



# FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE  
3319 MAGUIRE BLVD., SUITE 232  
ORLANDO, FLORIDA 32803

Ron DeSantis  
Governor

Jeanette Nuñez  
Lt. Governor

Noah Valenstein  
Secretary

April 29, 2019

Kirk Wills Southern Region Engineer  
Waste Connections  
1501 Omni Way  
St. Cloud, FL 34773  
[kirk.wills@wasteconnections.com](mailto:kirk.wills@wasteconnections.com)

Re: Compliance Assistance Offer  
JED Solid Waste Management Facility  
SW 89544  
Osceola County

Dear Mr. Wills:

An inspection was conducted at your facility on March 11, 2019, under the authority of Section 403.091, Florida Statutes (F.S.). During this inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of Chapter 403, F.S., and Chapters 62-701, Florida Administrative Code (F.A.C.) were observed. Please see the attached inspection report for a full account of Department observations and recommendations.

We request you review the items of concern noted and respond in writing within **30 days** of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed. See page 6 of the report.
2. Describe what steps have been taken to prevent, to the extent practicable, a recurrence of the non-compliance.
3. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid, or
4. Arrange for the case manager to visit your facility to discuss the item(s) of concern.

It is the Department's desire that you are able adequately address the aforementioned issues so that this matter can be closed. Your failure to respond promptly may result in the initiation of formal enforcement proceedings.

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Please address your response and any questions to David Smicherko of the Central District Office District Office at 407-897-4169 or via e-mail at David.Smicherko@floridadep.gov. We look forward to your cooperation with this matter.

Sincerely,

*David Smicherko*

David Smicherko, Manager  
Central District  
Florida Department of Environmental Protection

Enclosure: Inspection Report (with attachments)

cc: David Smicherko, [David.smicherko@floridadep.gov](mailto:David.smicherko@floridadep.gov)  
Benjamin Gray, [Benjamin.Gray@WasteConnections.com](mailto:Benjamin.Gray@WasteConnections.com)



**Florida Department of  
Environmental Protection  
Inspection Checklist**

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**FACILITY INFORMATION:**

**Facility Name:** J.E.D LANDFILL (F/K/A OAK HAMMOCK DISPOSAL)

**On-Site Inspection Start Date:** 03/11/2019

**On-Site Inspection End Date:** 03/11/2019

**WACS No.:** 89544

**Facility Street Address:** 1501 OMNI WAY

**City:** SAINT CLOUD

**County Name:** OSCEOLA

**Zip:** 34773

**INSPECTION PARTICIPANTS:**

(Include ALL Landfill and Department Personnel with Corresponding Titles)

**Principal Inspector:** Brianna N Gowan, Inspector

**Other Participants:** Brad Whidden, Environmental Specialist III; Benjamin Gray, District Manager

**INSPECTION TYPE:**

Routine Operation Inspection for Landfill - Class I

Routine Operation Inspection for WPF - Waste Tire Processing Facility

**ATTACHMENTS TO THE INSPECTION CHECKLIST:**

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

**Note: Checklist items with shaded boxes are for informational purposes only.**

1.0 - SECTION 1.0 - FILE REVIEW

2.0 - SECTION 2.0 - LANDFILL OPERATION AND MAINTENANCE

Inspection Date: 03/11/2019

**1.0 - SECTION 1.0 - FILE REVIEW****Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.)	Ok	Not Ok	Unk	N/A
1.1	For landfills and C&D disposal facilities, does the facility have a current plan for the method and sequence of filling wastes? 62-701.500(2)(f) for landfills; 62-701.730(7)(a) for C&D debris sites	✓			
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK) <input type="checkbox"/> Waste reports (annually) 62-701.500(4) <input checked="" type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)	✓			
1.3	Is gas monitoring being performed as required by the permit? 62-701.500(9), 62-701.530(2)	✓			
1.4	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)(c)	✓			
1.5	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? 62-701.510(2) for landfills; 62-701.730(8) and 62-701.730(10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.6	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) and (4); 62-701.730(4)(c) and (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.			✓	
1.7	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.600(6)(b), 62-701.730(9)(e)				✓
1.8	Is financial assurance adequate? 62-701.630 for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.	✓			
1.9	Are cost estimates current and adjusted every year? 62-701.630(4) for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(b) and 62-713.600(6)(c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.	✓			
1.10	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by February 1st of each year? 62-701.730(12)				✓
1.11	For C&D recycling facilities with no disposal, is an Annual Report for the recycling facility submitted to the Department by February 1st of each year? 62-701.710(8)(b)				✓
1.12	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.13	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓

Inspection Date: 03/11/2019

**2.0 - SECTION 2.0 - LANDFILL OPERATION AND MAINTENANCE****Requirements:**

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18))	Ok	Not Ok	Unk	N/A
2.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility. 62-701.300(1)(a)	✓			
2.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
2.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
2.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)	✓			
2.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)	✓			
2.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
2.6	Are the following unauthorized wastes or special wastes properly controlled, managed and disposed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Yard trash 62-701.300(8)(c) <input type="checkbox"/> Whole waste tires 62-701.300(8)(e) <input type="checkbox"/> Regulated asbestos waste 62-701.520(3), 62-701.730(19) <input type="checkbox"/> Used oil and oily wastes, except as exempted 62-701.300(11) <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Lead-acid batteries 62-701.300(8)(a) <input type="checkbox"/> White goods 62-701.300(8)(d) <input type="checkbox"/> Liquids 62-701.300(10) <input type="checkbox"/> CCA treated wood 62-701.300(14) <input type="checkbox"/> Biological waste - Disposal of dead animals due to disease 62-701.520(5)(a) <input type="checkbox"/> Biological waste - Disposal of dead poultry and hatchery residue 62-701.520(5)(b) <input type="checkbox"/> Biological waste - Disposal of captive wildlife, fish or marine mammals, and domestic animals that have not died due to disease 62-701.520(5)(c)	✓			
2.7	Are only permitted waste types disposed at facility? 62-701.340(2), 62-701.500(6)(a), 62-701.500(2)(c)	✓			
2.6.5	Recommended guidance for Item 2.6 above. Facility was provided a copy of the Department's Disposal of Deceased Domestic Animals Guidance Document dated November 9, 2018. (Note: The Guidance Document is to provide direction regarding the disposal of deceased domestic animals pursuant to Chapter 62-701.520(5), F.A.C. and Chapter 823.041, F.S.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A				

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Item No.	LANDFILL OPERATION AND MAINTENANCE	Ok	Not Ok	Unk	N/A
2.8	Is there a trained operator on-site at Class I and III landfills when receiving wastes? 62-701.500(1)	✓			
2.9	Is there at least one trained spotter at each working face when receiving wastes at Class I and III landfills? 62-701.500(1)	✓			
2.10	Are the following records or plans current and available on-site? (Check any that are Not OK) <input type="checkbox"/> Training Plan 62-701.320(15)(a) <input type="checkbox"/> Operating Plan 62-701.500(2) <input type="checkbox"/> Waste weight records 62-701.500(4) <input type="checkbox"/> Precipitation records 62-701.500(8)(g) <input type="checkbox"/> Load-checking program records 62-701.500(6)(a) <input type="checkbox"/> Training records 62-701.320(15)(a) <input type="checkbox"/> Operation record 62-701.500(3) <input type="checkbox"/> Quantity of leachate 62-701.500(8)(f)	✓			
2.11	Is the operation plan substantially followed? 62-701.500(2)	✓			
2.12	Is incoming waste weighed? 62-701.500(4)(a) and 62-701.500(2)(d)	✓			
2.13	Is the method and sequence of filling waste according to plans? 62-701.500(2)(f)	✓			
2.14	Is access properly controlled to prevent unauthorized waste disposal? 62-701.500(5)	✓			
2.15	Is waste compacted as required? 62-701.500(7)(a)	✓			
2.16	Are the working face and side slopes above ground graded to a slope no greater than 3 feet horizontal to 1 foot vertical rise? 62-701.500(7)(c)	✓			
2.17	Is a narrow working face practiced? 62-701.500(7)(d)	✓			
2.18	Is the frequency, amount and quality of initial cover, as required? 62-701.500(7)(e)		✓		
2.19	Is the frequency, amount and quality of intermediate cover, as required? 62-701.500(7)(f)	✓			
2.20	Is litter controlled and are litter control devices maintained? 62-701.500(7)(i) and 62-701.500(11)(f)	✓			
2.21	Is erosion control adequate? 62-701.500(7)(j)	✓			
2.22	Is the leachate collection and removal system maintained and operated as required? 62-701.500(2)(j), 62-701.500(8)(b) and 62-701.500(8)(h)	✓			
2.23	Is leachate disposed of or treated as required? 62-701.500(8)(b), 62-701.500(8)(c) and 62-701.500(8)(d)	✓			
2.24	If leachate recirculation is practiced at the facility, is it done in accordance with Department requirements and the Operation Plan? 62-701.400(5)				✓
2.25	Is gas controlled to not cause objectionable odors beyond the property boundary? 62-701.530(3)(b)	✓			
2.26	Is gas controlled to not allow combustible gas concentrations to exceed specified limits? 62-701.530(3)(a)	✓			
2.27	Are gas vents intact and functioning properly? 62-701.500(9), 62-701.530(1)(a)3	✓			
2.28	Is mixing of leachate and stormwater prevented or minimized? 62-701.500(10), 62-701.400(9)(b)	✓			
2.29	Is stormwater management system maintained and operated as required? 62-701.500(10)	✓			
2.30	Is there sufficient operating equipment? 62-701.500(11)(a)	✓			
2.31	Is there sufficient reserve equipment (or other arrangements)? 62-701.500(11)(b)	✓			

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Item No.	LANDFILL OPERATION AND MAINTENANCE	Ok	Not Ok	Unk	N/A
		✓			
2.32	Are communication facilities adequate? 62-701.500(11)(c)	✓			
2.33	Are approved dust control methods adequate? 62-701.500(11)(d)	✓			
2.34	Are fire protection and fire fighting capabilities adequate and operational? 62-701.500(11)(e)	✓			
2.35	Are there required signs for operational directions and public information? 62-701.500(11)(g)	✓			
2.36	Are all-weather access roads and inside perimeter roads properly maintained? 62-701.500(12)	✓			
2.37	Are groundwater wells intact and properly maintained? 62-701.510(2)(b), 62-701.620(8)	✓			
2.38	Are all additional specific conditions (not otherwise addressed above) in the permit, Department order, or certification, if any, being followed? 62-701.320(1), 403.161, F.S.	✓			

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**Current Violations:**

Rule: 62-701.500(7)(e)

Question Number: 2.18

Explanation: The facility uses soil and/or posi-shell for use as daily cover; waste on the slide slopes was still visible. Although the posy-shell spray-on is a Department approved option for alternate daily cover, the use of the material was not approved by the Department prior to its use at this facility and is not incorporated in their current permit or operations plan.

Corrective Action: The facility shall submit a minor modification permit application within 60 days of receipt of this inspection report to incorporate the use of all alternate daily cover materials not approved in their current permits and operations plan. They shall cease usage of any unapproved alternate daily cover until formally approved by the Department. The facility shall also add approved cover to the affected areas to ensure adequate cover is used and no waste is exposed.

**Attachments:**

Inadequate cover



Close-up of inadequate cover



Inadequate cover



Close-up of inadequate cover

**COMMENTS:**

Current landfill operations are outlined in permit 0199726-033-SO-01, issued 6/13/17 and expires 6/13/27. Current construction and modification efforts are outlined in permit 0199726-031-SC-01, issued 6/15/2016 and was modified per permit 0199726-035-SC-MM on 6/18/2018, it expires 9/7/2026.

Item 1.6 marked unknown: The water quality report is reviewed as a separate function and is not deemed part of this inspection report.

- The facility is currently accepting waste in cells 8 and 13. Waste tires are accepted and stored in one central



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location on-site, they are not processed on-site. The tires are shipped off-site for processing about once a month. There were shredded tires deposited in the working face that were not cut all the way through; the facility was advised to cut the tires down to their required size and ensure the cuts were done thoroughly. The facility uses soil and/or Posi- Shell. Although the Posi-Shell spray-on is an approved alternate daily cover by the Department, the use of the material was not approved by the Department prior to its use at this facility. The facility must submit a minor modification permit application to incorporate the use of this material and cease usage until approved by the Department. Construction for a new cell was in progress at the time of inspection as well.

- All training records were on-site for review and up to date.
- 2018 Estimate of Remaining Life Report submitted 4/5/19.
- The random vehicle load inspections are conducted three times a week.
- Asbestos is buried around 6-8 feet and GPS points are created and recorded.
- The facility did not have the updated operations plan from June 2018 on-site but they quickly located an electronic copy and added it to their file.
- The facility was provided multiple copies of the Department's Disposal of Deceased Domestic Animals Guidance Document dated November 9, 2018.
  - They primarily receive deceased animals from the Osceola County Animal Shelter.
  - The process used to handle deceased animals is similar to that of their asbestos protocol. A hole is dug approximately 6-8 feet deep in the working face and the animal is buried.
- Leachate generation and rain gauge reports were on-site and reviewed.
- The leachate generated on-site is pumped to one of three leachate storage ponds. The leachate is transported by truck to treatment centers in St Cloud and Okeechobee.
- The flares act as a backup system to the landfill gas to energy (LFGTE) plant. There are 6 LFG engines that produce electricity for the Orlando Utilities Company. The landfill gas blower system sends the LFG to the hydrogen sulfide treatment system where it then splits off to the flares or is cooled before reaching the engines.

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**ATTACHMENTS:**

Leachate collection pond



Leachate collection pond



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Waste tire storage area



Working face



Working face



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**Signed:**

Brianna N Gowan

**PRINCIPAL INSPECTOR NAME**

Inspector

**PRINCIPAL INSPECTOR TITLE****PRINCIPAL INSPECTOR SIGNATURE**

DEP

**ORGANIZATION**

04/08/2019

**DATE**

Brad Whidden

**INSPECTOR NAME**

Environmental Specialist III

**INSPECTOR TITLE**

NO SIGNATURE REQUIRED

**INSPECTOR SIGNATURE**

DEP

**ORGANIZATION**

Benjamin Gray

**REPRESENTATIVE NAME**

District Manager

**REPRESENTATIVE TITLE**

NO SIGNATURE REQUIRED

**REPRESENTATIVE SIGNATURE**

Waste Connections

**ORGANIZATION**

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Not Ok" or areas of concern.

**Report Approvers:**

Approver: David Smicherko

Inspection Approval Date: 04/11/2019