



Department of Environmental Protection

Permittee:

Jeb Bush
Governor

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

Colleen Castille
Secretary

Volusia County Solid Waste Department
3151 East State Road 44
DeLand, FL 32724

Attention: Mr. Josef Grusauskas

I.D. Number:
Permit / Certification Number:
SO64-0078767-019
Date of Issue:
Expiration Date: 8/25/2009
County: Volusia
Section / Township / Range:
10 / 16 South / 32 East
Latitude / Longitude:
29°07'53" / 81°05'31"
Project: Tomoka Farms Road Landfill, Class III

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 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 operate the Tomoka Farms Road Landfill, Class III. The Class III landfill is owned and operated by Volusia County and is located within the County's Tomoka Farms Road Landfill property.
- The facility is developed over a portion of the property that was previously used as a landfill for disposal of construction and demolition debris (C&D) since 1988. The landfill will accept Class III waste in accordance with Rule 62-701.200(14), F.A.C.
- The disposal area is approximately 81 acres within a property boundary of approximately 3,400 acres. Approximately 21 acres has been used for Class III waste disposal.
- The landfill will serve Volusia and Flagler counties.
- The Class III landfill is designed without a bottom liner, gas control system and leachate collection system because of the nature of the waste accepted.
- The project incorporates a ground water and surface water monitoring plan.

LOCATION: The landfill is located at 1990 Tomoka Farms Road, south of Interstate 4, west of Interstate 95, and southwest of Daytona Beach, in Volusia County, Florida.

General Conditions are attached.

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 62-730.300, 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.

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SPECIFIC CONDITIONS:

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, 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(5) and 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 facility shall have litter control devices, dust controls, fire protection and fire-fighting facilities. Litter must be picked up and litter control devices 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 must be immediately notified by the permittee as to the cause, and 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 the 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 most surficial aquifer, as depicted on Figure 2 of this permit, 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, as depicted on Figure 1 of this permit. Class G-II ground 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 for the Tomoka Farms Road Landfill, Class I, includes the monitoring requirements for the Class III landfill. Semiannual monitoring shall be completed during the months of January and July unless prior arrangements are made with the Department to alter this schedule. Note that as stated in Chapter 62-520, F.A.C., the water quality standard for arsenic will decrease to **0.010 mg/L** on January 1, 2005.
13. Contamination Assessment: The contamination assessment under way on the south side of the landfill shall continue under the guidance of the FDEP Central District's Waste Cleanup Program.
14. Solid Waste Burning: Burning of solid waste is prohibited in accordance with Rule 62-701.300(3), F.A.C. Any fires at the landfill must be reported to the Department within five (5) days by letter explaining the cause, remedial action and measures taken to prevent a recurrence.
15. Separation of Class III From C&D Waste: In areas with previously disposed C&D waste, a minimum of 12 inches of cover soil shall be placed prior to the disposal of Class III waste.
16. Waste Compaction and Working Face: Solid waste shall be spread in layers and compacted at least weekly using suitable heavy equipment, 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 (3) feet horizontal to one (1) foot vertical rise, Rule 62-701.500(7)(c), F.A.C. The working face of a cell shall be only wide 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.
17. Initial Cover and Intermediate Cover: Initial cover shall be applied at least once every week, Rule 62-701.500(7)(e)2, F.A.C. 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 additional solid waste will not be deposited 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.
18. Final Cover: The proposed final cover, from bottom to top, shall consist of 12 inches of soil cover, a geosynthetic clay liner (GCL), 18 inches of soil, six inches of soil capable of supporting vegetative growth, and a rolled sod vegetative cover. The site shall be graded to promote drainage, minimize erosion, and prevent ponding.
19. Final Cover Surface Gradient: The top gradient of the final cover surface shall take into consideration the effects of expected subsidence caused by settling and decomposition of the fill material to minimize ponding and erosion.
20. Erosion Control: Terraces along the side slope after every 20 feet of vertical rise shall assist in preventing erosion to the side slopes. Side slopes and covered areas shall be maintained to minimize erosion and facilitate stormwater management. Erosion control shall be provided by sodding the side slopes as final grade is reached.
21. 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 and siltation.

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22. Control of Nuisance Conditions: The operating authority 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 on adjacent or nearby properties and users. Complaints received from the general public shall be immediately investigated by the permittee and where warranted, take corrective action to abate the adverse odor.
23. Gas Monitoring: The permittee shall comply with gas monitoring requirements, in accordance with Rule 62-701.530(2), F.A.C., to monitor quarterly all waste filled areas for the presence of landfill gas. If large amounts of methane gas are detected or odors are found to be a nuisance, a gas control system shall be designed and installed, Rule 62-701.530, F.A.C.
24. 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 to submit a report to the Department on the results of the investigation and corrective action taken to prevent its recurrence.
25. Operations Plan: An operation plan that meets the requirements of Rule 62-701.500(2), F.A.C. shall be kept at the landfill. The operator shall be trained and knowledgeable about the plan.
26. Operator Training Compliance: The Tomoka Farms Road Landfill, Class III, shall comply with Rule 62-701.320(15), F.A.C. -Operator training.
27. Hazardous Wastes: Any incidental hazardous wastes received in connection with operation of this Class III landfill must be disposed of in accordance with Rule 62-730, F.A.C.
28. Unacceptable Waste: Garbage, white goods, waste oil, hazardous wastes, infectious waste, residential waste and any other prohibited materials inadvertently received at the Class III landfill shall be immediately removed from the waste stream for proper disposal.
29. Allowable Waste: This Class III landfill shall only process wastes that are acceptable for disposal at a Department permitted Class III landfill, Rule 62-701.200(14), F.A.C.
30. Delineation of Limits of Waste: The limits of waste within the permitted footprint of the disposal area shall be delineated with permanent monuments or markers. 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 limits of waste disposal, and shall be visible and easily identifiable to operational personnel and regulatory inspectors.

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31. Operations Report: An operations report shall be submitted to the Department on a quarterly basis, Rule 62-701.5004(b), F.A.C. Reports shall include the following:

- a) types of solid waste received, and
- b) quantities of solid waste received.

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.

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

33. 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.)

34. 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.

35. Final Elevation: The final (maximum) elevation of the Tomoka Farms Road Landfill, Class III, shall not exceed 133 feet NGVD.

36. Solid Waste Disposal Rate: The solid waste disposal rate for this source is 320 tons per day as stated in the application. Actual operating rates may vary depending upon business conditions.

37. Financial Assurance Requirements: The permittee shall maintain compliance with the financial assurance requirements of Rule 62-701.630, 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, Twin Towers Office Building, 2600 Blair Stone Road, MS-4565, Tallahassee, Florida 32399-2400.

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38. 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.

ISSUED : November 10, 2004

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

Appendix A

1. Application To Renew Operation Permit, Tomoka Farms Road Landfill, Class III Disposal Cell, Volusia County, Florida, Prepared by SCS Engineers, Daytona Beach, Florida 32118, dated May 7, 2004. Received and stamped May 7, 2004, Central District - DEP.
2. Request for Additional Information from Central District - DEP, dated June 4, 2004.
3. Request for Additional Information response from SCS Engineers dated July 7, 2004. Received and stamped July 8, 2004, Central District - DEP.
4. Additional information from SCS Engineers dated July 12, 2004. Received and stamped July 13, 2004, Central District - DEP.