



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**  
CENTRAL DISTRICT  
3319 MAGUIRE BOULEVARD, SUITE 232  
ORLANDO, FLORIDA 32803-3767

RICK SCOTT  
GOVERNOR

CARLOS LOPEZ-CANTERA  
LT. GOVERNOR

JONATHAN P. STEVERSON  
SECRETARY

March 20, 2015

E-Mail

[THawkins@wm.com](mailto:THawkins@wm.com)

Mr. Tim Hawkins, President  
Vista Landfill, LLC  
Waste Management Inc. of Florida  
2700 Wiles Road  
Pompano Beach, FL 33073

SPCD-SW-15-3378

Orange County – SW WACS ID No. 87081  
Vista Materials Recovery Facility  
Permit Application No 0165969-025-SO-31 Complete

Dear Mr. Hawkins:

On March 4, 2015, the Department of Environmental Protection Central District (DEP-CD) received a permit renewal application for Vista Materials Recovery Facility. The application was signed on 3/4/2015 by you. Mr. Nick Khoury, P.E., of Waste Management Inc. of Florida signed and sealed the application on 3/4/2015 as the Engineer of Record. We have assigned Permit Application Nos. 0165969-025-SO-31 to the application.

The renewal permit was timely filed as defined in Rule 62-4.090, F.A.C. The existing permit SO48-0165969-017 to construct/operate the Vista Materials Recovery Facility shall remain in effect until this permit application has received final action by the Department.

The application is considered to be complete. However, we do have some comments about the application and the renewal permit. They are attached. The Department will make every effort to issue our final agency action as quickly as possible. In the meantime, if you have any questions, please contact Laxsamee Levin at (407) 897-4313 or by e-mail at [laxsamee.levin@dep.state.fl.us](mailto:laxsamee.levin@dep.state.fl.us).

Sincerely,

A handwritten signature in cursive script, appearing to read 'F. Thomas Lubozynski'.

F. Thomas Lubozynski, P.E.  
Waste and Air Resource Programs Administrator

FTL/ll

Mr. Tim Hawkins  
Vista Materials Recovery Facility  
WACS ID No.87081  
SPCD-SW-15-3378  
March 20, 2015

Attachment

cc:

Jim Christiansen – WMI of Florida, [jchristi@wm.com](mailto:jchristi@wm.com)

Nick Houry, P.E. – WMI of Florida, [nkhoury@wm.com](mailto:nkhoury@wm.com)

Deborah Perez - WMI of Florida, [dperez@wm.com](mailto:dperez@wm.com)

Jay Davoll – City of Apopka, [jdavoll@apopka.net](mailto:jdavoll@apopka.net)

Lori Cunniff - OCEPD, [lori.cunniff@ocfl.net](mailto:lori.cunniff@ocfl.net)

Richard Tedder, P.E. – FDEP Tallahassee, [Richard.Tedder@dep.state.fl.us](mailto:Richard.Tedder@dep.state.fl.us)

Marjorie Heidorn, P.G. – DEPCD, [Marjorie.Heidorn@dep.state.fl.us](mailto:Marjorie.Heidorn@dep.state.fl.us)

Nathan Hess – DEPCD, [Nathan.Hess@dep.state.fl.us](mailto:Nathan.Hess@dep.state.fl.us)

Gloria DePradine – FDEP Central District, [Gloriajean.depradine@dep.state.fl.us](mailto:Gloriajean.depradine@dep.state.fl.us)

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### **Comments about Renewal Application and Permit**

All references to “**Report**” in the following text refer to the 28 page application document.

1. This application is for renewal of current permit SO48-0165969-017 that will expire on 5/5/2015. Your payment of \$1,000 covers the permit renewal fee for operation/construction that does not involve additional construction. The facility has not been constructed or operated. The construction information was previously submitted, reviewed and approved. Therefore, the renewal permit will include the specific conditions for construction. The Department will issue this permit renewal for 5 years.
2. On pages 11 and 12 of the **Report** there are references to the submittal dated 12/7/2009. Since then Chapter 62-701, F.A.C., has been revised. More changes are expected later this year. All future submittals need to reflect current requirements.
3. Typically for a permit renewal updated versions of the following documents must be submitted: Operation Plan, Contingency Plan and a detailed Financial Assurance Estimated Cost for Closing. However, since the facility has not yet been constructed and there is no schedule for its construction, we will defer the updates until you are ready to construct the facility.
4. **Operation Plan (OPlan)**. The renewal permit will require that an up-to-date OPlan must be submitted prior to the start of construction. Operation will not be authorized before the OPlan has been approved. When preparing the new OPlan, please address or include the following:
  - Notify FDEP Central District before any substantial changes or revision to the approved OPlan are implemented in order to determine whether a permit modification is required.
  - The facility is not authorized to accept putrescible wastes. If any putrescible wastes is received, it may not be stored for more than 48 hours. Describe how it would be stored until it is disposed.
  - Access to the facility shall be controlled during the operational life of the facility by fencing or other effective barriers to prevent disposal of unauthorized solid waste.
  - If any regulated hazardous wastes are discovered to be improperly deposited at the facility, the facility operator shall promptly notify the Department, the person responsible for shipping the wastes to the facility, and the generator of the wastes, if known. The area where the wastes are deposited shall immediately be cordoned off from public access. If the generator or hauler cannot be identified, the facility operator shall assure the cleanup, transportation, and disposal of the waste at a permitted hazardous waste management facility.

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- If the facility has reached its permitted capacity for storage of wastes or recyclable materials, the permittee shall not accept additional waste for processing until sufficient capacity has been restored.
5. **Contingency Plan:** The renewal permit will require that an up-to-date Contingency Plan must be submitted prior to start of construction. Operation will not be authorized before the new Contingency Plan has been approved. When preparing the new Contingency Plan, besides meeting the requirements of Rule 62-701.320(16), F.A.C., please specifically address hurricane preparedness.
    - a. Central District prefers to see implementation based on time before the hurricane is expected to arrive.
    - b. When will the actions described be performed, for example, 24 hours before predicted arrival?
    - c. After the hurricane passes, someone should be designated to ensure the facility can still operate in compliance with Department rules and the permit. If not, that person must contact the Central District to discuss whether the facility should accept waste.
    - d. The FDEP Central District contact number is (407) 897-4100.
  6. **Financial Assurance** Item (1)(h) on page 12 of the **Report** proposes that a permit condition allow the facility to submit the detailed cost estimate at least 60 days prior to initiating construction rather than as part of this application. We agree that is reasonable since there is no construction schedule for the facility at this time. The permit will also state that operation cannot commence unless the financial mechanism has been approved by the Department.
  7. There will be specific conditions in the permit to address the above items 4, 5 and 6. The submittals of items 4 to 6 must be a minor modification application to the permit with a fee.