



**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

January 29, 2013

NOTICE OF PERMIT

By-Electronic mail
lmarion@volusia.org

In the matter of an
Application for Permit
By:

Mr. Leonard Marion
Volusia County Solid Waste Division
3151 East New York Ave.
DeLand, FL 32724

OCD-SW-13-028

Volusia County – SW WACS # 27540
Tomoka Farms Road Landfill – North Cell, Phase II, Class I Disposal Area
DEP File No. SC64-0078767-029

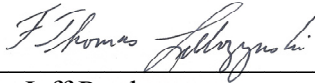
Dear Mr. Marion:

Enclosed is Permit Number SC64-0078767-029 for construction of the Tomoka Farms Road Landfill – North Cell, Phase II, Class I Disposal Area, issued under Sections 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.

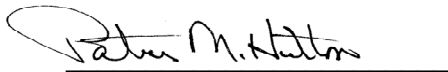
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



for 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.



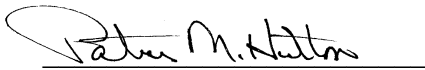
Clerk

January 29, 2013

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 January 29, 2013 to the listed persons.



Clerk

JP/kr

Enclosures

1. Permit No. SC64-0078767-029

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

Carlo Lebron, P.E. – HDR Engineering, Inc., carlo.lebron@hdrinc.com

Junos Reed, Volusia County, jreed@volusia.org



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Permit Issued to:

Volusia County Solid Waste Division
3151 East New York Ave.
DeLand, Florida
(386) 943-7889

WACS Facility ID No.: 27540
Facility Name: Tomoka Farms Road Landfill – North Cell, Phase II, Class I Disposal Area
1990 Tomoka Farms Road
Port Orange, County], Florida

Contact Person:
Leonard Marion, Solid Waste Director
lm Marion@volusia.org

Solid Waste Construction Renewal Permit – Landfill
Permit No.: SC64-0078767-029

Permit Issued: 01/29/2013
Permit Renewal Application Due Date: 11/10/2017
Permit Expires: 01/10/2018

Permitting Authority
Florida Department of Environmental Protection
Central District Office
3319 Maguire Blvd., Ste 232
Orlando, Florida 32803
407-897-4100

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The permittee is hereby authorized to continue to construct the facility described below in accordance with the specific and general conditions of this permit and any documents attached to this permit or specifically referenced in this permit and made a part of this permit.

This solid waste construction permit is issued under the provisions of Chapter 403, Florida Statutes, Florida Administrative Code Chapters 62-4 and 62-701.

This permit does not relieve the permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permits from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other Sections within the Department or of the Water Management District.

B. Facility Location

The facility is located at 1990 Tomoka Farms Road, Port Orange 32128, in Volusia County, Florida (Latitude 29° 7' 42.27" and Longitude 81° 4' 54.49").

C. Facility Description

The permittee is hereby authorized to perform the following work:

- To construct the Tomoka Farms Road Landfill – North Cell, Phase II, Class I Disposal Area (approximately 22.7 acres). The entire Class I North Cell is comprised of 3 Phases: the existing North Cell, North Cell Phase I and North Cell Phase II, which are contiguous disposal areas. The Phase II liner system will be tied into the Phase I liner system.
- The North Cell, Phase II area will be constructed with a double composite bottom liner system to match the existing North cell, Phase I liner system.
- The North Cell, Phase II area will be constructed with a redesigned leachate collection and leak detection system per the approved construction drawings submitted with this construction permit renewal (references 1 and 3, APPENDIX 2).

D. Appendices Made Part of This Permit

APPENDIX 1 - General Conditions

APPENDIX 2 - Approved Application Documents

E. Attachments for Informational Purposes Only

[None]

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application **as revised in final form replaced or amended** in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation, monitoring, or closure requirements of this permit may require a modification to this permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified by submitting Form 62-701.900(8) within 30 days: (a) of any sale or conveyance of the facility; (b) if a new or different person takes ownership or control of the facility; or (c) if the facility name or permittee's legal name is changed.
5. Air Construction Permit Requirements. The Tomoka Farms Road Landfill has an Air Title V Operation permit. The landfill owner or operator must determine whether the construction activities at the landfill authorized by this solid waste permit require any notifications or modifications of the air permit.

B. Construction Requirements

1. Construction authorized. This permit authorizes the construction of the North Cell, Phase II, Class I Disposal Area. The North Cell, Phase II, Class I Disposal Area construction will include the construction of a double composite bottom liner system, a leachate collection system, and a leak detection system.

2. General Construction Requirements. All construction shall be done in accordance with the approved design, drawings, CQA plan, and specifications as presented in the documents listed in APPENDIX 2. The Department shall be notified before any changes, other than minor deviations, to the approved design are implemented in order to determine whether a permit modification is required.
3. Leachate System Flushing. The leachate system main corridor pipeline shall be water pressure cleaned or inspected by video recording after construction and prior to disposal of waste per Rule 62-701.500(8)(h), F.A.C.
4. Certification of Construction Completion. Upon completion of construction, the engineer of record shall certify to the Department in accordance with Rule 62-701.320(9)(b), F.A.C., that the permitted construction is complete and was done in substantial conformance with the approved construction plans except where minor deviations were necessary. All deviations shall be described in detail and the reasons therefore enumerated. The following documents shall be submitted along with the Certification:
 - a. The final report and record drawings showing that the liner system has been installed in substantial conformance with the plans and specifications for the liner system. The record drawings must include the results of the surveys of the liner, base grade and collection pipe slopes.
 - b. The final report showing the results of the geomembrane liner leak location survey.
 - c. Results of testing of geosynthetic and soil components of the liner system.
 - d. Proof of flushing or video recording of the leachate collection system.
5. Construction Quality Assurance. The Construction Quality Assurance (CQA) Plan submitted with the permit application shall be followed for preparing the subgrade and 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 preparation of the subbase, placement of the liner components and leachate collection system, and placement of the drainage and protective layer over the primary liner.
6. Approval of Certification. The permittee shall not begin using the North Cell, Phase II, Class I Disposal Area at the facility until one of the following has occurred: (1) the Department has stated in writing that it has no objection to the certification of construction completion; or (2) at least 30 days have passed since the certification was submitted and the Department has not responded in writing to the certification.

C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the landfill in accordance with Operation Permit No. SO64-0078767-023 (which will soon be renewed as permit SO64-0078767-030) and any associated modifications to that permit.

2. Initial Waste Placement. The first layer of waste placed above the liner and leachate collection system shall be a minimum of four feet in compacted thickness and consist of select wastes containing no large rigid objects that may damage the liner or leachate collection system. The County will locate a spotter on the ground along the leachate trench during the first layer of select waste above the 1 foot sand layer covered leachate trench to ensure that the leachate trench is not damaged (reference 5, APPENDIX 2).

D. Water Quality Monitoring Requirements

The Water Quality Monitoring Requirements are described in the Operations Permit.

E. Gas Management System Requirements

The Gas Management System Requirements are described in the Operations Permit.

F. Financial Assurance and Cost Estimates

1. Financial Assurance. The permittee may not receive waste for disposal or storage in the North Cell, Phase II, Class I Disposal Area until proof that the corresponding financial mechanism is established and funded in accordance with Rule 62-701.630, F.A.C. and is submitted to the Department at least sixty (60) days prior to the planned acceptance of solid waste. In addition, the permittee must receive specific written approval of the financial assurance mechanism prior to being authorized by the district office to commence disposal operations in the North Cell, Phase II, Class I Disposal Area. To meet the 60-day requirement, a new detailed cost estimate for the North Cell, Phase II, Class I Disposal Area must be submitted to the Department at least 90 days prior to the planned receipt of waste.

G. Closure Requirements [Not Applicable]

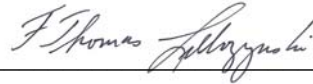
H. Long Term Care Requirements [Not Applicable]

PERMITTEE NAME: Volusia County Solid Waste Division
FACILITY NAME: Tomoka Farms Road Landfill – North Cell, Phase II

PERMIT NO.: SC64-0078767-029
WACS Facility ID: 27540

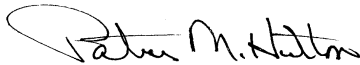
Executed in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



for Jeff Prather
District Director
Central District

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



Clerk

January 29, 2013

Date

APPENDIX 1

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, 403.161, 403.727, or 403.861, Florida Statutes. 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 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, are required by Department rules. This provision includes the operation of backup or 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 the 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.Reasonable time may depend on the nature of the concern being investigated.
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 Sections 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 or a copy thereof shall be kept at the work site of the permitted activity.
12. 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 instrumentation) 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.
13. 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.

APPENDIX 2

Approved Application Documents

Documents Generated for this Permit Application:

1. Volusia County Solid Waste System, Tomoka Farms Road Landfill, North Cell – Phase II, Class I Construction Permit Renewal Application, dated August 1, 2012. Received and stamped August 2, 2012, DEP – Central District.
2. First Request for Additional Information from DEP – Central District dated August 22, 2012.
3. Response to First Request for Additional Information from Volusia County Solid Waste Division, dated September 17, 2012. Received and stamped September 18, 2012, DEP – Central District.
4. Second Request for Additional Information from DEP – Central District dated October 5, 2012.
5. Response to Second Request for Additional Information from Volusia County Solid Waste Division, dated November 1, 2012. Received via email, November 1, 2012, DEP – Central District.
6. Permit Application Complete Letter from DEP – Central District dated November 27, 2012.

Referenced Historical Documents:

7. Tomoka Farms Road Landfill, East Cell Expansion Geotechnical Report, dated November 14, 2000. Received and stamped May 28, 2002, DEP – Central District.
8. Operation Permit Modification & Construction Permit Application for East Cell Expansion, Tomoka Farms Road Landfill, dated April 3, 2002. Received and stamped May 28, 2002, DEP – Central District.
9. FDEP Application for Renewal of Construction Permit, Tomoka Farms Road Landfill, North Cell – Phase II, Class I, dated June 12, 2007. Received and stamped June 15, 2007, DEP – Central District.
10. FDEP Application for Renewal of Operations Permit North Cell Class I Landfill, Tomoka Farms Road Landfill, dated June 25, 2007. Received and stamped July 2, 2007, DEP – Central District.
11. RAI Response, FDEP Application for Renewal of Construction Permit, Tomoka Farms Road Landfill, North Cell – Phase II, Class I, dated July 31, 2007. Received and stamped August 1, 2007, DEP – Central District.
12. Updated Monitoring Plan Implementation Schedule (MPIS) approved as part of the Solid Waste Operating Permit, Class III. Permit issued December 10, 2009, DEP – Central District.
13. Updated Operations Plan dated June 30, 2010. Received and stamped July 1, 2010, DEP – Central District.
14. Tomoka Farms Road Landfill, North Cell Class I Closure, Intermediate Modification Permit Application, prepared By: HDR Engineering, Inc., Jacksonville, Florida 32202, dated August 25, 2010. Received and stamped September 14, 2010, DEP – Central District.

15. Financial Responsibility Closure & Long-Term Care Cost Estimates FY 2011, dated August 18, 2011.
Received and stamped August 23, 2011, DEP - Central District.