

1247415

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

GEORGE B. WITTMER ASSOCIATES, INC.,

Petitioner,

v.

FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

4/27/06

DEP OGC Case No: 04-0530
DEP OGC Case No: 04-0529
FDEP File Nos 0209374-001
and 0209374-002

ELEVENTH CONSENTED MOTION FOR EXTENSION OF TIME

Petitioner, GEORGE B. WITTMER ASSOCIATES, INC., pursuant to Rule 62-110.106(4), Fla. Admin. Code, hereby requests an additional 60 day extension of time within which to file a petition seeking a formal administrative proceeding in the above-styled matter concerning the agency action proposed by Respondent, the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department), in its Intent to Deny a Construction and Operation Permit for a Solid Waste Management Facility for the Production of Compost. In support of this request, Petitioner states:

1. Petitioner received notice of the proposed denial of the above-described permit by U.S. Mail on March 18, 2004.

2. Petitioner's substantial interests are affected by the proposed action of the Department in the following manner: If the contention of the Department that a permit is required for operation of the facility and that that permit should be denied is maintained, Petitioner would no longer be allowed to operate the facility and would be forced to close the business. This would result in an inability to serve a number of customers which rely on it to take material that would otherwise go to a landfill. Petitioner would also be unable to supply a number of customers which rely on it for furnishing compost and other soil amendments. That



compost is currently sold both in bulk and in bags for consumer purchase. Thus, Petitioner is substantially affected by the denial of the requested permit to operate the reuse facility.

3. On March 30, 2004, Petitioner met with representatives of the Departments in an attempt to resolve the issues in this matter. The parties agree they need additional time to complete this effort. At the March 30, 2004 meeting, Department representative Michael Fitzsimmons agreed that the Department should grant Petitioner's requested sixty-day extension of time. Petitioner filed a consented request for this extension of time until June 24, 2004, which the Department granted on June 25.

4. Successive Motions for Extension of Time to File a Petition have been filed and granted. The last Order granted an extension to file a Petition until April 28, 2006.


5. One of the last remaining items was the completion of a soil investigation to determine the presence of an aquaclude. That report was delivered to the DEP earlier this week.

6. Counsel for Wittmer has consulted with Michael Fitzsimmons of the District Office who concurs with the 60 day extension.

WHEREFORE, Petitioner respectfully requests that the Department enter an Order allowing an additional 60 days in which to file a petition seeking a formal administrative proceeding in the above-styled matter. Should this Motion not be granted, Petitioner requests that this Motion be treated as a Petition for Hearing.

Respectfully submitted,

OERTEL, FERNANDEZ, COLE & BRYANT, P.A.
Post Office Box 1110
Tallahassee, Florida 32302-1110
850-521-0700; Fax: 850-5221-0720



Terry Cole
Florida Bar ID No. 133550
Patricia A. Renovitch
Florida Bar ID No. 194220
Attorneys for Petitioner

CERTIFICATE OF SERVICE

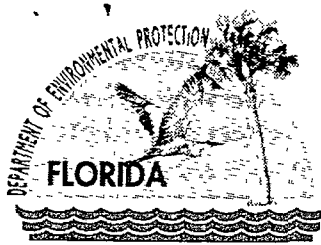
I HEREBY CERTIFY that the original of the foregoing has been filed with Lea Crandall, Agency Clerk, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, by electronic delivery, and a copy furnished by electronic delivery this 27th day of April 2006 to Chris McGuire, Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS-35, Tallahassee, FL 32399-3000.



Attorney

cc: Mary Nogas and Michael Fitzsimmons
DEP Northeast District Office
7825 Baymeadows Way, Suite 200B, Jacksonville, FL 32256-7590
David Perdick

F:\par\Inactive\wittmer\2851 Wittmer Eleventh Motion Ext Time.doc



Jeb Bush
Governor

Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Colleen M. Castille
Secretary

September 19, 2005

Mr. Greg Mathes
General Manager
Trail Ridge Landfill Inc
5110 U.S. Highway 301
Jacksonville, Florida 32234

Dear Mr. Mathes:

Trail Ridge Landfill
Modification No. 0013493-013 to Permit No. 0013493-010-SC
Duval County-Solid Waste

The Department has reviewed your request to modify this permit consisting of the application for minor permit modification received on July 22, 2005 and supplemented on August 24, 2005. The application involves two requests: 1) to operate a second working face; and 2) to utilize a portable tipper.

This Notice of Modification does not alter the expiration date, the General Conditions, or any Specific Conditions, with the exception of the revision of specific condition numbers 16 and 17 (which revisions are underlined), as noted below. **This letter must be attached to the original permit.**

Specific Condition No. 16 shall now read as follows:

- 16. Operating Personnel and Working Faces.** As required by FAC Rule 62-701.500(1), at least one (1) trained operator shall be present at the landfill during all times when the landfill receives waste. Trained operators are those who satisfy the definition provided in FAC Rule 62-701.200(89) and who satisfy the requirements of Chapter 62-701.320(15) for both initial and continued training. Also, at least the minimum number of spotters listed in the matrix "Trail Ridge Landfill Evaluation of Personnel Requirements," contained in Attachment A of Document 4, and included herein as Attachment 10, for the corresponding waste amounts shall be provided at the working face at all times the facility is operating. The facility may have up to two working faces at the same time on condition that a tipper is being operated at one of the two working faces. At all times the facility is receiving and/or spreading waste at a working face, at least one trained spotter shall be present at that respective working face and shall observe the waste stream for

Mr. Greg Mathes
September 19, 2005
Page two

prohibited waste as it is being deposited and spread. For example, if waste is being accepted and/or spread at both working faces at the same time, there shall be at least one trained spotter at each working face for a minimum total of two trained spotters. The spotters shall satisfy the definition provided in FAC Rule 62-7-1.320(15)(h) and shall satisfy the training requirements of FAC Rule 62-701.320(15) for both initial and continued training.

Training Certifications shall be kept on-site and shall be made available to the Department at the Department's request including during a routine site inspection. The Department suggests that the Permittee contact the Department or visit the TREEO Center web site, to ensure the course selected for training is still valid for the facility and position requiring training.

In addition to the trained operators and spotters, the Permittee shall provide the other minimum personnel listed in the said aforementioned matrix and the equipment required, pursuant to specific condition number 17, for the corresponding waste amounts. For example, if the facility is accepting in the range of more than 4,500 tons of waste up to 5,000 tons of waste in a day, there shall be, during the peak times of 6:00 a.m. to 7:00 a.m., and 10:00 a.m. to 3:00 p.m., a minimum, in addition to two (2) trained spotters, three (3) day laborers and four (4) equipment operators, for a minimum total of nine (9) people. The laborers shall spot waste and remove prohibited waste under the direction of a trained spotter stationed at the working face.

Specific Condition No. 17 shall now read as follows:

17. **Landfill Equipment.** The on-site equipment shall consist of: three (3) compactors and two (2) dozers, at a minimum. A tipper may also be provided and utilized at the site. If the waste receipt rate at the facility exceeds 1,300 tons per day, the Permittee shall provide a minimum total of two (2) compactors at the working face(s); if the waste receipt rate exceeds 2,600 tons per day at the facility, a minimum total of three (3) compactors shall be provided at the working face(s). When no waste is being disposed and/or spread at the tipper working face, the compactor assigned to it may be moved to and utilized at the other working face as needed. The Permittee shall ensure that sufficient reserve equipment is available or arrangements to obtain additional equipment within 24 hours of equipment breakdown have been made.

Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as noted. By copy of this letter, we are notifying all necessary parties of the modification.

This Notice of Modification is final and effective on the date filed with the clerk of the Department 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.

Mr. Greg Mathes
September 19, 2005
Page three

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) 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 warrants reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends requires 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.

Mr. Greg Mathes
September 19, 2005
Page four

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 Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Michael J. Fitzsimmons
Waste Program Administrator

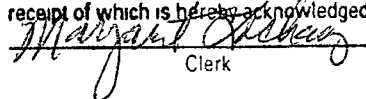
Wm for ECR

Copies furnished to: Juanitta Clem, England, Thims and Miller, Inc.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT MODIFICATION was mailed before the close of business on September 19, 2005.

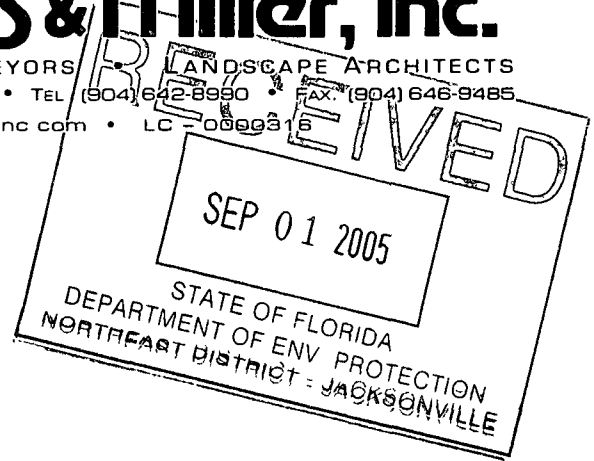
FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to S120.52 Florida
Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged


Clerk
Date 9-19-05



England-Thims & Miller, Inc.

ENGINEERS • PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
14775 ST. AUGUSTINE RD • JACKSONVILLE, FL 32258 • TEL (904) 642-8990 • FAX (904) 646-9485
CA - 00002584 • www.etm-inc.com • LC - 0000316



August 30, 2005

Ms. Melissa Long, P.E.
Compliance & Assurance Supervisor
Industrial Wastewater Section
Florida Department of Environmental Protection
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256

Re: Trail Ridge Landfill – Annual Stormwater Pond Inspection (2005)
Permit Number 0013493-010-SC
ETM Project Number E98-34

Dear Ms. Long:

In accordance with Specific Condition No. 43 B. of the referenced permit for the Trail Ridge Landfill, the annual inspection of the stormwater treatment facility (a wet detention pond) has been conducted on August 29, 2005 and the pond has been found to be operating in accordance with the permitted design. Please see the attached inspection report, which has been signed and sealed in accordance with the specific condition.

If you have any questions, please do not hesitate to give me a call.

Sincerely,

ENGLAND-THIMS & MILLER, INC.

Francis Dayao, P.E.
Project Engineer

Cc: Greg Mathes, Trail Ridge Landfill, Inc.
Al Burson, Trail Ridge Landfill, Inc.
Chris Pearson, City of Jacksonville
Mary Nogas, Solid waste Section, FDEP

ENGLAND-THIMS & MILLER, INC.

Consulting & Design Engineers

14775 St. Augustine Road

Jacksonville, Florida 32258

TRAIL RIDGE LANDFILL
ANNUAL STORMWATER POND INSPECTION

Attendees: Jimmy Purvis - Trail Ridge Landfill, Inc.
Dan Miller - Trail Ridge Landfill, Inc.
Francis Dayao – England-Thims & Miller, Inc.,

Reference: Trail Ridge Landfill
ET&M Project No. 98-34

Date: August 29, 2005

Weather: Sunny and Hot

Tests were performed at the Trail Ridge Landfill pump station to verify that the discharge rate is within the allowable permitted range. At the time of testing, the level of the wet detention pond supplying the pump station appeared to be at normal water level.

The permitted discharge rate for this wet detention pond is between 2.11 CFS (947 GPM) and 2.50 CFS (1,122 GPM). Based upon the wet size (8' x 8' or 478.7 Gallons/Foot of Depth), the discharge rate into the wet well from the pond should be:

$$947 \text{ GPM} / (478.7 \text{ Gal./Ft.}) = 2.0 \text{ Ft./Min. (Min.)}$$

$$1,122 \text{ GPM} / (478.7 \text{ Gal./Ft.}) = 2.3 \text{ Ft./Min. (Min.)}$$

In order to test the system, the inlet valves in the wet well were set with both valves partially opened (5 complete revolutions on both valves). Then, the flow into the wet well was determined as follows:

<u>Depth</u>	<u>Time</u>	<u>Rise</u>
10.4	0	0
7.6	60 Sec.	2.8
<hr/>		
Total	1.0 Min.	2.8 = 1340.4 GPM

Francis Dayao
8/30/05

Since the flow rate is above the permitted maximum flow rate of 1,122 GPM, the valves were adjusted (4 complete revolutions on both valves) to reduce the flow into the wet well. Then, the flow into the wet well was determined as follows:

<u>Depth</u>	<u>Time</u>	<u>Rise</u>
12.6	0	0
7.6	120 sec.	5.0
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Total	2 Min.	2.5 Ft./Min.= 1196.75 GPM

Since the flow rate is still above the permitted maximum flow rate of 1,122 GPM, the valve closer to the pond was adjusted half a revolution (resulting with 4 complete revolutions on one valve and 3.5 on the other). Then, the flow into the wet well was determined as follows:

<u>Depth</u>	<u>Time</u>	<u>Rise</u>
10.8	0	0
8.7	60 sec.	2.10
<hr/>		
Total	1 Min.	2.10 Ft./Min.= 1005.27

Since the flow rate of 1005.27 GPM is within the permitted range, this discharge rate and valve configuration was deemed acceptable. The inlet valves will be operated in the partially opened position as previously described.

In conclusion, the stormwater pond is functioning according to the permitted wet detention design.

Francis Agas
8/30/05



England-Thims & Miller, Inc.

ENGINEERS • PLANNERS • SURVEYORS • GIS • LANDSCAPE ARCHITECTS

STAMP: JUNE 30 2004
NORTH EAST DISTRICT
JACKSONVILLE, FL

June 18, 2004

2004 JUN 30 P 2:34

Mr. Ken Kohn, P.E.
Industrial Waste Section
Florida Department of Environmental Protection
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256

Principals

Douglas C. Miller, P.E., CEO
N. Hugh Mathews, P.E., President
Joseph A. Tarver, Exec., V.P.
Juanitta Bader Clem, P.E., V.P.
Scott A. Wild, P.E., PSM, V.P.
Samuel R. Crissinger, CPA, V.P.
Robert A. Mizell, Jr., P.E., V.P.
Bryan R. Stewart, V.P.

Emeritus

James E. England, P.E.
Robert E. Thims

RE: Trail Ridge Landfill – Annual Stormwater Pond Inspection
Permit Number 0013493-010-SC
ETM Project Number E98-34


Dear Mr. Kohn:

In accordance with Specific Condition No. 43 B. of the referenced permit for the Trail Ridge Landfill, the annual inspection of the stormwater treatment facility (a wet detention pond) has been conducted and the pond has been found to be operating in accordance with the permitted design. Please see the attached inspection report, which has been signed and sealed in accordance with the specific condition.

If you have any questions, please do not hesitate to give me a call.

Sincerely,

ENGLAND-THIMS & MILLER, INC.



Juanitta Bader Clem, P.E.
Vice President

PC: Greg Mathes, General Manager, Trail Ridge Landfill, Inc.
Mark Behel, Trail Ridge Landfill, Inc.
Chris Pearson, City of Jacksonville
Mary Nogas, Solid Waste Section, FDEP

ENGLAND-THIMS & MILLER, INC.

Consulting & Design Engineers

14775 St. Augustine Road

Jacksonville, Florida 32258

TRAIL RIDGE LANDFILL **ANNUAL STORMWATER POND INSPECTION**

Attendees: Jimmy Purvis – Trail Ridge Landfill, Inc.
Dan Miller – Trail Ridge Landfill, Inc.
Jeff Frank – England-Thims & Miller, Inc.

Reference: Trail Ridge Landfill
ET&M Project No. 98-34

Date: June 18, 2004

Weather: Partly Cloudy and Warm

Tests were performed at the Trail Ridge Landfill pump station to verify that the discharge rate is within the allowable, permitted range. At the time of testing, the level of the wet detention pond supplying the pump station was low due to insufficient rainfall over the past two months.

The permitted discharge rate for this wet detention pond is between 2.11 CFS (947 GPM) and 2.50 CFS (1,122 GPM). Based upon the wet well size (8' x 8' or 478.7 Gallons/Foot of Depth), the discharge rate into the wet well from the pond should be:

$$947 \text{ GPM} / (478.7 \text{ Gal./Ft.}) = 2.0 \text{ Ft./Min. (Min.)}$$
$$1,122 \text{ GPM} / (478.7 \text{ Gal./Ft.}) = 2.3 \text{ Ft./Min. (Max.)}$$

In order to test the system, the inlet valves in the wet well were set with both valves partially opened (7 complete revolutions on one valve and 7 complete revolutions on the other valve). Then, the flow into the wet well was determined as follows:

<u>Depth</u>	<u>Time</u>	<u>Rise</u>
14.4	0	0
13.1	30 Sec.	1.30
10.1	30 Sec.	3.00
9.7	30 Sec.	0.40
7.6	30 Sec.	2.10
Total	2.0 Min.	6.80' = 3.40 Ft./Min. = 1,627.6 GPM

Since the flow rate is above the permitted maximum flow rate of 1,122 GPM, the valves were both closed an additional 2 revolutions (to 5 revolutions). Then, the flow into the wet well was determined as follows:

<u>Depth</u>	<u>Time</u>	<u>Rise</u>
10.8	0	0
9.4	30 Sec.	1.40
8.4	30 Sec.	1.00
7.8	30 Sec.	0.60
<hr/>		
Total	1.5 Min.	3.0' = 2.0 Ft./Min. = 957.4 GPM

Since the flow rate of 957.4 GPM is within the permitted range, this discharge rate and valve configuration was deemed acceptable. The inlet valves will be operated in the partially opened position (5 complete revolutions).

In conclusion, the stormwater pond is functioning according to the permitted wet detention design.

Julie 4/22



Department of Environmental Protection

Jeb Bush
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Colleen M. Castille
Secretary

April 22, 2004

Trail Ridge Landfill, Inc.
5110 U.S. Highway 301
Baldwin, Florida 32234

Dear Mr. Mathes:

Trail Ridge Landfill facility
Permit Number: 0013493-010-SC
Duval County - Solid Waste

Enclosed are corrected pages 7, 21, 27, 28 and 36 of the above-referenced permit (issued December 19, 2003). Specific condition numbers 9, 37d, 41b, 42 and 48o were corrected on said respective pages. Please replace your file copies with these pages. We apologize for this oversight and any inconvenience this may have caused.

If you have any comments concerning this matter, please contact Julia Boesch at the letterhead address or telephone number (904) 807-3365.

Sincerely,

Mary C. Nogas, P. E.
Solid Waste Supervisor

MCN:jb:mfp

Enclosure

cc: Juanitta Bader Clem, P.E.
Chris Pearson

PERMITTEE:
Trail Ridge Landfill, Inc.
5110 U.S. Highway 301
Baldwin, Florida 32234

I. D. Number: NED/16/00033628
Permit Number: 0013493-010-SC
Date of Issue: December 19, 2003
Expiration Date: November 25, 2007
Corrected Page

SPECIFIC CONDITIONS:

6. **Permit Renewal.** Pursuant to FAC Rule 62-4.090, by September 25, 2007 the Permittee shall apply for a renewal of the permit on forms and in a manner prescribed by the Department, in order to assure conformance with all applicable Department rules. Permits shall be renewed at least every five (5) years as required by FAC Rule 62-701.330(2).
7. **Notification in Case of an Emergency.** The Permittee shall immediately notify the Department by telephone whenever a serious problem occurs at the facility including a fire or other emergency, which poses an unanticipated threat to the public health or the environment. During regular business hours, notification shall be made to the Northeast District Office at (904) 807-3300. If an emergency occurs outside regular business hours, the Permittee shall telephone the 24-hour emergency phone number (800) 320-0519. This number is for emergencies only. Within seven (7) days of any emergency, the Permittee shall submit to the Department, a written report explaining the extent of the problem, the cause, and what actions have been or will be taken to correct the problem, or prevent its recurrence.
8. **Provisions of Temporary Source of Potable Water.** The Permittee shall provide a temporary source of potable water within seven (7) days and a permanent safe drinking water supply within 180 days of discovery of contamination to replace any potable water well that is shown by chemical and hydrogeologic analysis to be contaminated by the facility. This temporary source of water shall meet all drinking water standards set forth in FAC Chapter 62-550 and shall be provided at the Permittee's expense.
9. **Design Elevations and Annual Survey.** The maximum design elevation for the Trail Ridge Landfill is elevation 350.6 ft. MSL. This maximum specified elevation shall include the final cover system. A survey of the waste disposal areas shall be conducted and submitted to the Department between March 1 and July 1 of each year of this permit until it is within ten (10) feet of the maximum design elevation, after which the survey shall be conducted quarterly. This information is to be submitted to the Department within sixty (60) days of conducting the survey and shall include the existing elevations in five foot contour intervals and in reference to the National Geodetic Vertical Datum, all points designed for terraces and the location of the toes of the side slopes.
10. **Financial Assurance.** The Permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance. Support documentation and evidence of inflation adjustment increases shall be submitted within the time frames specified in Rule 62-701.630, FAC. All submittals in response to this specific condition shall be sent to: Financial Coordinator, Solid Waste Section, Florida Department of Environmental Protection, Mail Station Number 4565, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The Permittee shall file with the Department a signed duplicate of the escrow account

PERMITTEE:
Trail Ridge Landfill, Inc.
5110 U.S. Highway 301
Baldwin, Florida 32234

I D. Number: NED/16/00033628
Permit Number: 0013493-010-SC
Date of Issue: December 19, 2003
Expiration Date: November 25, 2007
Corrected Page

SPECIFIC CONDITIONS:

37. **Contingency Operations.** Prior to the imminent threat of a natural disaster (i.e., hurricane or tornado), flooding and fire, the following procedures (at a minimum) shall be implemented:
- a. Initial soil cover shall be applied and compacted to all exposed solid waste;
 - b. All landfill equipment shall be fueled and parked near natural wind screens, earthen mounds or tree areas; and
 - c. All lightweight signs and equipment shall be secured.
 - d. In the event a hot load is received or a fire occurs at the facility, the Permittee shall follow the procedures addressed on page 30 of section VIII "Operation Plan" found in Document 1 as amended by comment 65 of Documents, 2, 3 and 4 to control and extinguish the fire. The facility shall extinguish a fire, either surface or subsurface that occurs at the facility, as soon as possible, using the proper techniques such as adding water and/or cutting off the oxygen supply. The area where a fire occurs, including a subsurface fire, shall be cordoned off. The local fire Department shall be contacted when needed. Fire hydrant(s) shall be maintained at the facility. The facility shall notify the Department of the fire as soon as possible and within 24 hours of discovery of the fire.

Additionally, the following actions shall be implemented in the event a fire occurs within the working face. The facility shall immediately cease disposal operations in the working face area until the fire is extinguished. The landfill operator or his designee shall direct all waste disposal operations to another operational area, (an area that has no intermediate or final cover) within the liner footprint and that is a safe distance from the fire. The temporary disposal area shall not be located in an area that may interfere or delay movement of fire fighting equipment. For a subsurface fire that occurs outside the working face the landfill operator or his/her designee shall cordon off the area and shall also assess and determine if the active working face shall be moved until the fire is extinguished. At no time shall the facility continue to accept waste in a burning area.

PERMITTEE:
Trail Ridge Landfill, Inc.
5110 U.S. Highway 301
Baldwin, Florida 32234

I. D. Number: NED/16/00033628
Permit Number: 0013493-010-SC
Date of Issue: December 19, 2003
Expiration Date: November 25, 2007
Corrected Page

SPECIFIC CONDITIONS:

- 41b. **Final cover system design.** Terraces, downcomer pipes, and the final cover system shall be constructed in accordance with the details provided on drawing sheet number 21, Document 2. The final cover system for the side slopes shall consist of the following from bottom to top: a minimum 1 foot thick intermediate cover layer consisting of only uncontaminated soil material, a minimum 12 inch thick clay layer (after installation) that has a maximum permeability of 6.67×10^{-8} cm/sec, a minimum 2 foot thick top soil layer with the top 6 inches capable of sustaining vegetation and the vegetative cover proposed in your application. Terraces with underdrains shall be constructed at the elevations reflected on Drawing sheet number 15 and in accordance with the detail provided on drawing sheet number 21, Document 2. Downcomers shall also be provided as reflected in said drawing sheets. The final cover system for the top slope shall consist of the following from bottom to top: 1 foot minimum thick intermediate cover layer consisting of only uncontaminated soil material, at least 40 mil average thickness geomembrane, minimum 1 foot minimum thick sand layer, permeability of 1×10^{-3} cm/sec or greater, and 1 foot minimum thick top soil layer with the top 6 inches being capable of supporting vegetation. All earthen materials shall be uncontaminated. Additionally, the soil/mulch mixture used on exterior side slopes or top slopes and addressed in specific condition 31 shall be removed prior to placement of the final cover system.
- c. **Interface friction angles.** The Permittee shall test the interface friction angles of the material that will be installed in the final cover system. The materials shall provide interface friction angles pursuant to Response 51 and Attachment D, of Document 4.
- d. **Closure construction Quality Assurance.** The Permittee shall provide quality assurance to each of the phased closure projects. In constructing the side slopes the Permittee shall implement the procedures and conduct the testing proposed in the "Quality Assurance/Quality Control Plan for Side Slope Closure," provided in Attachment D of Document 4. In constructing the top slopes, the Permittee shall implement the procedures and conduct the testing proposed in the "Quality Assurance/Quality Control Plan for Top Slopes," provided in Appendix K of Document 1. Quality assurance shall be provided by a qualified party independent of the contractor. The QA individual shall be experienced in landfill construction.
- e. **Certification of Closure Construction Completion.** The Permittee shall provide a certification of closure construction completion to the Department within 30 days after completing each closure phase, as reflected on Drawings Sheets 14 and 15, provided with Document 2, Closure Phase 3 through Closure Phase 8. The certification shall be prepared, signed and sealed by a Professional Engineer registered in the state of Florida. Record Drawings and a final survey report done by a professional surveyor, in accordance with Rule 62-701.610(3), FAC, shall be provided for each incremental closure as well as the final closure.

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Trail Ridge Landfill, Inc.
5110 U.S. Highway 301
Baldwin, Florida 32234

I. D. Number: NED/16/00033628
Permit Number: 0013493-010-SC
Date of Issue: December 19, 2003
Expiration Date: November 25, 2007
Corrected Page

SPECIFIC CONDITIONS:

The items required in this specific condition number at a minimum, shall be reflected on the drawings accordingly. Also, documentation shall be provided demonstrating that the items requested in this specific condition have been provided. A final certification shall be provided within 30 days of completing closure of the facility as reflected on Drawing Sheet 15, document 2, Closure Phase 8. Included with the report shall be a signed and sealed survey, record drawings and depth checks. The official long-term period will not begin until the final certification of the entire permitted facility is received and approved by the Department and the other requirements of FAC Rule 62-701.610 are met.

42. **Non-authorized.** This permit does not authorize the following:
- a. This permit does not authorize leachate recirculation.
 - b. This permit does not authorize the reuse of any materials other than as indicated by specific condition numbers 30, 31 and 32.
43. **Stormwater Management System.** The operation and maintenance of the stormwater management system shall be as set forth in the plans, specifications, and performance criteria contained in the Department file and approved by this permit.
- A. **Operational Maintenance.** The following operational maintenance activities shall be performed on all permitted systems on a regular basis or as needed:
- (1) Removal of trash and debris
 - (2) Inspection of inlets and outlets
 - (3) Removal of sediments when the storage volume or conveyance capacity of the system is below design level or when the system is rendered ineffective on account of clogging/sedimentation of the pond bottoms.
 - (4) Stabilization and restoration of eroded areas.
 - (5) Mowing and removal of grass clippings.
 - (6) Aeration, tilling or replacement of topsoil as needed to restore percolation capability of the system.

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SPECIFIC CONDITIONS:

- n. The Permittee shall prepare and submit to the Department groundwater surface contour maps, prepared from data collected from all permitted wells on site, for the initial sampling event and each semi-annual sampling event. A shallow surficial map, utilizing data from the shallow wells; an intermediate surficial map, utilizing the data from the intermediate wells; and a deep surficial map, utilizing data from the deep wells will be prepared and submitted to the Department, with the groundwater elevation data. This information shall be submitted in conjunction with the initial and semi-annual analytical data.
- o. If, at any time, groundwater standards and/or criteria are exceeded, or if parameter concentrations in detection wells are significantly above unaffected background water quality, the Permittee shall notify the Department within fourteen (14) days of discovery. The Permittee may resample the monitor well(s) to verify the groundwater analysis within thirty (30) days of receipt of the analytical data. The Permittee shall submit to the Department the results of the resampled groundwater monitoring well water quality analysis and the original analysis no later than the sixty (60) days following initial receipt of the original analytical data.

Should the Permittee choose not to resample, the Department will consider the water quality analysis that exceeded the standards and/or criteria, or that significantly exceeded background water quality, as representative of current groundwater conditions at the facility.

If the groundwater standards and/or criteria are exceeded in a detection well or if parameters in a detection well are significantly above unaffected background water quality, the Permittee shall implement the Evaluation Monitoring and Corrective Action requirements of FAC Rule 62-701.510.

If the groundwater standards and/or criteria are exceeded in a compliance well or if parameters in a compliance well are significantly above unaffected background water quality, the Permittee shall initiate and implement corrective action in accordance with FAC Rule 62-701.510(7)(b)2 and current Department rules or guidance within sixty days.

- p. Compliance with groundwater standards and/or criteria shall be determined by analysis of unfiltered or settled groundwater samples.