



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL 7007 2680 0000 5032 6507
RETURN RECEIPT REQUESTED

September 18, 2008

In the matter of an
Application for Permit by:

DEP File No. 39884-016-SC/08
Manatee County

Manatee County, Utility Operations
Mr. Daniel T. Gray, Director
4410 66th Street West
Bradenton, FL 34210

INTENT TO ISSUE

The Department of Environmental Protection hereby gives notice of its Intent to Issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below. The applicant, Manatee County Utilities Operations Department, Mr. Daniel T. Gray, Director, applied on February 7, 2008, to the Department of Environmental Protection for a permit to construct and operate an active gas extraction system and related appurtenances in the Stage III area of the existing Lena Road Class I Landfill, located at 3333 Lena Road, Bradenton, Manatee County, Florida. **This permit application includes construction and operation of the Stage III active landfill gas control system.**

The Department has permitting jurisdiction under 403.707 and 403.861, Florida Statutes, and Rules 62-4, and 62-701, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

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The Department intends to issue this permit based on its belief that reasonable assurances have been provided to indicate that the proposed project will not adversely impact water quality and the proposed project will comply with appropriate provisions of Chapters 62-4, 62-301, 62-330, 62-520, 62-522, and 62-701, F.A.C., subject to the specific conditions attached in the permit. Pursuant to Section 403.815, Florida Statutes and Rule 62-110.106, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed Agency Action on Permit Application. The notice must be published one time only within thirty (30) days of receipt of this intent in the legal ad section of a newspaper of general circulation in the area affected. Proof of publication must be provided to the Department **within seven (7) days** of publication of the notice. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit. The Department will issue the permit with the attached conditions unless petition for administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, Florida Statutes.

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the

Department at 3900 Commonwealth Boulevard, Mail Station 35,
Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by other persons must be filed within 14 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;

(e) A statement of the ultimate facts alleged, including a statement of the specific facts, which the petitioner contends, warrant reversal or modification of the Department's action or proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

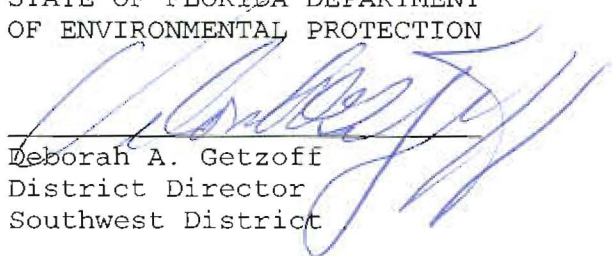
In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case under the provisions of that statute. This does not prevent any interested parties from agreeing to other forms of alternate dispute resolution.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 days after this order is filed with the clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
District Director
Southwest District

DAG/sjp
Attachment

Copies furnished to:

Manatee County Board of County Commissioners
Manatee County Notification List
Gus DiFonzo, Manatee Co., email: gus.difonzo@co.manatee.fl.us
Mike Gore, Manatee County, email: mike.gore@co.manatee.fl.us
Joe Miller, P.E., PBSJ, email: jlmiller@pbsj.com
Ronni Moore, OGC Tallahassee, email
Fred Wick, FDEP Tallahassee, email
Richard Tedder, P.E., FDEP Tallahassee, email
Mara Nasca, FDEP Tampa, Air, email
(Permit Notebook)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this **NOTICE OF INTENT TO ISSUE** and all copies were mailed before the close of business on Sept 18, 2008 to the listed persons.
Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED,
on this date, pursuant to
Section 120.52(11), Florida
Statutes, with the designated
Department Clerk, receipt of which
is hereby acknowledged.

Anna Brantly
(Clerk)

9/18/2008
(Date)

State of Florida
Department of Environmental Protection
Notice of Proposed Agency Action on Permit Application

The Department of Environmental Protection hereby gives notice of its Intent to Issue a permit to Manatee County Utilities Operations Department, Mr. Daniel T. Gray, Director, who applied on February 7, 2008, to the Department of Environmental Protection for a permit to construct and operate an active gas extraction system and related appurtenances in the Stage III area of the existing Lena Road Class I Landfill, located at 3333 Lena Road, Bradenton, Manatee County, Florida. **This permit application includes construction and operation of the Stage III active landfill gas control system.**

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below, and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Blvd., MS#35, Tallahassee, Florida 32399-3000, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of Department's action, or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rules 62-110.106, 28-106.201, and 28-106.301 F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 13051 N. Telecom Parkway, Temple Terrace, Fl. 33637-0926.



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

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Lt. Governor

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Secretary

PERMITTEE

Manatee County
Daniel T. Gray
Utility Operations Director
4410 66th Street West
Bradenton, FL 34210

PERMIT/CERTIFICATION

WACS ID No: SWD-41-44795
Permit No: 39884-016-SC/08
Date of Issue:
Expiration Date: 10/19/2011
County: Manatee
Lat/Long: 27°28'10"N
82°26'35"W
Sec/Town/Rge: 1/35S/18E
31/34S/19E
6&7/35S/19E
Project: Lena Road Class I LF
Stage III, gas collection
system

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4, 62-302, 62-330, 62-522, 62-550, and 62-701. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or referenced in Specific Condition #A.2. and made a part hereof and specifically described as follows:

To expand an active gas extraction system at a Class I landfill (approximately 58 acres), referred to as the **Lena Road Landfill (Stage III, gas collection system)**, subject to the specific and general conditions attached, located at 3333 Lena Road, Bradenton, FL. The specific conditions attached are for the **construction** and operation of:

1. Active gas extraction system within (Stage III) lined landfill area

Gas extraction system	Vertical wells (6 inch diameter, HDPE SDR 11 w/ 5/8 inch perforations) [ref. SC#A.2.a(2)., Sheet C-4], laterals (8-inch HDPE SDR 17 solid wall pipe) sloped min. 2% to drain to condensate knockouts [ref. SC#A.2.a(2)., Sheets C-3, C-3A and C-3B] gas flows to existing flare station
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Replaces Permit No.: N/A, new

This permit contains compliance items summarized in **Attachment 1** that shall be complied with and submitted to the Department by the dates noted. If the compliance dates are not met and submittals are not received by the Department on the dates noted, enforcement action may be initiated to assure compliance with the conditions of this permit.

GENERAL CONDITIONS:

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, 403.161, 403.727, or 403.861, Florida Statutes. 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.

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 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 this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment 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 an order from the Department.

6. The 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, are 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 credentials 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 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.

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 for 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.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, Florida Administrative Code, as applicable. The permittee shall be liable for any non-compliance 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)
- (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
- (d) Compliance with New Source Performance Standards

GENERAL CONDITIONS:

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 the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

(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: PART A -Solid Waste Facility General Requirements

1. **Facility Designation.** This site shall be classified as a Class I landfill and shall be constructed, operated, closed, monitored and maintained in accordance with all applicable requirements of Chapters 62-4, 62-302, 62-330, 62-520, 62-522, 62-550, and 62-701, Florida Administrative Code (F.A.C.) and all applicable requirements of Department rules.

2. **Permit Application Documentation.** This permit is valid for **construction and operation** of the Stage III active gas extraction system in accordance with Department rules and the reports, plans and other information prepared by Post, Buckley, Schuh & Jernigan (PBSJ) (unless otherwise specified) as follows:

a. Manatee County Solid Waste Management Facility, Lena Road Landfill, Stage III Landfill Gas Collection System Construction Permit Application,... (one 3-ring binder) dated January 31, 2008 (received February 7, 2008), as revised, replaced or amended (information inserted into original) dated April 17, 2008 (received April 22, 2008) and June 24, 2008 (received June 25, 2008). This information includes, but is not limited to:

- 1) Lena Road Landfill Contract for Stage III Landfill Gas Collection System, Technical Specifications, [Specs.] (Section 3);
- 2) Plan Sheets titled, Manatee County Lena Road Landfill Stage III Landfill, Gas Collection System,... (9 Sheets) dated January 2008, revised April 2008 (received June 25, 2008) (reduced size set in Section 4, full-size set in file);

b. Responses to Requests for Additional Information,... dated April 17, 2008 (received April 22, 2008) and June 24, 2008 (received June 25, 2008), inserted into original [ref.SC#A.2.a];

c. The following information submitted for Modification #39884-015-SO/MM (this information is located in the 3-ring binder referenced in SC#A.2.a. or SC#A.2.f. of modified permit #39884-010-SO/01):

- 1) Landfill Gas Startup/Shutdown/Malfunction Plan, received June 20, 2008 (Attachment L-3 of Operations Plan [ref.SC#A.2.a(1) of modified permit #39884-010-SO/01],
- 2) Information concerning biosolids dryer system (Section 5 of information listed in SC#A.2.f. of modified permit #39884-010-SO/01), and
- 3) Information concerning landfill gas engines, conditioning system, radiators, and associated buildings (Section 4 of information listed in SC#A.2.f. of modified permit #39884-010-SO/01).

SPECIFIC CONDITIONS: PART A -Solid Waste Facility General Requirements

3. Permit Modifications.

a. Any construction or operation not previously approved as part of this permit shall require a separate Department permit unless the Department determines a permit modification to be more appropriate. Any significant changes to the construction or operation at the facility shall require a permit modification. Permits shall be modified in accordance with the requirements of Rule 62-4.080, F.A.C. A modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review by the Department is considered a substantial modification.

b. This permit **does not authorize** landfill operation. Construction, operation, or other activities not previously approved as part of this permit shall require a separate Department permit unless the Department determines a permit modification to be more appropriate, or unless otherwise approved in writing by the Department.

c. Since construction and operational details for the landfill gas engines, gas conditioning system, radiators and associated buildings described in Section 4 of the information submitted for modification #39884-015-SO/MM (ref. SC#A.2.f. of modified permit 39884-010-SO/01) were not provided, this permit **does not authorize** the construction or operation of those systems. A modification of this permit or closure permit #39884-011-SF/01 shall be required for the construction and operation of these systems.

4. Permit Renewal. No later than April 19, 2011, the permittee shall apply for a renewal of a permit on forms and in a manner prescribed by the Department, in order to assure conformance with all applicable Department rules. Permits shall be renewed at least every five years as required by Rule 62-701.320(10)(b), F.A.C.

5. Professional Certification. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.), Florida Statutes, applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

6. General Conditions. The permittee shall be aware of and operate under the "General Conditions." General Conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes.

7. Permit Acceptance. By acceptance of this Permit, the Permittee certifies that he/she has read and understands the obligations imposed by the Specific and General Conditions contained herein and also including date of permit expiration and renewal deadlines. It is a violation of this permit for failure to comply with all conditions and deadlines.

8. Regulations. Chapter 62-701, F.A.C., effective May 27, 2001, is incorporated into this permit by reference. In the event that the regulations governing this permitted operation are revised, the Department shall notify the permittee, and the permittee shall request modification of those specific conditions which are affected by the revision of regulations to incorporate those revisions.

SPECIFIC CONDITIONS: PART A -Solid Waste Facility General Requirements

9. **Prohibitions.** The prohibitions of Rule 62-701.300, F.A.C., shall not be violated by the activities at this facility.

a. In the event that limestone is encountered during excavation or construction activities, the excavation/construction activities shall cease and the Department shall be notified **within 24 hours of discovery**. Written notification shall be submitted **within 7 days of discovery**. The written notification shall include the location, elevation, and extent of limestone noted on a plan sheet, a description of the materials encountered, and a plan of action which ensures that groundwater will not be adversely affected by the continued construction and operation of the facility. Excavation or construction activities shall not resume in the affected area until the Department-approved plan of action has been completed.

b. In the event that surface depressions or other occurrences which may be indicative of sinkhole activity or subsurface instability, are discovered on-site, or within 500 feet of the site, the Department shall be notified in accordance with Specific Condition #C.6.b. The written notification shall include a description of the incident, the location and size of the affected area shown on an appropriate plan sheet, and a corrective action plan which describes the actions necessary to prevent the unimpeded discharge of waste or leachate into ground or surface water.

c. Open burning of solid waste is prohibited except in accordance with Rule 62-701.300(3) and Chapter 62-256, F.A.C. All fires which require longer than one (1) hour to extinguish must be promptly reported to the Department in accordance with Specific Condition #C.6.b.

SPECIFIC CONDITIONS: PART B - Construction Requirements

1. **Construction.** All significant construction activities shall be approved by the Department prior to initiating work, unless specifically authorized otherwise.

a. This permit authorizes the construction of the Stage III active gas extraction system and related appurtenances.

b. Since construction details for the landfill gas engines and conditioning system described in Section 4 of the information submitted for modification #39884-015-SO/MM (ref. SC#A.2.f. of modified permit 39884-010-SO/01) were not provided, this permit **does not authorize** the construction or operation of that system.

2. **Certification of Construction Completion.** All information required by this Specific Condition shall be signed and sealed by a registered professional engineer or land surveyor as appropriate.

a. **Within sixty (60) days** after the specified construction has been completed, the following activities shall be completed and submitted by the permittee for Department approval:

1) The owner or operator shall submit a Certification of Construction Completion, Form 62-701.900(2), signed and sealed by the professional engineer in charge of construction and quality assurance to the Department for approval, and shall arrange for Department representatives to inspect the construction in the company of the permittee, the engineer, and the facility operator.

2) The owner or operator shall submit Record Drawings/Documents showing all changes (i.e. all additions, deletions, revisions to the plans previously approved by the Department including site grades and elevations). The Record Documents shall include as-built plans details and elevations (survey) as appropriate.

3) The owner or operator shall submit a narrative indicating all changes in plans, the cause of the deviations, and certification of the Record Drawings/Documents by the Engineer to the Department.

4) The professional engineer of record shall submit to the Department a final report to verify conformance with the plans and specifications in accordance with Rules 62-701.400(7) and (8), F.A.C.

3. **Record Drawings/Documents.**

a. The Record Drawings/Documents shall include, but not be limited to, the following information:

1) As-built locations and details (elevations) of repairs to or penetrations through the slurry wall;

2) Daily construction reports;

3) A compact disc or other electronic media that includes all available photographs documenting all stages of the construction project;

4) Permeability testing for each slurry wall repair;

SPECIFIC CONDITIONS: PART B - Construction Requirements

(Specific Condition #B.3.a., cont'd)

- 5) As-built invert elevations for the extraction wells and wellhead headers and laterals;
 - 6) As-built invert elevations for the gravity condensate transmission pipe.
 - 7) An operation and maintenance manual for the gas extraction system;
 - 8) Gas well construction diagrams, including elevation at top of ground, total depth of well, static water level, temperature of spoils, depth, thickness and description of soil or waste strata and the occurrences of any water-bearing zones. [Spec.02610-1.03.C.]
4. **Pre-Construction Submittals.**
- a. **At least thirty (30) days prior** to initiation of any construction activity, unless otherwise specified, the permittee shall submit the following information to the Department:
 - 1) A **complete set** of Plans, Specifications and CQA Plan to be used for construction which includes all changes (i.e., all additions, deletions, revisions to the plans previously approved by the Department). All changes shall be noted using strikethrough (~~strikethrough~~) for deletions, and shading (~~shading~~) or underline (underline) for additions. All changes in the plans, specifications and CQA Plan shall be accompanied by a narrative indicating the change. Significant changes in the plans, as determined by the Department, shall require a permit modification. All changes in the plans shall be noted on the plans and the cause of the deviation and a re-certification of the alternate design by the design engineer shall be provided. These alternate designs shall be approved by the Department prior to construction. If no changes have been made to the construction plans, Specifications or CQA Plan, the permittee shall notify the Department in writing that no changes have been made, and re-submittal of these documents will not be required prior to construction;
 - 2) The role and name of the specific company/organization for each of the parties in the Project team;
 - b. **No later than 2 weeks** prior to construction of the following components of the project, the Department shall be notified of the initiation of construction of these components (for each phase of construction) to allow the Department to observe the construction of:
 - 1) penetrations through the slurry wall

5. **Pre-Construction Meeting Notification.** Department Solid Waste Permitting staff shall be notified **at least one (1) week prior** to all pre-construction meetings. Prior to initiating construction activities, the permittee shall make arrangements for the Engineer of Record to meet on site and discuss all plan changes with Department Solid Waste Permitting Staff of the Southwest District Office. A copy of the minutes from the pre-construction conference shall be submitted to the Department within two (2) weeks of the conference.

SPECIFIC CONDITIONS: PART B - Construction Requirements

6. Construction Schedule and Progress Report.

a. **No later than one (1) week after** the pre-construction conference, the owner or operator shall submit a construction schedule which includes estimated dates for each portion of the construction to the Department. The Engineer of Record or another qualified professional engineer shall make periodic inspections during construction to ensure that design integrity is maintained.

b. An updated construction schedule and progress report shall be submitted to the Department **monthly, by the 15th of each month**. The monthly progress report should be submitted in an appropriately labeled three-ring binder of sufficient size to store the monthly progress reports for the entire project. The monthly progress reports shall include, but not be limited to:

- 1) A narrative explaining the status (and any delays) of major stages of the construction (i.e., piping, slurry wall penetrations, etc.),
- 2) A summary of submittals and change order requests,
- 3) Weekly progress meeting minutes [Spec. 01200-1.03.A.] and
- 4) Color copies of photographs which are representative of the typical construction activities for the reporting period, and photographs which show overall views and details of major stages of construction (e.g., lift station construction/connections, etc.).

7. Construction Tolerances.

a. Gas collection pipe slopes shall be a minimum of 2%. Invert elevations of the gas collection pipes shall be recorded every 100 feet to demonstrate that the gas collection system has been constructed to the slopes and grades shown on the drawings. [Spec. 02221-3.02., 15051-3.01.C.] This information shall be included with the Record Documents.

b. The construction tolerance for elevations shall be ± 0.10 ft.

8. Laboratory and Field Testing Requirements. Field and laboratory testing during the construction activities shall be conducted by a qualified testing laboratory, independent of the manufacturer or installer, representing the owner. A qualified field technician representing the owner shall provide full time, on-site inspection during construction. The field technician shall work under the supervision of a professional engineer registered in the State of Florida with experience in landfill liner construction.

9. Construction Quality Assurance.

a. Liner systems shall have a construction quality assurance plan to provide personnel with adequate information to achieve continuous compliance with the construction requirements. The Construction Quality Assurance Plan shall be in accordance with Rules 62-701.400(7) and (8), F.A.C., and the conditions of this permit. The professional engineer or his designee shall be on-site at all times during construction (including gas management system) to monitor construction activities.

SPECIFIC CONDITIONS: PART B - Construction Requirements

(Specific Condition #B.9., cont'd)

b. A complete set of construction drawings and shop drawings, which include daily additions, deletions and revisions, shall be maintained on-site at all times for reference. Work shall not be concealed until required information is recorded.

c. All liquid encountered during construction inside the slurry wall is leachate and shall be managed appropriately [see Spec. 01030-1.09, 02221-1.02.B.]. Leachate shall not be deposited, injected, dumped, spilled, leaked, or discharged in any manner to the land, surface water or groundwater outside the slurry wall (liner system) at any time during the construction activities.

d. Unsatisfactory, defective or non-conforming work shall be reported to the Engineer and shall be corrected, or the reasons for not correcting the work shall be recorded and maintained on-site for reference and inspections. Documentation of the corrections or reasons for not correcting the work shall be submitted with the Record Documents required by Specific Conditions #B.2 and #B.3. All areas not meeting the requirements of the contract specifications and CQA Plan shall be reworked by the Contractor to meet the specifications, CQA Plan and requirements of this permit.

e. Construction activities such as surveying, gas well drilling, etc., shall not be carried out in non-daylight hours without prior Department approval. If these activities will be conducted during nighttime hours, the Department shall be notified **at least 1 week** in advance to allow for Department observation. This notification shall include a description of the methods which will be used to provide adequate illumination to ensure that the quality of the construction is not compromised.

f. All portions of the gas management system construction, shall be observed and documented by the CQA Consultant.

g. CQA daily reports shall include weather conditions (e.g., precipitation, temperature).

h. Runoff from stockpiled soils shall not discharge to surface water bodies or wetlands such that Department surface water standards are violated at the point of discharge.

i. All excavations shall be maintained free from standing water. Except for the stormwater management system construction, no construction, including pipe laying, shall be allowed in water. The surface shall be graded such that there is no ponding of water.

j. The Department shall be notified in accordance with Specific Condition #C.6.b. of all fuel, oils, greases, solvents, lubricants, etc., that are spilled or leaked in areas that may discharge outside the slurry wall. The permittee shall ensure that all personnel working on the landfill site (including contractors and subcontractors) shall utilize all appropriate measures to prevent spills and leaks of fuel, solvents, lubricants, oils, etc.

SPECIFIC CONDITIONS: PART B - Construction Requirements

(Specific Condition #B.9., cont'd)

k. All waste exposed by excavations or other construction activity shall be covered or removed for disposal at the active working face daily. [Spec. 01015-1.12; 02610-3.03.A.] All wastes generated during the construction shall be disposed of in the on-site, active Class I landfill. No solid waste shall be used for backfill.

l. Gas well drilling shall be in accordance with Specification Section 02610 and the conditions of this permit [Spec. 02610-3.01.A.]. In the event that the gas well installation indicates that the clay confining unit under the landfill may have been encountered during gas well installation, the gas well drilling **shall cease** in the affected area and the Department shall be notified in accordance with Specific Condition #C.6.b. The information required by Specification 02610-1.03.C. shall be provided with the written notification. Gas well installation shall not resume until specifically approved by the Department.

m. All newly constructed work such as landfill gas wells, well heads, pipes, stormwater inlets, groundwater monitoring wells, etc., shall be protected. In the event that any groundwater monitoring well is damaged, the Department shall be notified in accordance with Specific Condition #C.6. [Spec. 01015-1.11B.]

10. Soil Materials.

a. Repairs to the slurry wall shall be in accordance with Specification Section 01015-1.03. The Department shall be notified of repairs to the slurry wall in accordance with Specific Condition #B.4.c.

b. Pipe bedding materials for pipes installed within the limits of the slurry wall shall not contain any angular stone.

c. The aggregate used for the gas system installation shall be non-calcareous washed well-graded granite. [Spec. 02610-2.01.A.]

11. Geosynthetic Materials.

a. The geosynthetic materials used in this project include HDPE piping and fittings only. The installation and materials of the piping and fittings shall be in accordance with Specification Section 15051.

SPECIFIC CONDITIONS: PART C - Operation Requirements

1. **Facility Operation Requirements.**
 - a. The permittee shall operate the active portions of this facility in accordance with Chapter 62-701, F.A.C., and Operation Permit #39884-010-SO/01 (including modifications, if any), or its successors.
 - b. Leachate shall not be deposited, injected, dumped, spilled, leaked, or discharged in any manner to soils, surface water or groundwater outside the liner and leachate management systems at any time during the construction or operation of this facility.
 - c. The gas flare shall be kept in operation at all times during construction. [Spec.01005-1.11.B.]
 - d. Drainage from the gas condensate management system (e.g., flare station gas knockout) shall not be deposited, injected, dumped, spilled, leaked, or discharged in any manner to soils, surface water or groundwater outside the liner and leachate management systems at any time during the construction or operation of this facility. These liquids shall be tested to ensure that they are non-hazardous prior to disposal.
2. **Facility Personnel.** The owner or operator shall provide adequate personnel for constructing, operating, monitoring and maintaining the facility in an orderly, safe, and sanitary manner.
3. **Control of Access.** Access to, and use of, the facility shall be controlled as required by Rule 62-701.500(5), F.A.C.
4. **Monitoring of Waste.** Wastes shall be monitored as required by Operation Permit #39884-010-SO/01 (including modifications), or its successors.
5. **Control of Nuisance Conditions.** The owner or operator shall control odors, vectors (mosquitoes, other insects, rodents), and fugitive particulates (dust, smoke) arising from the construction and operation so as to protect the public health and welfare. Such control shall minimize the creation of nuisance conditions on adjoining property. Complaints received from the general public, and confirmed by Department personnel upon site inspection, shall constitute a nuisance condition, and the permittee must take immediate corrective action to abate the nuisance.
6. **Facility Maintenance and Repair.**
 - a. The site shall be properly maintained including maintenance of access roads to disposal areas, equipment, stormwater and leachate management systems, cover systems and berms, gas monitoring and management systems, surface water monitoring system, and groundwater monitoring system. Erosion and ponded water in disposal areas shall be prevented.
 - b. In the event of damage to any portion of the landfill site facilities, unauthorized leachate discharges, failure of any portion of the landfill systems (including damaged or dry groundwater monitoring wells), fire, explosion, the development of sinkhole(s) or other subsurface instability at the site, the permittee shall **immediately (within 24 hours)** notify the Department explaining such occurrence and remedial measures to be taken, method to prevent reoccurrence, and time needed for repairs. **Written, detailed notification shall be submitted to the Department within seven (7) days following the occurrence.** Routine maintenance does not require notification but shall be noted on daily reports.

SPECIFIC CONDITIONS: PART C - Operation Requirements

7. **Stormwater Management.** The site shall have a surface water management system designed, constructed, operated, and maintained to prevent surface water from running on to waste filled areas, and a stormwater runoff control system designed, constructed, operated, and maintained to collect and control stormwater to meet the requirements of Chapter 62-330, F.A.C., and the requirements for management and storage of surface water in accordance with Rule 62-701.500(10), F.A.C., to meet applicable standards of Chapters 62-3, 62-302, and 62-330, F.A.C. The stormwater management system shall be inspected for damage and proper operation daily.

SPECIFIC CONDITIONS: PART D - Recordkeeping

1. **Report submittals.** Unless otherwise specified, all submittals, notifications, requests for permit modification, reports for compliance with this permit, etc. shall be sent to: Solid Waste Section, Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Fl. 33637-0926.

2. **Operation Plan and Operating Record.** Each landfill owner or operator shall have an operational plan which meets the requirements of Rule 62-701.500(2), F.A.C. A copy of the Department approved permit, operational plan, construction reports and record drawings, and supporting information shall be kept at the facility at all times for reference and inspections. Operating records as required by Rule 62-701.500(3), F.A.C., are part of the operations plan, and shall also be maintained at the site.

3. **Waste Records.** The permittee shall maintain all records required by the construction specifications, CQA Plan and this permit on-site, and shall provide copies to the Department upon request, unless specified otherwise.

4. **Financial Assurance.** The permittee shall provide adequate financial assurance for this facility and related appurtenances in accordance with Rule 62-701.630, F.A.C.

a. All costs for closure shall be adjusted and submitted **annually, by September 1st each year** to: Solid Waste Manager, Solid Waste Section, Department of Environmental Protection, 13051 North Telecom Parkway, Temple Terrace, Fl. 33637-0926.

b. Proof that the financial mechanism has been adequately funded shall be submitted **annually** to: Financial Coordinator, Solid Waste Section, Department of Environmental Protection, 2600 Blair Stone Road, MS#4565, Tallahassee, Florida 32399-2400.

SPECIFIC CONDITIONS: PART E - Water Quality Monitoring Requirements

1. **Water Quality Monitoring Quality Assurance.** Water quality monitoring shall be conducted as required by operation permit number 39884-010-SO/01, including modifications if any, or its successors.

SPECIFIC CONDITIONS: PART F - Landfill Gas Management

1. Landfill Gas - NSPS and Title V Air Requirements.

a. This solid waste permit will meet the statutory requirement to obtain an air construction permit before modifying or constructing a source of air pollution, except for those landfills that are subject to the prevention of significant deterioration (PSD) requirements of Chapter 62-212, F.A.C. Facilities that are subject to the PSD requirements shall obtain an air construction permit from the Bureau of Air Regulation prior to beginning construction or modification pursuant to Rule 62-210.400, F.A.C.

b. The permittee shall comply with any applicable Title V air operation permit application requirements of Chapter 62-213, F.A.C., and 40 CFR 60, Subparts WWW and CC, as adopted by reference at Rule 62-204.800, F.A.C. Title V Permit applications shall be submitted to the District Air Program Administrator or County Air Program Administrator with air permitting authority for the landfill.

c. The permittee shall submit to the Division of Air Resources Management, Department of Environmental Protection, Mail Station 5500, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, any amended design capacity report and any Non-Methane Organic Compound (NMOC) emission rate report, as applicable, pursuant to 40 CFR 60.757(a)(3) and (b).

2. Gas Monitoring and Control. Landfill gas shall be monitored and controlled as required by Operation Permit #39884-010-SO/01 (including modifications), or its successors.

3. Gas Monitoring Locations. Gas monitoring probes shall be located as listed in Operation Permit #39884-010-SO/01 (including modifications), or its successors.

4. Gas Remediation. In the event that the Lower Explosive Limit (LEL) is greater than 25% inside structures both on or off of the landfill site, or greater than 100% at the property boundary, the owner shall submit to the Department, **within 7 days of detection**, a remediation plan detailing the nature and extent of the problem and the proposed remedy. The remedy shall be completed **within 60 days of detection** unless otherwise approved by the Department.

SPECIFIC CONDITIONS: PART G - Closure and Long-Term Care Requirements

1. **Closure Requirements.**
 - a. **No later than ninety (90) days** prior to the date when wastes will no longer be accepted for portions of the landfill which have reached closure design dimensions, the landfill owner or operator shall submit a closure permit application to the Department, in order to assure conformance with all applicable Department rules. A closure permit is required prior to implementing closure related activities.
 - b. **Long-Term Care Requirements.** The owner or operator shall perform long-term care for the site in accordance with Rule 62-701.620, F.A.C., and the Long-Term Care Plan referenced in modified permit #39884-010-SO/01, or its successors. Long-term care includes, but is not limited to, water quality, leachate and gas monitoring; maintenance of the final cover system; maintenance of the leachate collection and removal system; maintenance and operation of the gas collection system; erosion control; and the prevention of ponding within disposal areas.
 - c. After final cover construction for all areas of the landfill is completed, and construction is approved by the Department, the permittee shall file a declaration to the public in the deed records in the office of the county clerk.
2. **Future use of closed landfill areas.** Prior to **implementation**, the owner or operator shall submit a plan for any proposed uses of the closed portions of the landfill to the Department for approval. This plan shall include a description of the proposed use, and evaluation of the impact on the existing landfill systems (e.g. final cover, leachate collection, bottom liner), engineering designs, calculations and plans as appropriate, etc. The proposed activity shall not be initiated without prior Department approval.
3. **Final Cover.** Portions of the landfill which have been filled with waste to the extent of designed dimensions shall be closed (shall receive final cover) within 180 days after reaching design dimensions, in accordance with Rule 62-701.500(7)(g), F.A.C. and all applicable requirements of Department rules.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
District Director
Southwest District

ATTACHMENT 1		
Specific Condition	Submittal Due Date	Required Item
A.4.	No later than 04/19/2011	Submit permit renewal application
A.9.a.	Within 24 hours of discovery	Notification of sinkholes or subsurface instability
	Within 7 days of verbal notification	Written notification & corrective action plan
B.2.a.	Within 60 days of completion	Submit certification of construction completion, record drawings, etc.
B.4.a.	At least 30 days prior to construction	Submit complete plans, specification, CQA plan, or statement that no changes have occurred, org. chart with parties/roles,
B.4.b.	No later than 2 weeks prior to construction of penetrations of the slurry wall	Notify of construction initiation to allow for observation
B.5.	At least 1 week prior	Notify of preconstruction meeting
B.6.a.	No later than 1 week after pre-construction meeting	Submit meeting minutes
B.6.b.	Monthly, by the 15 th each month	Submit monthly progress report & schedule
B.9.e.	At least 1 week prior	Notify of night work
C.6.b.	Within 24 hours of discovery	Notification of: hazardous waste receipt, failure of landfill systems or equipment
	Within 7 days of verbal notification	Written notification & corrective action plan
D.4.a.	Annually, by September 1 st each year	Submit revised cost estimates
D.4.b.	Annually	Submit proof of funding
F.4.	Within 7 days of detection	Submit gas remediation plan
	Within 60 days of detection	Complete corrective actions
G.1.a.	No later than 90 days prior to the date when wastes will no longer be received in active LF areas	Submit Closure Permit application