

Resolved
10.21.10
MAM

Paragon Development Group, LLC
P O Box 1328
Plant City, FL 33564-1328
813-752-9700

June 18, 2010

Dept. Of Environmental Protection

JUN 21 2010

Southwest District

Melissa Madden, Environmental Specialist II
Solid Waste Section
Florida Department of Environmental Protection
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Re: 3/18/2010 Site Inspection of Plant City Waste Processing Facility Request for Information; FDEP permit No. 201583-003-SO/31

Dear Ms. Madden:

On 16 June 2010, Plant City Waste Processing Facility received from The Florida Department of Environmental Protection (the Department) by electronic mail (e-mail) a copy of the "Inspection Checklist" from the Department's 3/18/2010 inspection of the facility. The e-mail requested response to items listed in the report within 15 days. Please find this response to those items noted in the Inspection Checklist, "Pre-existing Area of Concern".

Responses are keyed to the Department's "Question Number" as found in the Inspection Checklist.

Question Number: 4.24

Explanation: During the inspection, Department staff observed building repairs at the N end of the processing area. Operator indicated that the wall had pushed out during cleaning operations using the bucket loader. The wall had been pushed out enough to crimp the leachate line (lift station to tank), which had also been repaired as of the inspection. It appeared that a new push wall had been installed in addition to new siding. A hole in ground was observed where the leachate piping had been repaired. Operator indicated the repairs had been completed prior to the inspection, but that the hole had not yet been filed.

Corrective Action: It does not appear that the facility notified the Department in accordance with Specific Condition C.6.a regarding the damage or repairs. Please provide additional details regarding the building damage and repairs. It appears that the push wall design may have been modified without prior approval or notification to the Department.

Response to Question 4.24 - Maintenance repairs of a routine nature were performed on the wall and piping. Through the course of normal operations the section of wall is impacted during loading and unloading activities by equipment and trash materials. The facility makes these types of routine repairs to insure integrity of the wall and to insure containment of contaminants. The facility did not report these activities due to the routine nature of the actions.

Ms. Melissa Madden
June 18, 2010
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Extension of the push wall was made in an effort to minimize future impacts to the wall. The facility was unaware that such a minor improvement would need to be reported to the Department as it has no impact on the capacity or functions of the facility.

Repairs to the leachate system were of a preventive nature, the system was still operable, but the piping was impacted. Repairs were made to prevent clogging in the piping and to avoid possible future leakage.

Item 4.7, 10.9 During the inspection, the facility was very dusty, both inside the building and in the yard. The traffic area was being regarded at the time of inspection. Once the initial grading process had been completed, the outdoor sprinklers were turned on which mostly abated this condition.

Response to Item 4.7, 10.9 - Dusty conditions were addressed by sprinkler operation.

Item 4.20 During the inspection, the facility did not have an updated fire inspection. However, the facility received the new fire inspection, dated March 29, 2010, via mail on March 31, 2010.

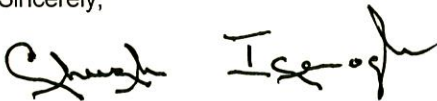
Response to Item 4.20 - A recent fire inspection was forwarded to the Department upon receipt by the facility.

Item 4.23 During the inspection, Department staff observed the stormwater pond area N of the transfer station building. It appeared that the facility had recently maintained the pond. Please provide a copy of a recent stormwater inspection and/or permit, if applicable.

Response to Item 4.23 - Enclosed, please find a copy of the Southwest Florida Water Management District ERP General Construction permit for the stormwater management system at the facility.

Please consider the foregoing responses and attached information; then, if further explanation or response is needed, please contact me.

Sincerely,



Chuck Icenogle
Operations Manager

CI
Enclosure

ENCLOSURE



An Equal
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Southwest Florida Water Management District

Tampa Service Office
7801 Highway 801 North
Tampa, Florida 33637-6759
(813) 885-7481 or
1-800-836-0797 (FL only)
SUNCOM 578-2070

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)
SUNCOM 572-6200

2379 Broad Street, Brooksville, Florida 34604-6899
(352) 798-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

Sarasota Service Office
6780 Fruitville Road
Sarasota, Florida 34240-8711
(941) 377-3722 or
1-800-320-3509 (FL only)
SUNCOM 531-8900

Lecanto Service Office
3600 West Sovereign Path
Suite 228
Lecanto, Florida 34461-9070
(352) 827-8181
SUNCOM 687-3271

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Chair, Sarasota

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T. B. "Jerry" Rice
Pasco

Judith G. Whitehead
Hernando

David L. Moore
Executive Director

Gene A. Heath
Assistant Executive Director

William B. Blinsky
General Counsel

May 12, 2004

Mr. Howard Bayless
Marcobay Properties, Inc.
116 South Kentucky Avenue
Lakeland, FL 33801

Subject: Final Agency Action Transmittal Letter
ERP General Construction
Permit No.: 44001079.002
Project Name: Plant City Disposal Service Transfer Station/MRF
County: Hillsborough
Sec/Twp/Rge: 20/28S/22E

Dear Mr. Bayless:

This letter constitutes notice of Final Agency Action for approval of the permit application referenced above. Final approval is contingent upon no objection to the District's action being received by the District within the time frames described below.

You or any person whose substantial interests are affected by the District's action regarding a permit may request an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statute (F.S.), and Chapter 28-106, Florida Administrative Code (F.A.C.), of the Uniform Rules of Procedure. A request for hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's action, or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no disputed facts, and (3) otherwise comply with Chapter 28-106, F.A.C. Copies of Sections 28-106.201 and 28-106.301, F.A.C. are enclosed for your reference. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District's Brooksville address within 21 days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding the District's action in this matter is not available prior to the filing of a request for hearing.

Enclosed is a "Noticing Packet" that provides information regarding the District Rule 40D-1.1010, F.A.C., which addresses the notification of persons whose substantial interests may be affected by the District's action in this matter. The packet contains guidelines on how to provide notice of the District's action, and a notice that you may use.

The enclosed approved construction plans are part of the permit, and construction must be in accordance with these plans.

Permit No.: 44001079.002
May 12, 2004
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If you have questions concerning the permit, please contact David Kramer, P.E., at the Tampa Service Office, extension 2009. For assistance with environmental concerns, please contact Patricia A. Frantz, extension 2054.

Sincerely,



Alba E. Más, P.E., Director
Tampa Regulation Department

AEM:DK:PAF:elb

Enclosures: Approved Permit w/Conditions Attached
 Approved Construction Drawings
 Statement of Completion
 Notice of Authorization to Commence Construction
 Noticing Packet (42.00-039)
 Sections 28-106.201 and 28-106.301, F.A.C.

cc/enc: File of Record 44001079.002
 Jim McElvenny, Paragon Development Group, LLC
 David L. Leggett, P.E., HSA Golden, Inc.
 US Army Corps of Engineers

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
GENERAL CONSTRUCTION MODIFICATION
PERMIT NO. 44001079.002**

Expiration Date: May 12, 2009

PERMIT ISSUE DATE: May 12, 2004

This permit is issued under the provisions of Chapter 373, Florida Statutes (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Plant City Disposal Service Transfer Station/MRF

GRANTED TO: Marcobay Properties, Inc.
116 South Kentucky Avenue
Lakeland, FL 33801

ABSTRACT: This permit modification authorizes the construction of a 0.33 acre concrete pad addition to the existing transfer station site. Runoff from the new and existing project area will now be conveyed to a redesigned stormwater pond via sheetflow (total project area is 1.71 acres). Water quality treatment is provided in the pond through dry retention. The project is located within a closed drainage basin. Therefore, the pond has been designed to retain and percolate the entire runoff volume generated by a post development 100-year, 24-hour storm event. The site is located on North Frontage Road, in Hillsborough County, Florida. This permit modification supercedes the two previously issued construction permits and all conditions are replaced by the conditions herein.

OP. & MAINT. ENTITY: Marcobay Properties, Inc.

COUNTY: Hillsborough

SEC/TWP/RGE: 20/28S/22E

**TOTAL ACRES OWNED
OR UNDER CONTROL:** 4.75

PROJECT SIZE: 1.71 Acres

LAND USE: Industrial

DATE APPLICATION FILED: March 8, 2004

AMENDED DATE: N/A

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Tampa Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.
5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.
6. For dry bottom retention systems, the retention areas shall become dry within 72 hours after a rainfall event. If a retention area is regularly wet, this situation shall be deemed to be a violation of this permit.
7. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing retention or wet detention, the inspections shall be performed two (2) years after operation is authorized and every two (2) years thereafter.
8. This modification, Construction Permit No. 44001079.002, amends the previously issued Construction Permit No. 40001079.000 and 40001079.001, and all conditions are replaced by the conditions herein.
9. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.
10. Refer to GENERAL CONDITIONS No. 15 herein.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.



Authorized Signature