



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

CENTRAL DISTRICT
3319 MAGUIRE BOULEVARD, SUITE 232
ORLANDO, FLORIDA 32803-3767

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

October 23, 2012

By E-Mail
thawkins@wm.com

In the Matter of an
Application for Permit by:
Vista Landfill, LLC
242 West Keene Road
Apopka, FL 32703

WACS # 87081
OCD-SW-12-410
Orange County - SW
Vista Landfill, Class III

Attention: Mr. Timothy Hawkins

DEP File No. SO48-0165969-021

This is the Department's Intent to Issue Permit No. SO48-0165969-021. Enclosed are the "Notice of Proposed Agency Action" and Draft Permit for the project and file number noted above. Please contact the Central District's Solid Waste Program at 407-897-4304 if you have questions or need further information.

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy of conditions attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Vista Landfill, LLC / Timothy Hawkins, requested on June 27, 2012 to the Department of Environmental Protection, for a modification to the operation permit to clarify the materials which may be accepted for composting at the Vista Landfill, Class III, in Orange County, Florida. This Department issued permit minor modification is being issued to facilitate such clarification.

The Department has permitting jurisdiction under Section 403.707(1), F.S. and Chapters 62-4, and 62-701, F.A.C. The project is not exempt from permitting procedures. The Department has determined that an operation permit is required for the proposed work.

Pursuant to Section 403.815, F.S., you are required to publish at your own expense the enclosed Notice of Proposed Agency Action. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. You must provide proof of publication to the Department at the address listed below as soon as practical after publication. Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803, telephone 407/897-4304.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by other persons must be filed within 14 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;
- (e) A statement of the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

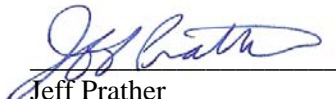
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the 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 order is filed with the clerk of the Department.

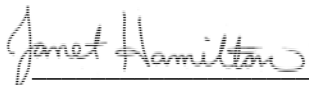
Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Jeff Prather
Director, Central District

FILING AND ACKNOWLEDGMENT

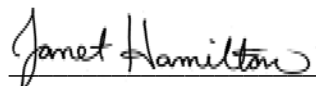
FILED, October 23, 2012 pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

October 23, 2012
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were sent before the close of business on October 23, 2012 to the listed persons.


Clerk

JP/kr

Enclosures

1. Wording for "Notice of Proposed Agency Action"
2. Draft Permit No. SO48-0165969-021

Copies furnished to:

Richard Tedder, P.E. – FDEP Tallahassee, Richard.Tedder@dep.state.fl.us
Sheree Grant – Waste Management Inc. of Florida, sgrant@wm.com
Paul Bermillo – Waste Management Inc. of Florida, pbermill@wm.com
Jay Davoll – City of Apopka, jdavoll@apopka.net

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Protection gives Notice of its intent to modify the operation permit for the Vista Landfill, LLC / Timothy Hawkins, 242 West Keene Road, Apopka, Florida 32703, to clarify the materials which may be accepted for composting at the Vista Landfill, Class III in Orange County, FL. The facility is located at 242 West Keene Road, Apopka, Florida 32703, in Section 28, Township 21 South, Range 28 East, in Orange County, Florida.

The Department has assigned File Number SO48-0165969-021 to the project and considered the effects of this landfill on groundwater.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Central District office, 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803, Telephone 407/897-4304.

To view Documents in the Department's electronic filing system called Oculus:

Go to website: <http://dwmedms.dep.state.fl.us/Oculus/servlet/login>

Log in using the PUBLIC OCULUS LOGIN Button

Under Catalog - Highlight Solid Waste

Under Search by - Make Sure Profile is selected

Under Profile- Highlight Permitting_Authorization

For Facility-Site ID - Enter 87081

For Document Date - Select the "Greater Than" Symbol (>) and enter 06-26-2012

Click on the Search Button

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of this notice or receipt of the written notice, whichever occurs first. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;
- (e) A statement of facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301 of the Florida Administrative Code.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case as an alternative to filing a petition for an administrative determination.



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

CENTRAL DISTRICT
3319 MAGUIRE BOULEVARD, SUITE 232
ORLANDO, FLORIDA 32803-3767

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

, 2012

NOTICE OF PERMIT

By-Email
thawkins@wm.com

In the matter of an
Application for Permit
By:

Mr. Timothy Hawkins
Vista landfill, LLC
242 West Keene Road
Apopka, FL 32703

OCD-SW-12-

Orange County – SW WACS # 87081
Vista Landfill, Class III
DEP File No. SO48-0165969-021

Dear Mr. Hawkins:

Enclosed is Permit Number SO48-0165969-021 to modify the operation permit of the Vista Landfill, Class III, issued under Sections 403.061(14) and 403.707, of the Florida Statutes to clarify the materials which may be accepted for composting.

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

Jeff Prather
Director, Central District

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.

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were sent before the close of business on _____, 2011 to the listed persons.

Clerk

JP/kr

Enclosures

1. Permit No. SO48-0165969-021

Copies furnished to:

Richard Tedder, P.E. – DEP – Tallahassee, Richard.Tedder@dep.state.fl.us

FDEP Solid Waste Financial Coordinator, solid.waste.financial.coordinator@dep.state.fl.us

Paul Bermillo – Waste Management Inc. of Florida, pbermill@wm.com

Sheree Grant – Waste Management Inc. of Florida, sgrant@wm.com

Jay Davoll – City of Apopka, jdavoll@apopka.net



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RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Permit Issued to:

Vista Landfill, LLC
242 West Keene Road
Apopka, Florida
(352) 368-1890

WACS Facility ID No.: 87081
Facility Name: Vista Landfill, Class III
242 West Keene Road
Apopka, Orange County, Florida

Contact Person:

Mr. Timothy Hawkins, Vice President
thawkins@wm.com

Solid Waste Operation Permit-Class III Minor Modification

Permit No.: SO48-0165969-018
(As revised by SO48-0165969-021)

Permit Issued: [date]

Permit Renewal Application Due Date: 02/18/2016

Permit Expires: 04/19/2016

Permitting Authority

Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
(407) 897-4100



**FLORIDA DEPARTMENT OF
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RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

, 2011

NOTICE OF PERMIT

By-Email
thawkins@wm.com

Mr. Timothy Hawkins
Vista Landfill, LLC
242 West Keene Road
Apopka, FL 32703

OCD-SW-12-

Orange County – SW WACS # 87081
Vista Landfill, Class III
Clarification of Materials Acceptable for Composting – Minor Modification
Modification of Permit No. SO48-0165969-018
As revised by Permit No. SO48-0165969-021

Dear Mr. Hawkins:

In response to the request received from Paul Bermillo of Vista Landfill, on June 27, 2012, the subject permit is modified for clarification of materials acceptable for composting at the Vista Class III Landfill. The information submitted in support of this modification is on file at the Central District office and is made part of the subject permit. The information submitted included a revised Operation Plan received June 27, 2012.

The composting operation at Vista Class III Landfill is hereby authorized to operate as a vegetative, animal byproducts and/or manure composting facility and may process the following:

- Yard Trash (including clean wood)
- Manure
- Animal byproducts
- Vegetative wastes
- Pre-consumer vegetative wastes

All other conditions of the subject permit remain unchanged.

This letter must be attached to Permit No. SO48-0165969-018 and becomes part of that permit. The permit expiration date is not changed; it is April 19, 2016.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Jeff Prather
Director, Central District

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.

Clerk

_____, 2012
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF
PERMIT MODIFICATION and all copies were sent before the close of business on
, 2012 to the listed persons.

Clerk

JP/kr

Copies furnished to:

Richard Tedder, P.E. – FDEP Tallahassee, Richard.Tedder@dep.state.fl.us

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Paul Bermillo – Waste Management Inc. of Florida, pbermill@wm.com

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