



Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

Permittee:

Ocala Recycling, LLC
2350 N. W. 27th Avenue
Ocala, Florida 34475

Attention: Mr. Carl Zalak

I.D. Number:

Permit/Certification Number:
SO42-0019600-005

Date of Issue:

Expiration Date: 9/4/2007

Section/Township/Range:

2/ 15 South/21 East

Latitude/Longitude:

29°12'30"/82°10'30"

Project: Ocala Recycling, LLC,

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4 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 on file with the Department and made a part hereof and specifically described as follows:

To construct/operate the Ocala Recycling, LLC for C&D Disposal and Recycling. The facility accepts only construction and demolition debris and serves the Ocala area.

Disposal of construction and demolition debris is approved for Phase I, AKA Cell #1. Waste shall not be placed for disposal in Phase 2, AKA Cell #2, until the requirements of Specific Condition No. 31 of this permit have been completed. Cell #1 and Cell #2 are depicted on Drawing No. 1001-DRA, Sheet 2 of 4, signed and sealed by Juan Guerra, P.E. on February 12, 2002, which is made a part of this permit as noted in Specific Condition No. 1.

The facility will accept construction and demolition debris waste in accordance with Rule 62-701.200(27), F.A.C. from outside sources such as general public, commercial carriers, demolition operations and construction companies in addition to C&D from its own operation.

The facility receives construction and demolition debris and recycles materials contained in the construction and demolition debris waste stream. The recycled materials are untreated lumber, concrete metals, plastics, etc. Trees and other wood debris originating from the construction and demolition debris waste stream are passed through a grinder and converted into mulch.

The project incorporates an approved ground water monitoring plan.

LOCATION: The facility is located at 2350 N. W. 27th Avenue, Ocala, in Section 2, Township 15 South, Range 21 East, in Marion County, Florida.

General Conditions are attached.

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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, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.) 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 personal 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, as required by Department rules. This provision includes the operation of backup and 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 this 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.
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 Section 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 62-730.330, Florida Administrative Code (F.A.C.), 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:
 - () Determination of Best Available Control Technology (BACT)
 - () Determination of Prevention of Significant Deterioration (PSD)
 - () Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - () Compliance with New Source Performance Standards
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 information) 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.

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SPECIFIC CONDITIONS:

1. Plans and Specifications: Drawings, plans, documents and specifications submitted by the permittee, not attached hereto, but remain on file at the Central District office, are made a part of this permit.
2. Inspection Requirements: A copy of the permit, with a complete copy of the permit application and engineering drawings shall be kept on file at the facility for inspection and review upon request.
3. Other Permits: This permit does not relieve the permittee from complying with any other appropriate stormwater, ERP or other permit requirements.
4. Signs: Signs indicating the name of the operating authority, traffic flow, hours of operation, charges for disposal and the types of wastes accepted shall be placed at all entrances to the site.
5. Site Access: Access to the site shall be restricted by an effective barrier designed to prevent unauthorized entry and dumping.
6. Litter, Dust & Fire Protection: The facility shall have litter control devices, dust controls, fire protection and fire-fighting facilities. Litter control devices shall be installed around the active landfill areas as needed to control litter. Litter is to be picked up and litter control devices are to be cleaned with the litter placed in the active cell.
7. Safety Devices: Safety devices shall be provided on equipment to shield and protect the operators from potential hazards during operation.
8. Equipment Breakdown: In the event of equipment malfunction, destruction, breakdown or other problems resulting in the permittee being temporarily unable to comply with any of the conditions of this permit, the Department is to be immediately notified by the permittee as to the cause, what steps are being taken to correct the problem and prevent its recurrence as required by Rule 62-4.130, F.A.C.
9. Effluent Discharge: There shall be no discharge of liquid effluents or contaminated runoff to surface or ground water without prior approval from this Department.
10. Surface Water Management: All surface water runoff from the site shall be collected and treated to meet the requirements of Chapters 373 and 403, Florida Statutes (F.S.) prior to discharge off-site. The surface water management system shall prevent surface water flow into waste filled areas.
11. Zone of Discharge: The zone of discharge for the facility shall be a three dimensional volume, defined in the vertical plane as extending from the top of the ground to the base of the surficial aquifer, and defined in the horizontal plane as extending 100 feet from the edge of the solid waste deposit, or to the property boundary, whichever is less. Class G-II water quality standards must be met at the boundary of the zone of discharge in accordance with Rule 62-522.410, F.A.C.

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12. Monitoring Plan Implementation Schedule: The Monitoring Plan Implementation Schedule attached as Exhibit I, is made a part of this permit.

13. Solid Waste Burning: Burning of solid waste is prohibited except in accordance with Rule 62-701.300(3), F.A.C. Any fires at the facility must be reported to the Department within 5 days by letter explaining the cause, remedial action and measures taken to prevent a recurrence.

14. Improper Operations: When the Department, after investigation, has good reason (such as complaints, questionable maintenance of equipment, improper operations, etc.) to believe that any applicable standard contained in Chapter 62-701, F.A.C. or in this permit is being violated, it may require the owner or operator of the source to identify the nature of the problem and submit a report to the Department on the results of the investigation and corrective action to prevent its recurrence.

15. Temporary Storage: The temporary storage of non-permitted waste at the site shall not exceed 48 hours for putrescible waste and 30 days for non-putrescible waste.

16. Facility Shut-down: During any periods the facility is not operating, whether due to a planned or emergency shutdown, all incoming waste shall be directed to a Department permitted landfill or disposal facility for disposal.

Any remaining waste on the tipping floor shall also be picked up and hauled away.

17. Erosion Control: Side slopes and covered areas shall be maintained to minimize erosion and facilitate stormwater management.

18. Odor Control: The facility shall be operated to control objectionable odors, Rule 62-701.730(7)(e), F.A.C.

19. Operation Plan: An operation plan prepared by the engineer of record which shall include the sequence of filling, compaction, placement of cover, etc., shall be kept at the facility. The operator shall be trained and knowledgeable about the plan.

20. Trained Operator: A trained operator shall be on duty at the facility at all times that the facility is operating. In addition, a sufficient number of spotters shall be on duty at the working face to inspect the incoming waste at all times waste is being accepted at the site.

21. Training Requirements: The facility shall meet the training requirements of Rule 62-701.730(8), F.A.C.

22. Final Cover: Final cover and seeding or planting of vegetative cover shall be placed on each disposal unit within 180 days after it has reached its final grade. Final cover shall consist of a 24-inch thick soil layer, the upper six inches of which shall be capable of supporting vegetation and shall be graded and compacted as necessary to eliminate ponding, promote drainage, and minimize erosion. The side slopes of all above-grade disposal units shall be no greater than three feet horizontal to one foot vertical rise.

23. Certification: The facility shall meet the certification requirements of Rule 62-701.730(3), F.A.C.

24. Operating Rates: Volume of construction and demolition debris waste to be received is approximately 150 tons per day. Actual operating rates may vary depending upon business conditions.

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25. Reporting Requirements: The facility shall meet the reporting requirements of Rule 62-701.730(12), F.A.C.

26. Landfill Elevation: The maximum design elevation of the landfill shall not exceed 130 feet NGVD.

27. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the construction/operation authorized by this permit.

28. Operation Permit Renewal: An operation permit renewal must be submitted at least 60 days prior to the expiration date of this permit. (Rule 62-4.090, F.A.C.).

29. Facility Closure: At least 90 days prior to the date when wastes will no longer be accepted, the owner or operator of the construction and demolition debris disposal facility shall submit an updated closure plan to the Department to reflect any changes in the closure plan due to actual operational conditions at the facility. Closure shall be completed within 180 days after receiving the final waste quantity. After closure is completed, the owner or operator shall certify in writing to the Department within 30 days, that closure is complete.

30. Long-Term Care Requirements: The facility shall meet the long-term care requirements, Rule 62-701.730 (10), F.A.C.

31. Phase 2 Operations: This permit authorizes disposal of construction and demolition debris in the Phase 1 area, AKA Cell #1, which covers a disposal area of 12 acres. Phase 2, AKA, Cell #2, is defined as the 13-acre parcel of land to the south and west of the 30-foot gas main easement depicted on Drawing No. 1001-DRA, Sheet 2 of 4, signed and sealed by Juan Guerra, P.E. on February 12, 2002. Operations within Phase 2 shall not commence until the following requirements have been completed:

(a) The Department has been notified and the financial assurance mechanism has been updated to include closure and long-term care costs for Phase 2 in accordance with the approved cost estimates, and updated with the appropriate inflation factors, as noted in Specific Condition 33 of this permit. Financial assurance for Phase 2 shall be in place and approved by the Department's financial coordinator at least 60 days prior to placement of waste in the Phase 2 area.

(b) The professional engineer of record has submitted a signed and sealed Certification of Construction Completion of a Solid Waste Management Facility form and, if necessary, record drawings depicting any substantial deviations from the approved plans and specifications.

(c) The permittee has received written authorization from the Department's Central District, accepting the Certification of Construction Completion and updated financial assurance mechanism.

32. Financial Assurance Requirements: The permittee shall maintain compliance with the financial assurance requirements of Rule 62-701.730(11)(a), F.A.C. by submitting all required updated supporting documentation in accordance with Rule 62-701.630, F.A.C. and 40 CFR Part 264, Subpart H as adopted by reference in Rule 62-701.630, F.A.C. All submittals in response to this specific condition shall be submitted to the Financial Coordinator, Solid Waste Section, Department of Environmental Protection, MS-4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

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33. Annual Cost Estimates and Financial Instrument Adjustments: The permittee shall, in addition to annually adjusting the closure and long-term care cost estimates, adjust the financial assurance mechanism to reflect an increase in cost estimates. Cost estimate adjustments shall be in accordance with Rule 62-701.630(4), F.A.C. Instrument adjustments shall be in accordance with Rule 62-701.630, F.A.C. and 40 CFR Part 264, Subpart H as adopted by reference in Rule 62-701.630, F.A.C. Documentation of financial mechanism increases shall be submitted to: Financial Coordinator, Solid Waste Section, Department of Environmental Protection, MS-4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All estimate update submittals shall be sent to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.

34. Side Slopes: The permittee shall maintain all side slopes in the disposal area at a ratio no steeper than 3:1 (horizontal:vertical) during facility operation unless otherwise specified in the approved operation plan. Any proposal to maintain side slopes steeper than 3:1 during facility operation shall be signed, and sealed by the professional engineer of record, or other licensed professional with appropriate qualifications and experience. The proposal shall be subject to approval by the Department and shall include affirmative justification that side slopes no steeper than 3:1 will be established on all portions of the disposal area prior to closure, and that neither the final design height nor the boundaries of the permitted footprint of the disposal area will be exceeded at closure. The proposal shall also include affirmative justification that establishment of side slopes steeper than 3:1 during operation will not contribute to slope failure.

ISSUED _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Vivian F. Garfein
Director, Central District
3319 Maguire Boulevard
Suite 232
Orlando, Florida 32803