



# Department of Environmental Protection

*gcl*

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

Electronic Mail  
[TJSOmni@aol.com](mailto:TJSOmni@aol.com)

Mr. Timothy J. Salopek, President  
Omni Waste of Osceola County, LLC  
Post Office Box 421613  
Kissimmee, Florida 34742

OCD-SW-03-0395

Osceola County - SW  
Oak Hammock Disposal, Class I -Letter Modification  
Modification of Permit Nos. SC49-0199726-001 and SO49-0199726-002  
DEP Permit No. SC49-0199726-003

Dear Mr. Salopek:

The Department hereby modifies DEP Permit Nos. SC49-0199726-001 and SO49-0199726-002 to incorporate phased financial assurance for cells 1-4 of the Oak Hammock disposal facility. The following sentence is added to Specific Condition #53. Financial Responsibility:

"Phased financial assurance will be provided to the Department in accordance with the proposal signed and sealed by Kenneth W. Cargill, P.E. on October 31, 2003, and accepted by the Department on November 3, 2003. The accepted proposal is Exhibit II."

A copy of the accepted proposal, including its appendices A and B are attached.

All other conditions of the subject permit remain unchanged.

This letter and its attachments must be attached to Permit Nos. SC49-0199726-001 and SO49-0199726-002 as Exhibit II. It becomes part of those permits.

Sincerely,

F. Thomas Lubozynski, P. E., CIH  
Waste Program Administrator

Date: December 16, 2003

FTL/jnb/ew  
Attachment

cc: Richard Tedder, P.E. - DEP - Tallahassee  
Fred Wick, DEP Financial Coordinator - Tallahassee  
Kenneth W. Cargill, P.E.- GeoSyntec Consultants ([kcargill@geosyntec.com](mailto:kcargill@geosyntec.com))  
David Dee, Esq.- Landers and Parsons ([ddee@landersandparsons.com](mailto:ddee@landersandparsons.com))  
Danny Schaeffer- Osceola County Solid Waste Management [dshe@osceola.org](mailto:dshe@osceola.org)



31 October 2003

Mr. James N. Bradner, P.E.  
Program Manager, Solid/Hazardous Waste  
Florida Department of Environmental Protection, Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Subject: Clarification of Financial Assurance Conditions  
Oak Hammock Disposal Facility  
Osceola County, Florida  
Permit Nos. SC49-0199726-001 and SO49-0199726-002

Dear Mr. Bradner:

GeoSyntec Consultants has prepared this letter on behalf of Omni Waste of Osceola County (Omni) to provide clarification of the financial assurance conditions for Phase 1 of the Oak Hammock Disposal Facility (OHDF) in Osceola County, Florida. Phase 1 of the OHDF is comprised of four cells separated by intercell berms, and it is separated from future landfill phases by similar intercell berms. Special Condition No. 53 of the referenced permits issued by the Florida Department of Environmental Protection (FDEP) requires that "Proof that the financial mechanisms are established and funded ... shall be submitted to the Department sixty (60) days prior to the acceptance of any solid waste at the facility".

The latest financial assurance estimate for Phase 1 of the OHDF was prepared in April 2003 by GeoSyntec and accounts for costs of closure and long-term care in compliance with Rule 62-701.630, Florida Administrative Code (F.A.C.). The total amount estimated was \$7,771,073 for all the cells in Phase 1 (i.e. cells 1 through 4). If a more accurate and realistic scenario is considered for the timing of cell construction and operation, the cost for the required financial assurance can be more accurately estimated. During the first year of operation of the landfill, only Cell 1 will receive waste, Cell 2 will be activated in year 2, Cell 3 in year 3, and Cell 4 in year 4. GeoSyntec understands that the financial assurance requirement can be adjusted to consider only the cells scheduled to contain waste during the period covered by the financial assurance. Cells not yet constructed would be financially assured prior to waste being disposed in them.

A summary of the total cost for closure and long-term care for each of the Cells 1 through 4 is provided in the table below. These costs are a breakdown of the estimated costs for each individual cell provided by the Financial Assurance Cost Estimate Form



Mr. James N. Bradner, P.E  
 31 October 2003  
 Page 2

provided to FDEP in April 2003. The tables included in Appendices A and B provide a further breakdown of the costs for each item obtained from the cost estimate form. The table below has allocated these costs to each cell.

	Cell 1	Cell 2	Cell 3	Cell 4	Total Cost
Closure	\$1,294,048	\$892,348	\$787,619	\$787,619	\$3,761,633
Long-Term Care (30 years)	\$2,427,793	\$566,422	\$507,612	\$507,612	\$4,009,440
Total Cost for Closure and Long-Term Care for Cells 1 through 4:					\$7,771,073

The table below provides a summary of the progressive financial assurance requirements for the OHDF during Phase 1. This table provides the cumulative closure and long-term care costs associated with each additional cell being constructed. Additional financial assurance will be provided prior to each additional cell accepting any waste. These values represent costs in 2003 and do not account for inflation that could occur between now and the time of construction of the cells. Therefore, the total costs will be inflated by the FDEP approved rate (currently 2 percent) annually. Also, the costs assume that no cell is closed during construction of the four cells.

Cells under Construction	Closure Cost	Long-Term Care Cost	Adjusted Estimate of Financial Assurance
1	\$1,294,048	\$2,427,793	\$3,721,840
1, 2	\$2,186,395	\$2,994,215	\$5,180,611
1, 2, 3	\$2,974,014	\$3,501,828	\$6,475,842
1, 2, 3, 4	\$3,761,633	\$4,009,440	\$7,771,073

Omni proposes to provide financial assurance for Cell 1 (i.e. \$3,721,840) prior to waste acceptance at the OHDF in accordance with permit special condition No. 53. Prior to waste acceptance in Cell 2, financial assurance will be supplemented to include the cost of closure and long-term care for Cell 1 and 2 (i.e. a total of \$5,180,611). Similarly, prior to acceptance of waste in Cell 3 or Cell 4, the financial assurance will be supplemented to reflect the cost of closure and long-term care for all cells intended to contain waste.

Mr. James N. Bradner, P.E  
31 October 2003  
Page 3

On behalf of Omni, GeoSyntec requests your concurrence with this clarification of financial assurance conditions. Your earliest response would be appreciated as the time for establishment of financial assurance for Cell 1 is approaching. If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Sincerely,



Kenneth W. Cargill, P.E.  
Principal

Copy to: Tim Salopek, Omni Waste  
Lenny Marion, Omni Waste  
Frank Hornbrook, FDEP Solid Waste Section

## APPENDIX A

### OAK HAMMOCK DISPOSAL FACILITY ESTIMATED CLOSING COST FOR CELLS 1 TO 4

#### Area of Cells

Cell	Area ac
1	18.04
2	12.44
3	10.98
4	10.98

**Total area: 52.44**

Item #	Work Description	Total Estimated Amount Cells 1, 2, 3, 4	Total Estimated Amount Cell 1	Total Estimated Amount Cell 2	Total Estimated Amount Cell 3	Total Estimated Amount Cell 4
1	Proposed Monitoring Wells	N/A	N/A	N/A	N/A	N/A
2	Slope and Fill	\$297,413	\$102,314	\$70,553	\$62,273	\$62,273
3	Cover Material (Barrier Layer)	\$1,899,767	\$653,543	\$450,669	\$397,777	\$397,777
4	Vegetative Soil Cover	\$106,220	\$36,541	\$25,198	\$22,241	\$22,241
5	Vegetative Layer	\$108,120	\$37,195	\$25,649	\$22,638	\$22,638
6	Stormwater Control System	\$99,122	\$34,099	\$23,514	\$20,754	\$20,754
7	Gas Controls: Active	\$104,007	\$35,780	\$24,673	\$21,777	\$21,777
8	Gas Control: Active Extraction	\$138,115	\$47,513	\$32,764	\$28,919	\$28,919
9	Security System	\$5,100	\$1,754	\$1,210	\$1,068	\$1,068
10	Engineering	\$102,520	\$35,268	\$24,320	\$21,466	\$21,466
11	Professional Services	\$433,925	\$149,275	\$102,937	\$90,856	\$90,856
<b>Subtotal of 1-11 Above:</b>		<b>\$3,294,309.0</b>	<b>\$1,133,282.5</b>	<b>\$781,487.5</b>	<b>\$689,769.5</b>	<b>\$689,769.5</b>
12	Contingency (10% of Total)	\$329,431.0	\$113,328.3	\$78,148.7	\$68,977.0	\$68,977.0
<b>Closing Cost Subtotal:</b>		<b>\$3,623,740.0</b>	<b>\$1,246,610.8</b>	<b>\$859,636.2</b>	<b>\$758,746.5</b>	<b>\$758,746.5</b>
13	Site Specific Costs:	\$137,893.0	\$47,436.9	\$32,711.5	\$28,872.3	\$28,872.3
<b>TOTAL CLOSING COSTS:</b>		<b>\$3,761,633.0</b>	<b>\$1,294,047.6</b>	<b>\$892,347.7</b>	<b>\$787,618.8</b>	<b>\$787,618.8</b>

**APPENDIX B**  
**OAK HAMMOCK DISPOSAL FACILITY**  
**ANNUAL COST FOR LONG-TERM CARE FOR CELLS 1 TO 4**

**Area of Cells**

Cell	Area ac
1	18.04
2	12.44
3	10.98
4	10.98

**Total area: 52.44**

Item #	Work Description	Total Estimated Amount Cells 1, 2, 3, 4	Total Estimated Amount Cell 1	Total Estimated Amount Cell 2	Total Estimated Amount Cell 3	Total Estimated Amount Cell 4
1	Groundwater Monitoring	\$45,441	\$45,441	\$0	\$0	\$0
2	Surface Water Monitoring	\$0	\$0	\$0	\$0	\$0
3	Gas Monitoring	\$3,060	\$3,060	\$0	\$0	\$0
4	Leachate Monitoring	\$5,175	\$1,294	\$1,294	\$1,294	\$1,294
5	Leachate Collection / Treatment Systems Maintenance	\$4,123	\$1,643	\$827	\$827	\$827
6	Leachate Collection / Treatment Systems Operation	\$7,956	\$2,737	\$1,887	\$1,666	\$1,666
7	Maintenance of Groundwater Monitoring Wells	\$357	\$357	\$0	\$0	\$0
8	Gas System Maintenance	\$108	\$22	\$43	\$22	\$22
9	Landscape	\$24,480	\$8,421	\$5,807	\$5,126	\$5,126
10	Erosion Control & Cover Maintenance	\$2,142	\$737	\$508	\$448	\$448
11	Storm Water Management System Maintenance	\$2,040	\$702	\$484	\$427	\$427
12	Security System Maintenance	\$1,116	\$384	\$265	\$234	\$234
13	Utilities	\$12,240	\$4,211	\$2,904	\$2,563	\$2,563
14	Administrative	\$13,260	\$4,562	\$3,146	\$2,776	\$2,776
<b>Subtotal of 1-14 Above:</b>		<b>\$121,498.00</b>	<b>\$73,569.37</b>	<b>\$17,164.29</b>	<b>\$15,382.17</b>	<b>\$15,382.17</b>
15	Contingency (10% of Total)	\$12,150.00	\$7,357.06	\$1,716.46	\$1,538.24	\$1,538.24
<b>Annual Long-Term Care Cost (\$/Year)</b>		<b>\$133,648.00</b>	<b>\$80,926.43</b>	<b>\$18,880.75</b>	<b>\$16,920.41</b>	<b>\$16,920.41</b>
16	Number of Years of Long-Term Care	30	30	30	30	30
<b>TOTAL CLOSING COSTS:</b>		<b>\$4,009,440.00</b>	<b>\$2,427,793</b>	<b>\$566,422</b>	<b>\$507,612</b>	<b>\$507,612</b>