

Jeb Bush  
Governor

# Department of Environmental Protection

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Colleen Castille  
Secretary

December 21, 2005

VIA ELECTRONIC MAIL  
[sampsolj@leegov.com](mailto:sampsolj@leegov.com)

FILE

Mr. Lindsey Sampson, Director  
Lee County Solid Waste Division  
10500 Buckingham Road  
Fort Myers, Florida 33905

Re: Hendry County – SW  
Lee/Hendry County Regional  
Solid Waste Disposal Facility  
Permit Number 0130719-003-SC/00

Dear Mr. Sampson:

An inspection of the referenced facility, conducted by Department personnel on December 19, 2005, indicates there may be a violation of Chapter 403, Florida Statutes (F.S.) and the rules promulgated thereunder. A copy of the inspection report is enclosed for your perusal. Department personnel observed the following at the facility:

1. Florida Administrative Code (F.A.C.) Rule 62-701.300(8)(e) – Waste tires were not properly managed.
2. F.A.C. Rule 62-701.500(1) and Specific Condition No. 9 – There was no spotter at the incinerator ash-dumping site where a mattress and some garbage was observed in the ash.
3. F.A.C. Rule 62-701.500(7)(e) – The incinerator ash stockpiles for use as initial cover had non-incinerator waste items that would not be acceptable as initial cover material. Litter was present in significant amounts outside the working face areas.

**Please correct the above deficiencies within thirty (30) days of this letter, and provide assurances on how these issues will be prevented in the future.** If you have any questions concerning this matter, please contact Bill Krumbholz or Jeri Briggs at (239) 332-6975. Your cooperation is appreciated.

Sincerely,

Philip A. Barbaccia  
Environmental Administrator

Enclosure  
PAB/JB/se

cc: Laura Gray, P.E., Lee County Solid Waste/[gray@leegov.com](mailto:gray@leegov.com)  
John Wong, Waste Management, Inc. of Florida [jwong@wm.com](mailto:jwong@wm.com)  
Ghous Minhaj, DEP

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FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SOLID WASTE MANAGEMENT FACILITY  
INSPECTION CHECKLIST

Facility Name: Lee/Hendry County Regional Solid Waste Disposal Fac.  
WACS No.: \_\_\_\_\_ COMET Project Number: 77771  
Inspection Date: 12/19/05 Permit No.: 0130719-003-SC/00 Expiration Date: 07/09/09  
Facility Address: 5500 Church Road  
City: Felda County: Hendry Zip: 33930  
Permittee or Operating Authority: Lee County  
Telephone Number (Permittee or Operating Authority): 239-369-2545

Inspection Participants (Include ALL Facility and Department Employees With Corresponding Titles):

Principal Inspector: LERI BRIGGS, CHUCK MASELLA  
Other Participants: Ron Penoyer, Crew Leader Leachate System Ed Norris, Waste Mgmt

TYPE OF FACILITY (check all that apply):

Landfill:

- ☒ Class I  
☐ Class II  
☐ Class III

C&D Facility:

- ☐ Disposal  
☐ Disposal w/Recycling  
☐ Land Clearing

Waste Processing Facility:

- ☐ Transfer Station  
☐ C&D Recycling  
☐ Class III MRF  
☐ MSW MRF  
☐ Pulverizer/Shredder  
☐ Compactor/Baling  
☐ Other \_\_\_\_\_

Other Facilities:

- ☐ Composting Facility  
☐ WTE Facility  
☐ Waste Tire Facility  
☐ Yard Trash Processing Facility  
☐ Stationary Soil Treatment Facility  
☐ Incinerator/Trench Burner  
☐ Unauthorized Disposal  
☒ Other LEACHATE TREATMENT PLANT

TYPE OF INSPECTION (check all that apply):

- ☐ Operation  
☐ Closure  
☐ Long-Term Care

- ☐ Complaint Investigation  
☐ Routine Inspection  
☐ Follow-up Inspection

☐ Other \_\_\_\_\_

ATTACHMENTS TO THE INSPECTION CHECKLIST (check all that apply):

This Cover Page includes the following attachments.

Section No.	Section Title
<input checked="" type="checkbox"/> 1.0	File Review
<input checked="" type="checkbox"/> 2.0	Landfill Operation and Maintenance
<input type="checkbox"/> 3.0	Landfill Long-Term Care
<input type="checkbox"/> 4.0	Waste Processing Facilities
<input type="checkbox"/> 5.0	C&D Debris Disposal Facilities
<input type="checkbox"/> 6.0	Recycling Operations at C&D Debris Disposal Facilities
<input type="checkbox"/> 7.0	Land Clearing Debris Disposal Facilities
<input type="checkbox"/> 8.0	Compost Facilities
<input type="checkbox"/> 9.0	Waste Tire Facilities
<input type="checkbox"/> 10.0	Yard Trash Processing Facilities
<input type="checkbox"/> 11.0	Stationary Soil Treatment Facilities
<input type="checkbox"/> 12.0	WTE Facilities
<input type="checkbox"/> 13.0	Compliant Investigations
<input checked="" type="checkbox"/> 14.0	Narrative and Signatures

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
INSPECTION CHECKLIST**

*Lee/Hendry*

**SECTION 1.0 – FILE REVIEW**

**REQUIREMENTS:**

THE REQUIREMENTS LISTED IN THIS INSPECTION CHECKLIST ARE BASED UPON RULES OF THE FLORIDA ADMINISTRATIVE CODE. A "NOT OK" RESPONSE TO A REQUIREMENT (UNLESS OTHERWISE NOTED) REFLECTS A POSSIBLE VIOLATION OF THE CORRESPONDING DEPARTMENT RULE(S) AT THE TIME OF THE INSPECTION. EACH POSSIBLE VIOLATION IS DISCUSSED IN THE NARRATIVE SECTION OF THIS REPORT. SOME REQUIREMENTS MAY BE IDENTIFIED AS "OK" BUT ARE DISCUSSED FURTHER IN THE "AREAS OF CONCERN" PORTION OF THE NARRATIVE SECTION.

FILE REVIEW (Pre- or Post-Inspection, as appropriate.)	OK	Not OK	Unk	N/A
1.1 For landfills, is the method and sequence of filling wastes according to plans? 62-701.500(2)(f)	✓			
1.2 For landfills, are the following records being reported to the Department? (Check any that are Not OK.) <input type="checkbox"/> Waste reports (quarterly) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)	✓			
1.3 Is leachate sampled, tested and disposed as required? 62-701.500(8)(a) & 62-701.510(6)(c)	✓			
1.4 Is gas monitoring being performed as required by the permit? 62-701.500(9) & 62-701.530(2)	✓			
1.5 Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)	✓			
1.6 Is water quality sampling and testing performed according to standard procedures and at the required frequencies? See 62-701.510(2) for landfills; 62-701.730(4)(b) & (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.7 Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) & (4)	✓			
1.8 For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.610(3) & 62-701.730(9)(c)				✓
1.9 Is financial assurance adequate? See 62-701.630 for landfills; 62-710(7)(a) & (10)(a) for WPFs; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.	✓			
1.10 Are cost estimates current and adjusted every year? See 62-701.630(4) for landfills; 62-710(7)(b) & (10)(a) for WPFs; 62-701.730(11)(b) for C&D debris facilities; 62-713.600(6)(b) & (c) for stationary soil treatment facilities.	✓			
1.11 For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by April 1 <sup>st</sup> of each year? 62-701.730(12)				✓
1.12 For C&D recycling facilities with no disposal, is an Annual Report for the recycling operation submitted to the Department by April 1 <sup>st</sup> of each year? 62-701.710(9)(b)				✓
1.13 For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.14 For compost facilities, has the annual report been submitted by June 1 <sup>st</sup> ? 62-709.530(3)				✓

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
INSPECTION CHECKLIST**

*Lee Hendry*

**SECTION 2.0 – LANDFILL OPERATION AND MAINTENANCE**

**REQUIREMENTS:**

THE REQUIREMENTS LISTED IN THIS INSPECTION CHECKLIST ARE BASED UPON RULES OF THE FLORIDA ADMINISTRATIVE CODE. A "NOT OK" RESPONSE TO A REQUIREMENT (UNLESS OTHERWISE NOTED) REFLECTS A POSSIBLE VIOLATION OF THE CORRESPONDING DEPARTMENT RULE(S) AT THE TIME OF THE INSPECTION. EACH POSSIBLE VIOLATION IS DISCUSSED IN THE NARRATIVE SECTION OF THIS REPORT. SOME REQUIREMENTS MAY BE IDENTIFIED AS "OK" BUT ARE DISCUSSED FURTHER IN THE "AREAS OF CONCERN" PORTION OF THE NARRATIVE SECTION.

SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(16))		OK	Not OK	Unk	N/A
2.1	Unauthorized disposal/storage prohibited, except yard trash, within 500' of a potable water well? 62-701.300(2)(b)	✓			
2.2	Unauthorized disposal/storage prohibited, except yard trash, within 1000' of a potable water well serving a community water system? 62-701.300(2)(h)	✓			
2.3	Unauthorized storage/disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK): 62-701.300(12) <input type="checkbox"/> 100 feet for potable water wells (except on-site)? <input type="checkbox"/> 50 feet for water bodies? <input type="checkbox"/> 200 feet for community water supply wells?	✓			
2.4	Unauthorized disposal/storage prohibited in an area subject to frequent and periodic flooding unless flood protection measures in place? 62-701.300(2)(d)	✓			
2.5	Unauthorized disposal/storage prohibited in any natural or artificial body of water including ground water? 62-701.300(2)(e)	✓			
2.6	Unauthorized disposal/storage prohibited, except yard trash, within 200' of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(f)	✓			
2.7	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
2.8	Are the following prohibited wastes or special wastes properly controlled, managed and disposed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Lead-acid batteries 62-701.300(8)(a) <input type="checkbox"/> Yard trash 62-701.300(8)(c) <input type="checkbox"/> White goods 62-701.300(8)(d) <input checked="" type="checkbox"/> Whole waste tires 62-701.300(8)(e) <input type="checkbox"/> Liquids 62-701.300(10) <input type="checkbox"/> Used oil, except as exempted 62-701.300(11) <input type="checkbox"/> Lead-acid batteries, mercury-containing switches and lamps in WTEs 62-701.300(9)	✓	✓		
2.9	Are only permitted waste types disposed at facility? 62-701.340(3), 62-701.500(6)(a)&(2)(c)	✓			

LANDFILL OPERATION AND MAINTENANCE		OK	Not OK	Unk	N/A
2.10	Is there a trained operator on-site at Class I and III landfills when receiving wastes? 62-701.500(1)	✓			
2.11	Is there at least one spotter at each working face when receiving wastes at Class I and III landfills? 62-701.500(1)		✓		
2.12	Are the following records or plans current and available on-site? (Check any that are Not OK.) <input type="checkbox"/> Training Plan 62-701.320(15)(a) <input type="checkbox"/> Training records 62-701.320(15)(a) <input type="checkbox"/> Operating Plan 62-701.500(2) <input type="checkbox"/> Operation record 62-701.500(3) <input type="checkbox"/> Waste weight records 62-701.500(4) <input type="checkbox"/> Quantity of leachate 62-701.500(8)(f) <input type="checkbox"/> Precipitation records 62-701.500(8)(g) <input type="checkbox"/> Load-checking program records 62-701.500(6)(a)	✓			
2.13	Is the operation plan substantially followed? 62-701.500(2)	✓			
2.14	Is incoming waste weighed? 62-701.500(4)(a)&(2)(d)	✓			
2.15	Is the method and sequence of filling wastes according to plans? 62-701.500(2)(f)	✓			
2.16	Is access properly controlled to prevent unauthorized waste disposal? 62-701.500(5)	✓			
2.17	Is waste compacted as required? 62-701.500(7)(a)	✓			
2.18	Are the working face and side slopes above ground graded to a slope no greater than 3 ft. horizontal to 1 ft. vertical rise? 62-701.500(7)(c)	✓			

Section 2.0  
Landfill Operation and Maintenance  
Inspection Checklist

Lee/Hendry

LANDFILL OPERATION AND MAINTENANCE (continued)	OK	Not OK	Unk	N/A
2.19 Is a narrow working face practiced? 62-701.500(7)(d)	✓			
2.20 Is the frequency, amount and quality of initial cover, as required? 62-701.500(7)(e)		✓		
2.21 Is the frequency, amount and quality of intermediate cover, as required? 62-701.500(7)(f)	✓			
2.22 Is litter controlled and are litter control devices maintained? 62-701.500(7)(i) and (11)(f)		✓		
2.23 Is erosion control adequate? 62-701.500(7)(j)	✓			
2.24 Is the leachate collection and removal system maintained and operated as required? 62-701.500(2)(j), 62-701.500(8)(b) & (h)	✓			
2.25 Is leachate disposed of or treated as required? 62-701.500(8)(b), (c) and (d)	✓			
2.26 If leachate recirculation is practiced at the facility, is it done in accordance with Department requirements and the Operation Plan? 62-701.400(5)	✓			
2.27 Is gas controlled to not cause objectionable odors beyond the property boundary? 62-701.530(3)(b)	✓			
2.28 Is gas controlled to not allow combustible gas concentrations to exceed specified limits? 62-701.530(3)(a)	✓			
2.29 Are gas vents intact and functioning properly? 62-701.500(9) & 62-701.530(1)(a)3.	✓			
2.30 Is mixing of leachate and stormwater prevented or minimized? 62-701.500(10) & 62-701.400(9)(c)	✓			
2.31 Is stormwater management system maintained and operated as required? 62-701.500(10)	✓			
2.32 Is there sufficient operating equipment? 62-701.500(11)(a)	✓			
2.33 Is there sufficient reserve equipment (or other arrangements)? 62-701.500(11)(b)	✓			
2.34 Are communication facilities adequate? 62-701.500(11)(c)	✓			
2.35 Are approved dust control methods adequate? 62-701.500(11)(d)	✓			
2.36 Are fire protection and fire fighting capabilities adequate and operational? 62-701.500(11)(e)	✓			
2.37 Are there required signs for operational directions and public information? 62-701.500(11)(g)	✓			
2.38 Are all-weather access roads and inside perimeter roads properly maintained? 62-701.500(12)	✓			
2.39 Are ground water wells intact and properly maintained? 62-701.510(2)(b), 62-701.620(9)	✓			
2.40 Are all specific conditions in the permit being followed? 62-701.320(1)		✓		

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
INSPECTION CHECKLIST

SECTION 14.0 - NARRATIVE AND SIGNATURES

REQUIREMENTS:

THIS SECTION PROVIDES AN OPPORTUNITY FOR THE DEPARTMENT INSPECTOR TO ADD A NARRATIVE EXPLAINING ANY REQUIREMENTS IDENTIFIED AS "NOT OK" AT THE TIME OF THE INSPECTION. SOME REQUIREMENTS MAY BE IDENTIFIED AS "OK" BUT ARE DISCUSSED FURTHER IN THE "AREAS OF CONCERN" PORTION OF THE NARRATIVE SECTION.

14.1 Explanation for all "NOT OK" responses (continue on separate sheet if necessary).

Prohibitions 2.8 whole waste tires were mixed in the stockpiled incinerator ash (for initial cover), the C&D debris pile and many waste tires were spread across the area near the working face. (See photos)

Operation and Maintenance 2.11 No spotter at incinerator ash dumping site, Mattress and garbage observed at this location. (See photos) 2.40 specific condition requires at least one spotter at each working face.

2.20 Quality of stockpiled incinerated ash used for initial cover was substandard with large metal objects (tanks-), waste tires, plastic containers, vegetative debris and a tarp mixed in. (See photos)

2.22 Substantial litter and flagging throughout the site.

14.2 Explanation for all "Areas of Concern" (continue on separate sheet if necessary).

Please provide assurances that these issues will be addressed and corrected before the next routine inspection.

Signed:

Jeri Buys  
DEP Representative

12/19/05  
Date

Received:

mailed

Site Representative

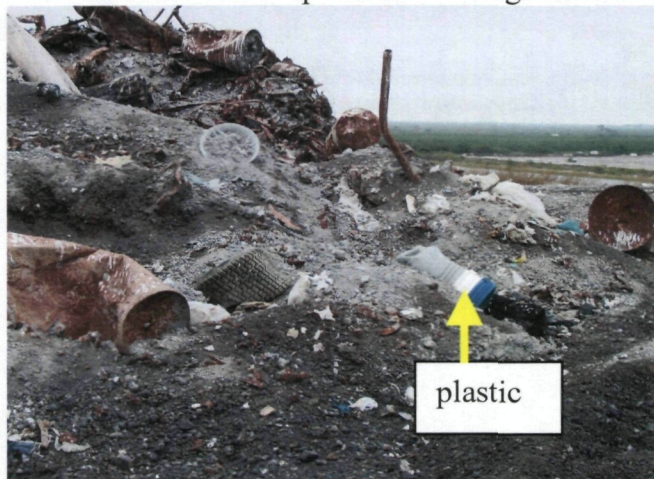
Date

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "NOT OK" or areas of concern.

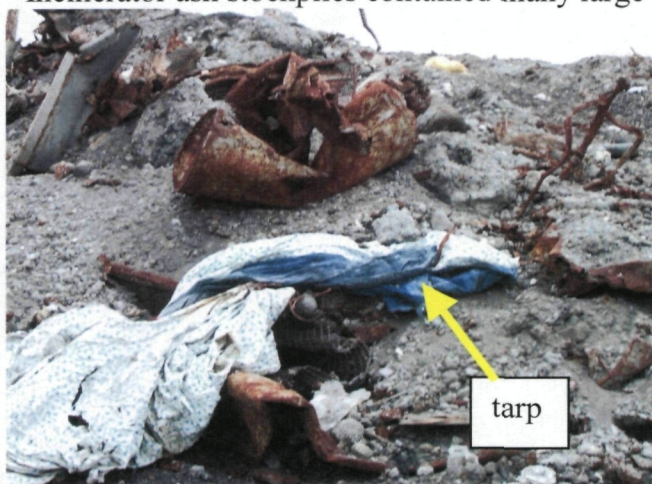




Whole waste tires spread over a large area near working face and in the incinerator ash stockpile



Incinerator ash stockpiles contained many large items and some had not been through the incinerator



Incinerator ash stockpiles contained many large items and some had not been through the incinerator





Incinerator ash stockpiles contained many large items



Incinerator ash stockpiles contained many large items



No spotter at incinerator ash working face



unauthorized waste at incinerator ash working face



Section 2.0 – Landfill Operation And Maintenance Photos  
Lee/Hendry County Regional Solid Waste Disposal Facility  
December 19, 2005  
Page 3



Substantial litter/flagging



Substantial litter/flagging



Substantial litter/flagging

## Edwards, Susan

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**From:** postmaster@gwguardian.leegov.com  
**Sent:** Tuesday, December 27, 2005 9:55 AM  
**To:** Edwards, Susan  
**Subject:** Message relayed



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Your message has been relayed  
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The message was successfully delivered to 2 recipient(s)  
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