otherwise approved by the Department.

5. The permittee is authorized to collect and process only whole or processed waste tires from motor vehicles including, but not limited to, passenger/light truck, commercial truck, and certain farm equipment tires, as well as oversized off-the-road (OTR) tires. Additionally, the permittee may collect and process off-specification tires and other discarded new tires or rubber materials from tire manufacturing facilities. Acceptance and/or processing of unauthorized waste materials shall be prohibited unless such materials are first approved by the Department.
6. The permittee shall ensure that all whole waste tires or other approved waste materials received at the facility are processed within 90 days, unless otherwise approved by the Department.
7. The permittee shall ensure that all whole waste tires are processed by slicing, cutting, shredding, or other approved means as per the approved plan of operation and Rule 4.4.B of the Mississippi Waste Tire Management Regulations. All processed tire material shall be removed from the site and transported to a legitimate recycling, end use, or disposal facility that is authorized to receive such materials as often as needed to maintain compliance with the storage requirements of this permit or within 180 days of processing, unless otherwise approved by the Department.
8. The permittee shall ensure that the storage of whole waste tires, reusable tires, and processed tires is conducted within the areas described in the approved plan of operation and site plans as well as in a manner consistent with Rule 4.3 of the Mississippi Waste Tire Management Regulations, unless otherwise approved by the Department.
9. The permittee shall ensure that the maximum quantity of whole waste tires, reusable tires, and processed tires stored at the facility is maintained in accordance with the following, unless otherwise approved by the Department:
 - a. For whole waste tires (including passenger, light truck, commercial truck, and OTR tires), storage shall not exceed 33,600 passenger tire equivalents (PTE) at any time. This limit also includes reusable tires.
 - b. For processed waste tires (including all rubber, fiber, and steel components of the tires) storage shall not exceed 33,600 PTEs (approximately 1,680 cubic yards) at any time.
10. The permittee shall ensure that incidental waste materials such as litter contained in incoming tires and uncollected fiber and steel generated during daily operations are collected and placed in an appropriate waste container at least once per week or as often as necessary to prevent affecting facility operations or otherwise causing nuisance conditions. All such waste materials shall be transported to a permitted disposal facility or other approved facility that is authorized to receive such

materials at minimum of every sixty (60) days, unless otherwise approved by the Department.

11. The permittee shall implement the approved fire prevention plan for the facility. Implementation of the plan shall include ensuring the following:
 - a. the prohibition of the open burning of waste tires or any other solid waste material at the facility;
 - b. the proper installation, upgrade, and/or maintenance of all fire control equipment;
 - c. immediate actions to extinguish fires, contain fires to a minimal area, and limit the off-site impacts of such fires; and
 - d. the notification to the Department of any fire incidents by the close of the Department's next business day and subsequent submission of a written report detailing the cause of the fire, actions to extinguish the fire, and measures planned to prevent future fires within five (5) working days of the incident.
12. The permittee shall ensure that all waste tire processing systems and equipment are properly maintained and operated to comply with the facility operating and storage requirements and with reasonable safety standards. This shall include the proper maintenance of equipment safety features; maintaining or ensuring timely access to spare or replacement equipment parts; and the proper cleaning and removal of waste tire dust and other materials from the processing equipment and areas around the equipment on an adequate frequency to prevent possible fire or nuisance conditions.
13. The permittee shall manage the waste tire collection and processing operations in a manner that minimizes potential aesthetic nuisances. These actions may include measures to maintain existing visual buffers or screening or to establish visual buffers or screening between the waste tire storage areas and other public or private buildings, dwellings, or roads.
14. The permittee shall establish controlled access to the site through the use of fences, gates, natural barriers, or other means. An attendant shall be on duty at all operating hours of the facility.
15. The permittee shall post and maintain signage at the entrance of the facility stating, at a minimum, the facility name, the days and hours of operation, and facility contact information. Such signage should be in compliance with any applicable state or local ordinances or requirements.
16. The permittee shall implement adequate mosquito and rodent control measures at the site as necessary to prevent nuisance conditions and public health problems from occurring. These measures may include application of an appropriate mosquito controllant at the site, removal of mosquito-infested water which may

enter the site in the tires or collect in the tires at the site, and/or covering of waste tires stored outside of trailers with tarps or by other means to prevent collection of water.

F. RECORDKEEPING AND REPORTING CONDITIONS

1. The permittee shall require, complete, and sign waste tire transportation certification forms (as provided or otherwise approved by the Department) for each incoming or outgoing load of waste tires or processed waste tires in accordance with Rule 5.6 of the Mississippi Waste Tire Transportation Regulations. The permittee shall also record the amount of any reusable tires received and separated from incoming loads as well as the retreading/resale facility to which they are shipped.
2. The permittee shall retain copies of all completed waste tire transportation certification forms and all other documentation required by the Mississippi Waste Tire Transportation Regulations and Mississippi Waste Tire Management Regulations for a period of at least three (3) years. This information shall be kept onsite or otherwise made available for Department review.
3. The permittee shall submit a monthly report to the Department no later than the 15th day of each month detailing the waste tire collection activities for the previous month. The report shall be submitted on forms provided or otherwise approved by the Department and include at a minimum the following details:
 - a. all information specified in Rule 4.3.L of the Mississippi Waste Tire Management Regulations; and
 - b. the amounts and final destination of all processed tire material in each load transported offsite for recycling and/or disposal to include all processed rubber as well as all separated non-rubber components such as steel and fiber.
4. The permittee shall annually review and update the estimated cost for processing and disposal of the maximum number of waste tires, reusable tires, and processed waste tires specified in Condition E.9 of this permit. The updated estimate shall be submitted to the Department by February 28 of each year during the term of this permit, unless an alternate schedule is approved by the Department. If the updated estimate requires adjustment of the existing financial instrument, the updated proof of financial responsibility shall be submitted within 30 days of the approval of the updated estimate by the Department.
5. The permittee shall submit an updated disclosure statement to the Department by February 28 of each year. If all information from the previously submitted disclosure statement is unchanged, a letter stating such may be submitted in lieu of an updated disclosure statement.

G. CLOSURE REQUIREMENTS

1. The permittee shall notify the Department in writing at least 90 days prior to the anticipated cessation of operations.
2. Facility closure shall be conducted in accordance with the approved plan of operation and Rule 4.3.O of Mississippi Waste Tire Management Regulations.