



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

By E-Mail
smccash@wasteservices.com

In the Matter of an
Application for Permit by:
Omni Waste of Osceola County, LLC
1501 Omni Way
St. Cloud, FL 34473

Attention: Mr. Shawn McCash

OCD-SW-07-0060
Osceola County – SW
Oak Hammock Disposal, Phases 2 and 3, Class I
DEP File Nos. SC49-0199726-004 and
SO49-0199726-005

This is the Department's Intent to Issue Permit Nos. SC49-0199726-004 & SO49-0199726-005. Enclosed are the "Notice of Proposed Agency Action" and Draft Permit for the project and file numbers noted above. Please contact the Central District's Solid Waste Program at 407-893-3328 if you have questions or need further information.

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy of conditions attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Omni Waste of Osceola County, LLC/Shawn McCash, applied on September 12, 2006, to the Department of Environmental Protection for a permit to continue waste disposal in Phase 1 and to construct and operate the Oak Hammock Disposal, Phases 2 and 3, Class I in Osceola County, Florida.

The Department has permitting jurisdiction under Section 403.707(1), F.S. and Chapters 62-4, 62-701, and 62-711 F.A.C. The project is not exempt from permitting procedures. The Department has determined that a construction and operation permit is required for the proposed work.

Pursuant to Section 403.815, F.S., you are required to publish at your own expense the enclosed Notice of Proposed Agency Action. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. You must provide proof of publication to the Department at the address listed below as soon as practical after publication. Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803, telephone 407/893-3328.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, 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.A.C., 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.

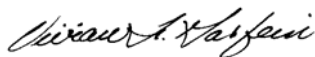
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of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

Mediation is not available in this proceeding.

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 Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Vivian F. Garfein
Director, Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803
407/894-7555

Date: February 15, 2007

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Feb. 15, 2007

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were sent by electronic mail before the close of business on February 15, 2007 to the listed persons.



Clerk

VFG/gc/ew

Enclosures

1. Wording for "Notice of Proposed Agency Action"
2. Draft Permit

Copies furnished to:

Richard Tedder, P.E. – DEP – Tallahassee
Fred Wick – DEP – Tallahassee
Frank Hornbrook – DEP – Tallahassee
L. Kozlov, P.E. – DEP – Air Section
Ayushman Gupta, P.E. – Geo Syntec Consultants agupta@geosyntec.com

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Protection gives Notice of its intent to issue a construction and operation permit to Omni Waste of Osceola County, LLC,/Shawn McCash, 1501 Omni Way, St. Cloud, FL 34473, to construct and operate the Oak Hammock Disposal, Phases 2 & 3, Class I, in Osceola County, FL. The landfill is located approximately 6.5 miles south of Holopaw, on the west side of U. S. Highway 441, in eastern Osceola County, FL.

The Department has assigned File Numbers SC49-0199726-004 & SO49-0199726-005 to the project and has considered the effects of this landfill on ground water and surface water.

The Department's file on this matter 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 the Department of Environmental Protection, Central District office, 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803, Telephone 407/893-3328.

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of this notice or receipt of the written notice, whichever occurs first. 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 of the Florida Statutes, 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 of the Florida Administrative Code.

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 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 facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which 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 of the Florida Administrative Code.

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 as an alternative to filing a petition for an administrative determination.



Florida Department of Environmental Protection

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

Charlie Crist
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Secretary

Permittee:
Omni Waste of Osceola County, LLC
1501 Omni Way
St. Cloud, FL 34773

WACS Facility: 89455
Permit Numbers: SC49-0199726-004 &
SO49-0199726-005
Expiration Date: 01/11/2012

County: Osceola
Section 11, 13, 14, 17 & 18, Township 28 South,
Range 32 East and 33 East
Latitude 28°03'32" North / Longitude 81°05'46"

Attention: Mr. Shawn McCash
West

Project: Oak Hammock Disposal, Phases 2 & 3,

Class I

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4, 62-701, and 62-711. The above named permittee is hereby authorized to perform the work and 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 continue waste disposal operations in Oak Hammock Disposal, Phase 1.
- To construct and operate the Oak Hammock Disposal, Phases 2 and 3, Class I landfill. The present service area for the landfill is Osceola County, counties surrounding Osceola County, and counties adjoining the surrounding counties.
- The complete build-out of the facility will include 21 landfill cells with a footprint of approximately 264 acres within a property boundary of approximately 2,179 acres. The anticipated life of the complete facility is 10 to 15 years.
- This permit renewal application is to construct and operate Phase 2, which includes Cells 5, 6, and 7, and Phase 3, which includes Cells 8, 9, and 10. Cells 1 through 4 were constructed at Oak Hammock Disposal as part of Phase I development. Class I waste has been and/or is being currently deposited in Cells 1, 2, and 4. Cell 3 is currently accepting waste.
- Phase 2 includes Cells 5, 6, and 7, and has a footprint of approximately 36 acres. Phase 3 includes Cells 8, 9, and 10, and has a footprint of approximately 34 acres. Other principal features of Phases 2 and 3 include expansion of the existing stormwater management system and relocation of the interim leachate storage facility. The existing leachate storage facility will be relocated to a permanent location adjacent to the administrative area during construction of Cell 8.
- Household waste, commercial waste, construction and demolition debris, and other waste classified as Class I waste may be disposed in the landfill. The waste will be from residential communities and commercial sources.

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- The Class I landfill is equipped with a double-composite liner system, which directs any liquid entering the landfill that may have contacted refuse to a leachate collection system (LCS). Collected leachate is pumped from the sumps into the leachate transmission line where it is conveyed to an on-site leachate storage facility, and periodically trucked to the St. Cloud wastewater treatment plant (WWTP) for treatment and disposal.
- A gas management system will be implemented to control odors and migration of methane.
- The facility has a Title V air permit #0970079-003-AV.
- The project incorporates a ground water and surface water monitoring plan.

LOCATION: The landfill is located approximately 6.5 miles south of Holopaw, on the west side of U. S. Highway 441, in eastern Osceola County, Florida.

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.

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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 62-730.300, 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. 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.
14. 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.

PERMITTEE:
Omni Waste of Osceola County, LLC

WACS Facility: 89455
Permit/Certification Numbers:
SC49-0199726-004 & SO49-0199726-005
Expiration Date: 01/11/2012

Attention: Mr. Shawn McCash

SPECIFIC CONDITIONS:

Note that time-sensitive specific conditions are summarized in Appendix B of this permit.

1. Plans and Specifications: Drawings, plans, documents and specifications submitted by the permittee, not attached hereto, but on file at the Central District office, are made a part of this permit. The documents are listed in Appendix A.
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 landfill for inspection and review upon request.
3. Other Permits: This permit does not relieve the permittee from complying with any other appropriate stormwater, ERP, Title V/NSPS, 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, Rule 62-701.500(11)(g), F.A.C.
5. Site Access: Access to the site shall be restricted by an effective barrier designed to prevent unauthorized entry and dumping, Rule 62-701.500(5), F.A.C.
6. Litter, Dust & Fire Protection: The landfill shall have litter control devices, dust controls, fire protection and fire-fighting facilities, Rule 62-701.500(11)(d), (e) and (f), F.A.C. Litter must be collected and litter control devices must be cleaned. All collected litter must be placed in the active cell for disposal.
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 permittee shall immediately notify the Department. The notification shall address the cause of the problem, corrective action, and what steps are being taken to prevent 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 the Department.
10. Surface Water Management: All surface water runoff from the developed portions of 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. Stormwater - Leachate Contamination: Stormwater that comes into contact with leachate shall be treated as leachate. Any leachate emanating from the landfill shall be collected and treated as necessary to meet the requirements of Chapters 62-302, 62-4 and 62-520, F.A.C., prior to discharge off-site, unless the leachate is transmitted to a permitted treatment facility.
12. Stormwater Management System Maintenance: The stormwater management system shall be maintained and visually inspected regularly, and shall be cleaned and maintained as necessary to allow for treatment and conveyance of stormwater according to the permitted engineering design.

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PERMITTEE:
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SPECIFIC CONDITIONS:

13. 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 bottom of the screen of the deep surficial monitoring wells, and defined in the horizontal plane as extending 100 feet from the footprint of the waste disposal area 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.
14. Monitoring Plan Implementation Schedule: The Monitoring Plan Implementation Schedule (MPIS) attached as Exhibit I is made a part of this permit. All new wells shall be in place and sampled prior to placement of waste in the newly constructed cells. All new and existing wells shall be sampled semiannually, as required in the MPIS.
15. Construction Quality Assurance: The Construction Quality Assurance (CQA) Plan submitted with the permit application shall be followed for installing and testing the liner system and related components. The CQA engineer or the engineer's designee shall be on-site at all times during construction of the liner systems to monitor the construction activities including the preparation of the subgrade, placement of the GCL, primary and secondary liners, and the placement of the soil drainage layer over the primary liner to ensure the underlying geosynthetics are not damaged during construction.
16. Liner Installation-Summary Report: A professional engineer, licensed in Florida, shall supervise and evaluate the liner installation quality assurance/quality control program to ensure that the liner meets design specifications. Upon completion, the engineer shall submit a summary report to the Department, documenting complete conformity to the approved plans and specifications. This summary report shall include a documented control program of the liner installation, liner inspections, and the quality assurance/quality control testing procedures and laboratory analyses. This report shall be included with the certification required in Specific Condition 23 of this permit.
17. Subgrade Preparation: Prior to the liner installation, the subgrade shall be prepared to provide a firm, unyielding foundation. If necessary, the base shall be brought up to grade by placement and compaction of fill material. The fill material and subgrade shall not contain rocks, roots, debris, shells, or other materials that could penetrate the liner material.
18. Liner: The liner system consists of a double-composite liner. The liner system, from top to bottom, consists of: 2 foot thick protective soil layer, primary geocomposite drainage layer, 60-mil thick primary HDPE textured geomembrane, primary geosynthetic clay liner (GCL), secondary geocomposite drainage layer, 60-mil thick secondary HDPE textured geomembrane, secondary GCL, and compacted sub-grade.
19. Liner Installation – Department Notification: Installation of the liner shall be performed by an experienced installer who has installed similar type materials. The permittee shall notify the Department at least 10 days prior to the commencement of liner installation work in any cell.
20. GCL Installation Limitation: The number of geosynthetic clay liner (GCL) panels that may be deployed in any one day shall be limited to the number that can be placed in a dry condition and covered by the HDPE while still dry. No installation or seaming of GCL under wet conditions shall be allowed. The CQA plan requires the owner's inspector to inspect the subgrade each day prior to placing the GCL.

PERMITTEE:
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SPECIFIC CONDITIONS:

21. Geomembrane Testing: Non-destructive air pressure tests and/or vacuum test shall be conducted by the installer, under the direction of the CQA engineer or his designee, to test 100 percent of the field seams of the geomembrane. Destructive tests of the geomembrane field seams shall be in accordance with the approved CQA plan and at a frequency of no less than one destructive test sample every 500 linear feet of field seam.
22. Construction Permit Renewal: The construction shall reasonably conform to the plans and supporting documents submitted as part of the application. If construction cannot be completed before the expiration of this permit, the permittee must notify the Department, in writing, at least 60 days prior to the expiration of the construction permit and request a renewal of the construction permit.
23. Certification: After all significant initial construction has been completed, and prior to acceptance of any solid waste, the Engineer of Record shall submit a Certification of Construction Completion, DEP Form 62-701.900(2), then contact the Department to arrange for Department representatives to inspect the facility with the permittee, the engineer, and the proposed on-site facility operator. The certification must be done for each cell individually.
24. Construction Sequencing Plans: The construction sequencing plans (including cells containing waste, cell under construction, owners operation area, and contractor laydown area) for proposed Phases 2 and 3 are presented on sheets 25 and 26 of the Renewal Permit Drawings, respectively (Reference No. 2 – Appendix A).
25. Solid Waste Disposal: Phases 2 and 3 of the landfill shall not receive solid waste until the leachate collection system is in place and functional, and Specific Conditions 14, 16, and 23 are satisfied.
26. Liner Edge Identification: The edge of the liner must be clearly and permanently outlined by permanent monuments or markers, so that solid waste is deposited at least 10 feet inside the edge of the liner. The location of monuments or markers shall be established by a Professional Surveyor and Mapper, licensed in Florida. The monuments or markers shall be of sufficient number to clearly define the liner edge, and shall be visible and easily identifiable to operation personnel and regulatory inspectors.
27. 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 landfill must be reported to the Department in accordance with the Operation Plan. Also, within five days, a letter explaining the cause, remedial action, and measures taken to prevent a recurrence must be sent to the Department.
28. Improper Operations: When the Department, after investigation, has good reason (such as complaints, questionable maintenance of equipment, or improper operations) 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 landfill owner or operator of the source to identify the nature of the problem and to submit a report to the Department on the results of the investigation and corrective action taken to prevent its recurrence.
29. Operation of Pollution Control Devices: The leachate and stormwater control systems shall be properly operated, monitored and maintained (Rule 62-701.500, F.A.C.).

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SPECIFIC CONDITIONS:

30. Leachate Collection and Removal System: The primary leachate collection and removal system lying above the upper geomembrane shall be designed to limit the leachate head to one foot above the liner during routine landfill operations after placement of initial cover, except in sumps and leachate collection trenches, Rule 62-701.400(3)(c)1, F.A.C.
31. Secondary Leachate Collection System: The secondary leachate collection system must have a minimum hydraulic conductivity of 10 cm/sec and shall be designed to not allow the leachate head on the secondary geomembrane liner to exceed the thickness of the drainage layer, Rule 62-701.400(3)(c)2, F.A.C.
32. Leachate Storage Tanks: The integrity of the leachate storage tanks and containment facilities shall be checked weekly so that no leachate release to the soil will occur. The storage tanks and containment facilities shall be maintained and operated in accordance with Rule 62-701.400(6), F.A.C.
33. Storage Tank, Inspection Records & Documentation of Repairs: The permittee shall keep inspection records and documentation of repairs made to the leachate storage tank at the landfill site for the operational life of the leachate storage tank.
34. Leachate Collection Pipes: The leachate collection pipes shall be cleaned, on average, once every five years. Should there be any indication that collection and removal of leachate from the cell is not occurring as intended, more frequent cleaning and video inspection of the pipelines shall be performed as needed to restore original design conditions. Results of the collection system cleanings or inspections shall be made available to the Department upon request.
35. Leachate Quantity: Quantities of leachate collected by the leachate collection and removal system must be recorded in gallons per day from the leachate force main flow meter. Operators shall record daily flow amounts and data shall be included with the operating record, Rule 62-701.500(8)(f), F.A.C.
36. Precipitation Records: A recording rain gauge shall be operated and maintained to record precipitation at the landfill. Precipitation records shall be maintained and used by the permittee to compare with leachate generation rates, Rule 62-701.500(8)(g), F.A.C.
37. Hazardous Wastes: Any incidental hazardous wastes received in connection with operation of this facility must be disposed of in accordance with Rule 62-730, F.A.C.
38. Control of Nuisance Conditions: The permittee shall be responsible for the control of odors and fugitive particulates arising from this operation. Such controls shall prevent the creation of nuisance conditions that may arise from adverse odors and fugitive particulates and their effect on adjacent or nearby properties and users. The permittee shall immediately investigate any complaints received from the general public and, where warranted, take corrective action taken to abate the adverse odor or nuisance condition. The permittee will prepare a written report on each complaint describing the action taken to resolve the complaint, and submit the report to the Department within 10 days of receiving the complaint. If the complaint has not been resolved by that time, the permittee must prepare and submit an additional report no later than 10 days from the date of resolution.

PERMITTEE:
Omni Waste of Osceola County, LLC

WACS Facility: 89455
Permit/Certification Numbers:
SC49-0199726-004 & SO49-0199726-005
Expiration Date: 01/11/2012

Attention: Mr. Shawn McCash

SPECIFIC CONDITIONS:

39. Operation Plan: An operation plan that meets the requirements of Rule 62-701.500(2), F.A.C. shall be kept at the landfill. All landfill operators and spotters shall be trained and knowledgeable about the plan.
40. Initial Waste Placement: The first layer of waste placed above the liner and leachate collection system shall be a minimum of four feet in compacted thickness and consist of selected wastes containing no large rigid objects that may damage the liner or leachate collection system.
41. Initial Cover Stockpile: An adequate supply of acceptable initial cover, as specified in the operation plan, shall be maintained at the landfill and be available at all times. All stockpiles shall be graded to minimize erosion potential. Silt fences or diversion berms shall be utilized around the stockpiles to control erosion.
42. Waste Compaction & Working Face: Except for the placement of the initial layer of waste, all solid waste shall be spread in layers of approximately two (2) feet in thickness and compacted to approximately one (1) foot in thickness, or as thin a layer as practical, before the next layer is applied, Rule 62-701.500(7)(a), F.A.C. All compacted solid waste shall be formed into cells with the working face and the side grades above land surface at a slope no greater than three feet horizontal to one foot vertical rise, Rule 62-701.500(7)(c), F.A.C. The working face shall be only large enough to efficiently accommodate vehicles discharging waste and to minimize the exposed area and the use of unnecessary cover material, Rule 62-701.500(7)(d), F.A.C.
43. Initial Cover and Intermediate Cover: Initial cover shall be applied at the end of each working day, except the working face may be covered with temporary cover if solid waste will be placed on it within 18 hours. If additional waste is to be deposited on the working face within 18 hours, the initial cover may consist of a temporary cover, such as tarpaulin, that may be removed prior to the placement of additional waste. An intermediate cover of one (1) foot of compacted earth in addition to the six (6) inch initial cover shall be applied within seven (7) days of cell completion if final cover or an additional lift is not to be applied within 180 days of cell completion. All or part of the intermediate cover may be removed prior to placing additional waste or installing final cover, Rule 62-701.500(7)(f), F.A.C.
44. Final Cover - Top: In descending order, the final cover system on the top (5 percent) slopes of the landfill shall consist of: 0.5-ft. thick vegetative layer, 1.5-ft. thick cap protective soil layer, 40-mil thick smooth polyethylene (PE) geomembrane, and 1-ft. thick (minimum) intermediate cover layer over the compacted waste.
45. Final Cover - Side Slopes: The final cover system on the 4H:1V side slopes of the landfill from top to bottom shall consist of: 0.5-ft. thick vegetative layer, 1.5-ft. thick protective layer, a geocomposite drainage layer, a 40-mil thick textured PE geomembrane, and a 1-ft. thick (minimum) intermediate cover layer over the compacted waste.
46. Erosion Minimization: Erosion of the final cover system shall be minimized by final cover swales. The swales shall intercept sheet flow from the final cover system. The final cover swales shall direct the collected surface-water runoff to downchutes and the perimeter swale. A vegetative cover placed on the final cover slopes of the landfill will minimize erosion and reduce loss from the final cover system. The final cover system shall be periodically inspected and erosion damage or vegetative stress shall be repaired before significant erosion develops.

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PERMITTEE:
Omni Waste of Osceola County, LLC

WACS Facility: 89455
Permit/Certification Numbers:
SC49-0199726-004 & SO49-0199726-005
Expiration Date: 01/11/2012

Attention: Mr. Shawn McCash

SPECIFIC CONDITIONS:

47. Side Slopes: The side slopes shall not be steeper than 4 horizontal to 1 vertical and, when the final cover is installed, shall be sodded to minimize erosion.
48. Final Cover Surface Gradient: The top gradient of the final cover surface will have a gradient of 5 percent and shall take into consideration the effects of expected subsidence caused by settling and decomposition of the fill material to minimize ponding and erosion.
49. Routine Maintenance: Cracks or eroded sections in the surface of any filled and covered area shall be properly repaired, and a regular maintenance program shall be followed to eliminate pockets or depressions that may develop as refuse settles. The slopes and drainage structures shall be inspected at least monthly and after major storm events for evidence of settling, erosion, washout or siltation.
50. Gas Monitoring: The permittee shall implement a gas management system to comply with Rule 62-701.530, F.A.C. Monitoring for methane gas at the property boundary and within structures on the property shall be performed quarterly to determine the effectiveness of the gas migration controls. The gas monitoring results shall be reported as percent of the lower explosive limit (LEL), calibrated to methane, and shall be submitted to the Department within 30 days of receipt of data. If the gas monitoring results show that combustible gas concentrations exceed 25% of the LEL noted above, the permittee shall implement a Gas Remediation Plan as required in Rule 62-701.530(3)(a), F.A.C.
51. Landfill Elevation: The final (maximum) elevation of the Oak Hammock Disposal, Class I landfill, shall not exceed 178 feet NGVD.
52. Operation Training Compliance: The Oak Hammock Disposal, Class I landfill shall comply with Rule 62-701.320(15), F.A.C. - Operator training.
53. Waste Report: A waste report shall be submitted to the Department quarterly, Rule 62-701.500(4)(b), F.A.C. Waste reports shall include the quantity of each of the following:

- Household waste
- Agricultural waste
- Commercial waste
- Incinerator by-pass waste
- Construction and demolition debris
- Industrial sludge
- Treated biomedical waste
- Yard Trash
- Industrial waste
- Ash residue
- Sewage sludge
- Water/air treatment sludges
- Waste tires

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PERMITTEE:
Omni Waste of Osceola County, LLC

WACS Facility: 89455
Permit/Certification Numbers:
SC49-0199726-004 & SO49-0199726-005
Expiration Date: 01/11/2012

Attention: Mr. Shawn McCash

SPECIFIC CONDITIONS:

All submittals in response to this specific condition shall be submitted to: Solid Waste Section, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, with a copy to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. The reports shall be submitted no later than the 20th of January, April, July and October.

54. Record Keeping: The permittee shall comply with the record keeping requirements for a Class I landfill, Rule 62-701.500(13), F.A.C.
55. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the construction and operation authorized by this permit.
56. 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.
57. Closure Permit Requirements: At least 90 days prior to the date when wastes will no longer be accepted at the landfill, the owner or operator shall submit a closure permit application to the Department, Rule 62-701.600(3), F.A.C.
58. Solid Waste Disposal Rate: The average solid waste disposal rate for this source is 6,000 tons per day as stated in the application. Actual operating rates may vary depending upon business conditions.
59. Financial Assurance, Phase I and Phase 2, Cell 5: This permit authorizes disposal of waste in Phase 1 and Phase 2, Cell 5. The financial assurance mechanism shall be fully funded for all Phase I cells, and updated at least 60 days prior to accepting waste in Phase 2, Cell 5.
60. Phased Financial Assurance – Cell 6: Before solid waste disposal can proceed in any other portion of the disposal area the permittee shall apply for a minor permit modification addressing the expansion area and receive approval from the Department. The modification must include updated closure and long-term care cost estimates and financial assurance that meet the requirements of Rule 62-701.630, F.A.C. The Department will not grant approval of the minor modification until final agency action is completed, construction is certified by the Engineer of Record, and the certification and financial assurance are accepted by the Department.
61. Financial Responsibility: The permittee shall maintain financial assurance in accordance with the requirements of Rule 62-701.630, F.A.C. Proof that the financial mechanisms are established and funded 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. shall be submitted to the Department sixty (60) days prior to the acceptance of any solid waste at the facility. All submittals in response to this specific condition shall be sent to: Department of Environmental Protection, Financial Coordinator, Solid Waste Section, Twin Towers Office Building, 2600 Blair Stone Road, MS-4565, Tallahassee, Florida 32399-2400, **with a copy to:** Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.

PERMITTEE:
Omni Waste of Osceola County, LLC

WACS Facility: 89455
Permit/Certification Numbers:
SC49-0199726-004 & SO49-0199726-005
Expiration Date: 01/11/2012

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SPECIFIC CONDITIONS:

62. 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, Twin Towers Office Building, 2600 Blair Stone Road, MS-4565, 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.
63. Prevention of Significant Deterioration (PSD) Requirements: The landfill owner or operator is not required to obtain any air construction permit unless landfill construction or any modification is subject to the prevention of significant deterioration (PSD) requirements of Chapter 62-212, F.A.C. A landfill for which construction or modification is subject to PSD requirements must make application to the Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, for an air construction permit and must obtain such permit prior to beginning any construction or modification.
64. Title V Permit Requirements: The landfill owner or operator is not required to obtain any air operating permit unless the landfill is required to obtain a Title V air operating permit (Title V permit) pursuant to Section 403.0872, F.S. A landfill is required to obtain a Title V permit if the landfill (or the total facility, if the landfill is contiguous or part of a larger facility) has the potential to emit 10 TPY of any hazardous air pollutant, 25 TPY of any combination of hazardous air pollutants or 100 TPY of any other regulated air pollutant. A landfill is also required to obtain a Title V permit if the maximum design capacity as defined in 40 CFR 60, Subpart WWW, is equal or greater than 2.5 million Megagrams or 2.5 million cubic meters. Title V permits must be applied for in accordance with the timing and content requirements of Rule 62-204.800, F.A.C. and Chapter 62-213, F.A.C. Title V applications shall be submitted to the Central District Air Program Administrator.
65. 40 CFR 60 Requirements: The permittee shall comply with the applicable requirements of 40 CFR 60, Subparts WWW and Cc, as adopted by reference at Rule 62-204.800, F.A.C. The permittee shall submit to the Division of Air Resources Management, Department of Environmental Protection, Mail Station 5500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 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).

ISSUED: _____

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on to the listed persons.

Clerk

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Appendix A

1. Renewal Permit Application To Construct And Operate Phases 2 and 3 Of The Oak Hammock Disposal Facility, Prepared by GeoSyntec Consultants, Tampa, Florida dated September 2006. Received and stamped September 12, 2006, Central District – DEP.
2. Oak Hammock Disposal Facility Phases 2 and 3 Renewal Permit Drawings dated September 2006. Received and stamped September 12, 2006, Central District – DEP.
3. Request For Additional Information from DEP – Central District, dated October 12, 2006.
4. Response to RAI #1 Renewal Permit Application Phases 2 and 3 Oak Hammock Disposal Facility, Prepared by GeoSyntec Consultants, Tampa, Florida dated November 2006. Received and stamped November 21, 2006, Central District – DEP.

APPENDIX B
DEP Permit #SC49-0199726-004
DEP Permit #SC49-0199726-005

Specific Condition	Requirement	Action	Due date
8	Equipment Breakdown	Notify the Department of equipment breakdown, malfunction, etc.	Immediately upon discovery
14	Monitoring Plan Implementation Schedule (MPIS)	Notify the Department if an exceedance is confirmed, or if the permittee chooses not to resample following an exceedance	Within 14 days of this finding
14	Monitoring Plan Implementation Schedule (MPIS)	Collect and analyze initial samples from groundwater monitoring well clusters MW-16, MW-17, MW-18, MW-19, MW-20, MW-21, MW-22 and MW-23	Before any waste is deposited in Cells 2 and 3
14	Monitoring Plan Implementation Schedule (MPIS)	Collect and analyze samples from the 69 groundwater monitoring wells	Semi-annually (May and November)
14	Monitoring Plan Implementation Schedule (MPIS)	Measure and report ground water levels in all wells, whether sampled or not	Semi-annually unless required more frequently by permit condition
14	Monitoring Plan Implementation Schedule (MPIS)	Measure and report ground water levels in all wells, whether sampled or not	Within a one day period
14	Monitoring Plan Implementation Schedule (MPIS)	Collect and analyze samples from the two (2) surface water monitoring sites	Semi-annually (May and November)
14	Monitoring Plan Implementation Schedule (MPIS)	Measure and report surface water elevations at sampling locations	On the same day as ground water levels in the wells. Semi-annually unless required more frequently by permit condition
14	Monitoring Plan Implementation Schedule (MPIS)	Measure and report surface water levels	Within a one day period
14	Monitoring Plan Implementation Schedule (MPIS)	Collect and analyze samples from leachate sample points L-1, L-2, L-3, L-4, L-5, L-6, L-7, L-8, L-9 and L-10	Annually (November)

APPENDIX B
DEP Permit #SC49-0199726-004
DEP Permit #SC49-0199726-005

Specific Condition	Requirement	Action	Due date
14	Monitoring Plan Implementation Schedule (MPIS)	Collect and analyze samples from leachate sample points L-1, L-2, L-3, L-4, L-5, L-6, L-7, L-8, L-9 and L-10.	Monthly if the annual analysis indicated that a contaminant exceeds the regulatory level
14	Monitoring Plan Implementation Schedule (MPIS)	Commence installation of new monitoring well clusters MW-16, MW-17, MW-18, MW-19, MW-20, MW-21, MW-22 and MW-23	Within 90 days from the date of permit issuance
14	Monitoring Plan Implementation Schedule (MPIS)	Notify the Department in writing if a monitoring well becomes damaged or inoperable	Within 7 days of discovery
14	Monitoring Plan Implementation Schedule (MPIS)	Submit proposed well construction design for new or replacement monitoring well design or placement	Prior to well installation
14	Monitoring Plan Implementation Schedule (MPIS)	Submit an abandonment plan for abandoning any well that is unsuitable for ground water monitoring	Prior to abandonment
14	Monitoring Plan Implementation Schedule (MPIS)	Notify the Department prior to the installation and/or sampling of any monitoring well(s)	At least fourteen (14) days prior to sampling
14	Monitoring Plan Implementation Schedule (MPIS)	Submit a drawing showing the location of all monitoring wells (active and abandoned), water bodies and waste filled areas	Within thirty (30) days following monitoring well installation
14	Monitoring Plan Implementation Schedule (MPIS)	Measure the total depth on all wells	At time of permit renewal

APPENDIX B
DEP Permit #SC49-0199726-004
DEP Permit #SC49-0199726-005

Specific Condition	Requirement	Action	Due date
14	Monitoring Plan Implementation Schedule (MPIS)	Submit Monitoring Reports	Within sixty (60) days of receipt of analysis from the laboratory
14	Monitoring Plan Implementation Schedule (MPIS)	Submit a ground water elevation contour map for each monitored aquifer zone	Semi-annually
14	Monitoring Plan Implementation Schedule (MPIS)	Submit a Biennial Technical Report	Every two years; the first report is due 30 days after the submittal of the monitoring data for the fourth ground water sampling event; subsequent reports are due 30 days after the submittal of the fourth sampling event following the previous biennial report
15	Construction Quality Assurance (CQA)	Follow the CQA Plan when installing and testing the liner system and related components	During liner construction
16	Liner Installation-Summary Report	Submit a Liner Installation-Summary Report, and include with the Certification in SC-23	Upon completion of liner installation work
19	Liner Installation-Department Notification	Notify the Department	At least 10 days prior to the commencement of liner installation work in any cell

22	Construction Permit Renewal (Permit expires on 01/11/2012)	Notify the Department, in writing, if construction cannot be completed before the expiration of this permit, and apply for renewal of the construction permit	At least 60 days prior to the expiration date of the construction permit (before 11/12/2011)
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APPENDIX B
DEP Permit #SC49-0199726-004
DEP Permit #SC49-0199726-005

Specific Condition	Requirement	Action	Due date
23	Certification	Submit a Certification of Construction Completion certified by the Engineer of Record, then contact the Department to arrange for Department representatives to inspect the facility with the permittee, the engineer, and the proposed on-site facility operator.	After all significant initial construction has been completed, and prior to acceptance of any solid waste
27	Solid Waste Burning	Report to the Department fires at the facility	In accordance with the operation plan.
27	Solid Waste Burning	Submit a letter explaining the cause, remedial action, and measures to prevent recurrence of a fire incident	Within five (5) days of fire incident.
34	Leachate Collection Pipes	Clean the leachate collection pipes	Every five years
34	Leachate Collection Pipes	Clean and video-inspect the leachate collection system	More frequently than once every five years if leachate collection system fails to perform as designed
38	Control of Nuisance Conditions	Prepare and submit a written report on each warranted complaint describing the action to resolve the complaint	Within 10 days of receiving the complaint

38	Control of Nuisance Conditions	Submit an additional report if complaint has not been resolved within 10 days	No later than 10 days from the date of resolution
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APPENDIX B
DEP Permit #SC49-0199726-004
DEP Permit #SC49-0199726-005

Specific Condition	Requirement	Action	Due date
43	Initial Cover and Intermediate Cover	Apply initial cover on the working face	At the end of each working day, unless solid waste will be placed on it within 18 hours
43	Initial Cover and Intermediate Cover	Apply intermediate cover	Within seven (7) days of cell completion if final cover or additional lift is not to be applied within 180 days of cell completion
50	Gas Monitoring	Submit Gas Monitoring Reports	Quarterly; within 30 days of receipt of data
53	Waste Report	Submit a waste report	Quarterly
55	Permit Deviations	Notify the Department of any substantial changes or revisions to the operation	Prior to executing any substantial changes or revisions to the operation
56	Operation Permit Renewal (Permit expires on 01/11/2012)	Submit an operation permit renewal application	At least 60 days prior to the expiration date of this permit (before 11/12/2011)
57	Closure Permit Requirements	Submit a closure permit application	At least 90 days prior to the date when wastes will no longer be accepted at the landfill
59	Financial Assurance, Phase 1 and Phase 2, Cell 5	Update the financial assurance mechanism	At least 60 days prior to accepting waste in Phase 2, Cell 5
60	Phased Financial Assurance - Cell 6	Apply for and receive a minor permit modification	Before solid waste is placed in Cell 6 for disposal

61	Financial Responsibility	Submit proof that the financial mechanisms are established and funded	Sixty (60) days prior to the acceptance of any solid waste at the facility
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APPENDIX B
DEP Permit #SC49-0199726-004
DEP Permit #SC49-0199726-005

Specific Condition	Requirement	Action	Due date
62	Annual Cost Estimates and Financial Instrument Adjustments	Adjust the closure and long-term care cost estimates, and the financial assurance mechanism	Submit between January 1 and March 1 of each year; if using an escrow account submit between July 1 and September 1 of each year