



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

NOTICE OF PERMIT

By E-Mail
JAngiulli@co.volusia.fl.us

In the matter of an
Application for Permit
by: Mr. John V. Angiulli
Volusia County Solid Waste Division
3151 East New York Avenue
DeLand, FL 32724

OCD-SW-07-0520

Volusia County – SW
Tomoka Farms Road Landfill, North Cell – Phase II, Class I

Dear Mr. Angiulli:

Enclosed is Permit Number SC64-0078767-022, to construct the Tomoka Farms Road Landfill, North Cell – Phase II, Class I, issued under Section(s) 403.061(14) and 403.707, of the Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit under section 120.68 of the Florida Statutes, by the filing of a Notice of Appeal under rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, 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 notice 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, FL 32803
407/894-7555

Date: December 6, 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.

E. Williams

Dec. 6, 2007

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 December 6, 2007 to the listed persons.

E. Williams

Clerk

VFG/gc/ew

Enclosure: Permit

Copies furnished to:

Richard Tedder, P.E. – DEP – Tallahassee

Fred Wick – DEP – Tallahassee

Frank Hornbrook – DEP – Tallahassee

Jim Bradner, P.E. – DEP – Air Program

Mehran (Ron) Beladi, P.E. – Neel-Schaffer, Inc. ron.beladi@neel-schaffer.com

Jennifer Stirk – Volusia County Solid Waste Division jstirk@co.volusia.fl.us

Stephen Kintner – Volusia County Environmental Management skintner@co.volusia.fl.us



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Permittee:
Volusia County Solid Waste Division
3151 East New York Avenue
DeLand, FL 32724

Attention: Mr. John V. Angiulli

WACS Facility: 27540
Permit Number: SC64-0078767-022
Expiration Date: 10/5/2012
County: Volusia
Section 9, Township 16 South, Range 32 East
Latitude 29°07'50" North, Longitude 81°06'02 West
Project: Tomoka Farms Road Landfill,
North Cell – Phase II, Class I

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4 and 62-701. 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 construct the Tomoka Farms Road Landfill, North Cell,-Phase II, Class I, which involves extending the existing North Cell eastward. The actual disposal area is 22.7 acres.
- The combination of the existing North Cell, East Cell – Phase I and East Cell – Phase II are to be designated as North Cell due to the contiguity of these disposal areas. Areas 1 and 2 of East Cell – Phase I now known as North Cell –Phase I have been constructed, certified and are in operation. This construction permit is to continue the construction of Areas 3 and 4 (collectively designated as "Phase II") of the North Cell (formerly East Cell).
- The North Cell-Phase II, will have a double composite bottom liner system to match the existing North Cell-Phase I liner system.
- Solid waste has been disposed of at the Tomoka Landfill site since 1969. The landfill will receive residential, commercial, agricultural and industrial waste.
- The project incorporates a ground water and surface water monitoring plan.

LOCATION: The facility can be reached on I-4 east to I-95, north on I-95 to U. S. 92, left on U. S. 92 approximately 1/4 mile, turn left on C.R. 415 (Tomoka Road) and proceed about 3 miles - landfill entrance is on the right at 1990 Tomoka Farms Road in Volusia 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.

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:

Volusia County Solid Waste Division

Attention: Mr. John V. Angiulli

WACS Facility: 27540

Permit No. SC64-0078767-022

Expiration Date: 10/5/2012

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 office 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, nor does it relieve the permittee from compliance with any applicable air requirements of Title V, county ordinance, or local programs
4. 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.
5. Effluent Discharge: There shall be no discharge of liquid effluents or contaminated runoff to surface or ground water without prior approval from this Department.
6. 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.
7. Zone of Discharge: The zone of discharge for the facility shall be a three dimensional volume, 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 in Attachment B of the Monitoring Plan Implementation Schedule (Exhibit I of this permit), and defined in the vertical plane as extending from the top of the ground to the bottom of the casing of the lower surficial monitoring wells. 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.
8. Monitoring Plan Implementation Schedule: The Monitoring Plan Implementation Schedule attached as Exhibit I, is made a part of this permit. All wells shall be in place and sampled prior to placement of waste in the newly constructed cells.
9. Construction Quality Assurance: The Construction Quality Assurance (CQA) Plan submitted with the permit application received May 28, 2002, (Reference No. 4 – Appendix A), 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 system 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 liner to ensure the underlying geosynthetics are not damaged during construction.
10. Sub-base: Prior to liner installation, the subgrade shall be prepared to provide a firm unyielding foundation and 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 which could penetrate the liner material.

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SPECIFIC CONDITIONS:

11. Geosynthetic Clay Liner (GCL): A geosynthetic clay liner (GCL) shall be placed on the prepared subgrade to assure compliance with soil component requirements.
12. Liner: The bottom liner system for the North Cell-Phase II expansion will be the same as was constructed for the North Cell- Phase I, and will be comprised of a double composite liner including (from bottom up):
 - 6 inch sub-base comprised of compacted soils
 - A reinforced geosynthetic clay liner (GCL)
 - 60 mil HDPE geomembrane
 - Double-sided composite triplanar geonet
 - A reinforced geosynthetic clay liner (GCL)
 - 60 mil HDPE geomembrane
 - Double-sided composite triplanar geonet
 - 24-inch thick layer of drainage sand
13. Site Dewatering: During construction of the landfill, the contractor shall keep the site dewatered. When the County accepts the landfill from the contractor, it will become the county's responsibility to keep the ditch sufficiently dewatered to prevent hydraulic uplift from pushing up the liner and displacing the leachate collection system. Twenty feet of waste and soil cover shall be placed on the liner before all dewatering may be discontinued.
14. 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 under wet conditions shall be allowed. The CQA plan requires the owner's inspector to inspect the sub-grade each day prior to placing the GCL.
15. Geomembrane Testing: Non-destructive air pressure tests and/or vacuum tests 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 no less than one destructive test sample every 500 linear feet of field seam.
16. Liner Installation – Summary Report: A professional engineer licensed to practice 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 as to the 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 19 of this permit.
17. Liner Installation: 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.
18. 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 the 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.

PERMITTEE:

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WACS Facility: 27540

Permit No. SC64-0078767-022

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SPECIFIC CONDITIONS:

19. Certification: After all significant initial construction has been completed, and prior to acceptance of any solid waste, the Engineer of Record shall complete a Certificate of Construction Completion, DEP Form 62-701.900(2), then contact the Department to arrange for Department representatives to inspect the facility in the company of the permittee, the engineer and the proposed on-site facility operator. The certification must be done for each cell individually.
20. Solid Waste Disposal: The landfill shall not receive any solid waste until the leachate collection system is in place and functional and Specific Conditions 8, 16 and 19 are satisfied.
21. Liner Edge Staking: 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.
22. Operation Permit: To obtain a permit to operate Specific Condition No. 20 has to be satisfied and an Application For A Permit To Operate A Solid Waste Management Facility, DEP Form # 62-701.900(1) with supporting documents and a fee of \$10,000.00 needs to be submitted to the Department.
23. Substantial Changes or Revisions: The Department shall be notified and approval obtained prior to executing any substantial changes or revisions to the construction authorized by this permit.
24. 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, 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.
25. 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, 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.
26. 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

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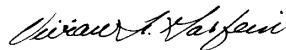
SPECIFIC CONDITIONS:

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.

27. 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.
28. 40 CFR 60 Requirements: The permittee shall comply with the 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: December 6, 2007

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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

FILING AND ACKNOWLEDGEMENT

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



Dec. 6, 2007

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 December 6, 2007 to the listed persons.



Clerk

Appendix A

1. Construction Permit Renewal Application for North Cell Phase II, Volusia County Solid Waste Management System, dated June 2007, Prepared by: Neel-Schaffer, Inc., Maitland, Florida. Received and stamped June 15, 2007, Central District – DEP.
2. Request for Additional Information from DEP – Central District dated July 9, 2007.
3. Response to Request for Additional Information from Neel-Schaffer, Maitland, Florida dated July 31, 2007. Received and stamped August 1, 2007, DEP – Central District.
4. Construction Permit Application, Operation Permit Modification, Tomoka Farms Road Landfill, East Cell Expansion, Prepared by: SCS Engineers, Daytona Beach, FL 32118, dated April 3, 2002. Received and stamped May 28, 2002, FDEP – Central District.
5. Tomoka Farms Road Landfill, East Cell Expansion Geotechnical Report, Prepared by: SCS Engineers, Daytona Beach, FL 32118 dated November 14, 2002. Received and stamped May 28, 2002, FDEP – Central District.
6. Volusia County Tomoka Farms Road Landfill, East Cell Expansion – Drawings by: SCS Engineers dated January 2002. Received and stamped May 28, 2002, FDEP – Central District.