

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

October 27, 2014

7013 1710 0000 6051 1768

Mr. Daniel Casey
Manager and Registered Agent
Forever Recycling, LLC
915 Pompano Drive
Jupiter, FL 33458

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**Notice to Correct
SW-14-21**

Re: Solid Waste Violation(s) Occurring at the *Forever Recycling, LLC* Facility Located at 857-1/2 Belle Glade Road, Pahokee, Florida – Operating in Violation of the Operating Requirements of Your FDEP Yard Trash Recycling Registration; WACS #00101313.

Dear Mr. Casey:

This letter constitutes a formal Notice to Correct violations of Chapter 77-616, Laws of Florida, as Amended (Environmental Control Act); Section 11-19, Palm Beach County Code (Ordinance 78-5, as amended); Chapter 403, Florida Statutes, Chapter 62-701 and 62-709 of Florida Administrative Code, and Florida Department of Environmental Protection (FDEP) Yard Trash Recycling Registration WACS #00101313.

The following conditions were found to be inconsistent with operating requirements of your FDEP Yard Trash Recycling Registration during a routine compliance inspection conducted by (a) *Florida Department of Health Palm Beach County (Health Department)* Air and Solid Waste program inspector(s) on September 16 and September 25, 2014:

- Operating without proper registration on September 16, 2014; corrected on September 19, 2014.
- Accepting, storing and processing yard trash comingled with household solid waste including: bedding, painted, treated and untreated lumber, plywood, pallets, plastics, children's toys, carpeting, roofing material, tire pieces and metal siding.
- Not maintaining a twenty (20) foot all-weather access road all around the perimeter.
- Not maintaining a fifty (50) foot access for motorized firefighting equipment.
- Not operating in a manner to control vectors.
- Not operating in a manner to control objectionable odors.

By having these specific condition deficiencies, the *Health Department* finds that *Forever Recycling, LLC* is operating in violation of the following rules and regulations:

Florida Statutes, Chapter 403 – Environmental Control – Part I – Pollution Control

Section 403.161(1) – Prohibitions, violation, penalty, intent – It shall be a violation of this chapter, it shall be prohibited for any person:

- (b) To fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the department pursuant to its lawful authority.

Florida Administrative Code, Chapter 62-701 - Solid Waste Management Facilities

62-701.300 Prohibitions.

(1) General prohibition.

(a) No person shall store, process, or dispose of solid waste except as authorized at a permitted solid waste management facility or a facility exempt from permitting under this chapter.

(14) CCA treated wood. CCA treated wood shall not be incorporated into compost or made into mulch, decorative landscape chips or any other wood product that is applied as a ground cover, soil or soil amendment. CCA treated wood may be ground and used as initial cover on interior slopes of lined solid waste disposal facilities provided it meets the criteria of subsection 62-701.200(53), F.A.C. CCA treated wood shall not be disposed of through open burning or through combustion in an air curtain incinerator.

Florida Administrative Code, Chapter 62-709 – Criteria for Organics Processing and Recycling Facilities

62-709.320 General Provisions for Registrations.

(2) Design and operating requirements.

(a) The facility shall have the operational features and equipment necessary to maintain a clean and orderly operation. Unless otherwise specified in Rule 62-709.330 or 62-709.350, F.A.C., these provisions shall include:

2. Dust and litter control methods

3. Fire protection and control provisions to deal with accidental burning of solid waste, including:

a. There shall be an all-weather access road, at least 20 feet wide, all around the perimeter of the site;

c. None of the processed or unprocessed material shall be more than 50 feet from access by motorized firefighting equipment.

(b) The facility shall be operated in a manner to control vectors.

(c) The facility shall be operated in a manner to control objectionable odors in accordance with subsection 62-296.320(2), F.A.C.

62-709.330 Specific Criteria for Registration of Yard Trash Processing Facilities.

(3) Only yard trash, and bags used to collect yard trash, shall be accepted at the yard trash processing facility. Any other material shall be containerized.

62-709.350 Specific Criteria for Registration of Facilities Composting Vegetative Wastes, Animal Byproducts or Manure, or Blending Manure.

Florida Department of Environmental Protection Registration WACS #00101313 – Yard Trash Recycling Facility

You must comply with the requirements specified in Rule 62-709.320, and Rules 62-709.330 or 62-709.350, Florida Administrative Code (F.A.C.), in order to maintain qualification for the registration program.

CORRECTIVE ACTIONS – To avoid further enforcement action, please forward written documentation to our office detailing corrective actions, including a timeline, *Forever Recycling LLC* will take and/or is taking in order to meet the specific conditions of your Yard Trash Operation Registration described above.

Failure to submit this documentation within ten (10) days from receipt of this Notice to Correct will result in a **Notice of Violation** being submitted to the Palm Beach County Environmental Control Hearing Board for failure to comply with the above specific conditions of your permit. You are also subject to civil penalties of \$500.00 per violation for each day that you create a public health threat, or conduct an activity that results in environmental damage, or conduct an activity without or in violation of a required permit.

Please contact Mr. Thomas Tittle at telephone (561) 837-5979, if we can be of assistance to help you expedite compliance with the above conditions, or if you have any questions regarding this Notice to Correct.

Please refer to the Notice-to-Correct number AP-14-21 in any correspondence.

Sincerely,

For the Division Director
Environmental Public Health

A handwritten signature in black ink, appearing to read 'James E. Stormer', is written over the typed name.

James E. Stormer
Environmental Administrator
Air and Waste Section

TGM/JES/LT/TT/RM/JM/ew

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Sent To **Mr. Daniel Casey**
Forever Recycling, LLC
 Street, Apt. No., or PO Box No. **915 Pompano Drive**
 City, State, ZIP+4 **Jupiter, FL 33458**

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Daniel Casey
Forever Recycling, LLC
915 Pompano Drive
Jupiter, FL 33458

2. Article Number

(Transfer from service label)

7013 1710 0000 6051 1768

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature X *Christopher Forster* ☐ Agent ☐ Addressee
 B. Received by (Printed Name) C. Date of Delivery 10/29/11
 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes