



**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

April 09, 2015

**NOTICE OF PERMIT**

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-15-3745

Orange County – SW WACS ID No. 87081  
Vista Materials Recovery Facility  
DEP File Nos. 0165969-025-SO-31


Dear Mr. Hawkins:

Enclosed is Permit Number 0165969-025-SO-31 to construct/operate Vista Materials Recovery Facility, 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.

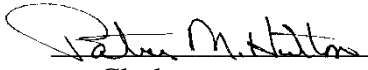
Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
F. Thomas Lubozynski, P.E.  
for Jeff Prather  
Director, Central District

## FILING AND ACKNOWLEDGMENT

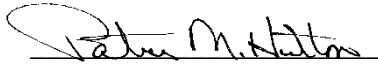
FILED, April 09, 2015 pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk

April 09, 2015  
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 April 09, 2015 to the listed persons.

  
Clerk

JP/TL/II

Enclosure Permit No. 0165969-025-SO-31

Copies furnished to:

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

Nick Khoury, 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. – DEP Central District, [Marjorie.Heidorn@dep.state.fl.us](mailto:Marjorie.Heidorn@dep.state.fl.us)

Nathan Hess – DEP Central District, [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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Permit Issued to:

Mr. Tim Hawkins, President  
Waste Management Inc. of Florida  
2700 Wiles Road  
Pompano Beach, FL 33073  
(954) 984-2035

Facility WACS ID No.: 87081  
Facility Name: Vista Materials Recovery Facility  
Facility Address: 242 West Keene Road  
Apopka, Orange County, Florida

Contact Person:  
Deborah Perez, District Manager  
Vista Landfill, LLC  
242 West Keene Road, Apopka, FL 32703  
[dperez@wm.com](mailto:dperez@wm.com)  
(407) 466-4079

**Solid Waste Construction/Operation Renewal Permit – Waste Processing Facility**

Permit No.: 0165969-025-SO-31  
Replaces Permit No.: SO48-0165969-017

Permit Issued: April 09, 2015  
Permit Renewal Application Due Date: 1/27/2020  
Permit Expires: 3/27/2020

**Permitting Authority**

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

## **SECTION 1 - SUMMARY INFORMATION**

### **A. Authorization**

The permittee is hereby authorized to construct/operate a waste processing facility 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/operation permit is issued under the provisions of Chapter 403, Florida Statutes, and 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 permit 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 Vista Materials Recovery Facility is located within the property boundary of the Vista Landfill Class III. The landfill is located at 242 W. Keene Road, Apopka, Orange County, Florida in Section 28, Township 21 South, Range 28 East (Latitude 28° 38' 24.5" N and Longitude 81° 30' 41.7" W).

### **C. Facility Description**

The Vista Materials Recovery Facility has not been constructed. This is the second renewal construction/operation permit. The facility will provide recycling services. Many of the customers who will utilize the facility are engaged in Leadership in Energy and Environmental Design (LEED) Green Building Rating System which encourages and accelerates global adoption of sustainable green building and development practices. The Vista Materials Recovery Facility will increase recycling and reduce the volume of waste disposed of at the landfill.

Only Class III waste materials will be accepted and sorted at the facility. Recoverable materials includes but are not limited to concrete, roofing materials, wood, metal, plastic and glass. Residual waste will be removed on a first in, first out basis. All residual Class III waste will be disposed of at the Vista Landfill Class III. The facility includes covered waste processing/storage building, a scale house, leachate collection and lift station, and stormwater conveyance ditches. Leachate will be stored in a tank and discharged into the City of Apopka's sewer system in accordance with the currently approved Industrial Wastewater Permit issued by the City of Apopka. The facility will serve Orange County and Greater Orlando Area. Expected volume of waste to be received is 250 tons a day.

### **D. Appendices Made Part of This Permit**

APPENDIX 1 - General Conditions

APPENDIX 2 – Approved Application Documents

### **E. Informational Purposes Only**

1. This permit is for renewal of current permit SO48-0165969-017 that will expire on 5/5/2015. The 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 (APPENDIX 2 Items 3, 4, 5 and 9). Therefore, this operation permit also includes specific conditions for construction.
2. The application made 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 rule 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, the updates have been deferred until the facility is scheduled to be constructed. The submittal of the documents will be considered a minor modification of the permit. They may be submitted in one application with one fee or as separate applications with individual fees.

## **SECTION 2 - SPECIFIC CONDITIONS**

### **A. Administrative Requirements**

1. Documents Part of This Permit. The permit application and lists of pertinent information attached with the Department's Application Complete Letter 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, or monitoring 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 in writing within 30 days: (1) of any sale or conveyance of the facility; (2) if a new or different person takes ownership or control of the facility; or (3) if the facility name is changed.

### **B. Construction Requirements**

1. General Construction Requirements. All construction shall be done in accordance with the Drawing Sheets 3 and 4 of the permit application submitted and received on December 7, 2009. The Department shall be notified before any changes, other than minor deviations, to the approved Construction Plan are implemented in order to determine whether a permit modification is required.
2. Certification of Construction Completion. Upon completion of construction and prior to accepting any waste at the facility, 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.
3. Approval of Certification. The permittee shall not accept solid waste at the facility until one of the following has occurred: (a) the Department has stated in writing that it has no objection to the certification of construction completion; or (b) at least 30 days have passed since the certification was submitted and the Department has not responded in writing to the certification. (However, other specific conditions in this permit must also be met in order to be authorized to receive waste materials.)

### **C. Operation Requirements**

1. General Operating Requirements.
  - a) Operation Plan Prior to the start of construction of the Vista Materials Recovery Facility, the Permittee shall submit an up-to-date Operation Plan that meets the applicable rules in the current Chapter 62-701, F.A.C. The submittal of the updated Operation Plan is considered a minor modification to the permit with a fee. The Operation Plan must include but is not limited to statements about the following:
    - The permittee shall operate the facility in accordance with the approved Operation Plan. The Department shall be notified before any changes, other than minor deviations, to the approved Operation Plan are implemented in order to determine whether a permit modification is required.
    - The facility is not authorized to accept putrescible wastes. If any putrescible waste is received, it may not be stored for more than 48 hours. Describe how it would be stored until it is disposed.

- Leachate Collection Sump and Drain: The leachate collection sump and drain shall be inspected periodically and accumulated debris shall be removed, as needed, at a stated minimum frequency. We recommend at least once a week.
  - 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.
  - Establish the maximum storage amounts for unprocessed waste and the various recovered materials.
  - 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.
- b) Contingency Plan Prior to construction of the Vista Materials Recovery Facility, the Permittee shall submit an up-to-date contingency plan that meets the Rule 62-701.320(16), F.A.C. The submittal of the updated Contingency Plan is considered a minor modification to the permit with a fee. The Contingency Plan must include but is not limited to statements about the following:
- Central District prefers to see implementation based on time before the hurricane is expected to arrive.
  - When will the actions described be performed, for example, 24 hours before predicted arrival?
  - 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.
  - The FDEP Central District contact number is (407) 897-4100.
- c) The permittee shall not start receiving or processing waste before the Operation Plan and the Contingency Plan are approved by the Department.
2. Authorized Waste and Material Types. The facility is authorized to manage only Class III waste as defined in Rule 62-701.200(14), F.A.C.
3. Unauthorized Waste Types. The facility is not authorized to accept or manage any waste types not listed in Section 2.C.2. above. Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan.
4. Maximum Storage Quantities. The maximum storage quantities will be established when the updated Operation Plan is submitted as a permit modification.

5. Facility Capacity. 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.
6. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan. Notification shall be made to the DEP Central District at (407) 897-4100
7. Housekeeping. The facility shall be operated to control dust, vectors, litter and objectionable odors.
8. Putrescible Wastes. Putrescible waste shall be removed for disposal within 48 hours.
9. Hazardous Waste. If any regulated hazardous wastes are discovered to be 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. In the event that hazardous wastes are discovered they shall be managed in accordance with the procedures provided in facility Operation Plan.
10. Leachate Control System. The leachate control system shall be maintained to function as designed. If outside containers are used to store waste, they shall be covered at the end of each business day, or when full, or in the event of inclement weather.

**D. Water Quality Monitoring Requirements**  
(Not Applicable for the Materials Recovery Facility)

**E. Gas Management System Requirements**  
(Not Applicable for the Materials Recovery Facility)

**F. Closure Requirements**

1. General Closure Requirements. The Permittee shall close the waste processing facility in accordance with the provisions of the approved Closure Plan and Rule 62-701.710(6), F.A.C. The Department shall be notified before any changes, other than minor deviations, to the approved Closure Plan are implemented in order to determine whether a permit modification is required.
2. Notifications. The Permittee shall notify the Department prior to ceasing operations, and shall submit a written certification to the Department when closure is complete.



### G. Financial Assurance and Cost Estimates

1. Financial Assurance Mechanism. 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, F.A.C.

All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection  
Financial Coordinator - Solid Waste Section  
2600 Blair Stone Road, MS 4565  
Tallahassee, Florida 32399-2400

2. Annual Cost Estimates. The permittee shall annually adjust the closure cost estimate for inflation using Form 62-701.900(28). Adjustments shall be made in accordance with Rule 62-701.630(4), F.A.C., and, as applicable, 40 CFR Part 264.142(a) and 264.144(a). An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the adjusted cost estimate between January 1 and March 1.

All submittals in response to this specific condition shall be sent electronically to [DEP\\_CD@dep.state.fl.us](mailto:DEP_CD@dep.state.fl.us).


3. Because the materials recovery facility has not been constructed, neither a Financial Assurance cost estimate nor a mechanism has been approved. The following requirements must be met before waste is received or processed at the facility:
  - A Detailed Closure Cost Estimate shall be submitted prior to initiating construction of Vista Material Recovery Facility. The submittal of the detailed cost estimate is considered a minor modification to the permit with a fee.
  - The detailed cost estimate must be approved by the Department before a financial assurance mechanism is established.
  - As required by Rules 62-701.710 and .630(2)(b), F.A.C., the financial assurance mechanism must be approved by the Department at least 60 days prior to the planned initial receipt of waste.

PERMITTEE NAME: Tim Hawkins  
FACILITY NAME: Vista Materials Recovery Facility

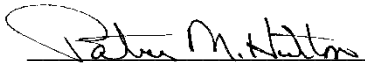
PERMIT NO.: 0165969-025-SO-31  
WACS Facility ID: 87081

Executed in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
F. Thomas Lubozynski, P.E.  
For Jeff Prather  
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

April 09, 2015  
Date

- Enclosures:
1. Appendix 1 - General Conditions
  2. Appendix 2 - List of Documents Incorporated into Permit

### 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, 403.727, 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.

## APPENDIX 2 - List of Documents Incorporated into Permit

### Documents Generated for this Permit Application:

1. An electronic "Vista Material Recovery Facility Class III MRF SO48-0165969-017 Permit Renewal Application", was received on March 4, 2015 at DEP-Central District. The application was signed and sealed by Nick Khoury, P.E., of Waste Management Inc. of Florida, Pompano Beach, Florida on March 4, 2015.
2. DEP issued "Permit Application Complete" letter with comments about Renewal Application and Permit 3/20/2015.

### Referenced Historical Documents:

3. Permit Application to Construct and Operate a Waste Processing Facility, Vista Materials Recovery Facility, Apopka, Florida, Prepared by: Raymond J. Chewning, P.E., Engineering Consultant, dated November 2009. Received and stamped, December 7, 2009, DEP – Central District.
4. First Request for Additional Information from DEP – Central District dated December 28, 2009.
5. Response to First Request for Additional Information from Raymond J. Chewning, P.E., Engineering Consultant, dated January 14, 2010. Received and stamped January 28, 2010, DEP – Central District.
6. Closure Cost Estimate from Sharon Grant, Waste Management Inc. of Florida dated February 1, 2010. Received and stamped February 1, 2010, DEP – Central District.
7. Second Request for Additional Information from DEP – Central District dated February 23, 2010.
8. Electronic mail from Ray Chewning, P.E., Engineering Consultant, dated April 21, 2010.
9. Permit Application Completion letter from DEP – Central District, dated April 23, 2010.