



# Florida Department of Environmental Protection

South District  
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Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

November 10, 2015

## VIA ELECTRONIC MAIL

Keith Howard, P. E., Director  
Lee County Solid Waste Division  
10500 Buckingham Road  
Fort Myers, FL 33905  
E-mailed to: [khoward@leegov.com](mailto:khoward@leegov.com)

RE: Lee County – SW  
In Compliance Letter  
Lee County Resource Recovery Facilities  
WACS ID No. 93715

Dear Mr. Howard:

Department personnel conducted a compliance inspection at the Lee County Resource Recovery Facilities, on September 2, 9 and 16, 2015. Based on the information provided during the inspection, the facilities were determined to be in compliance. A copy of the inspection report is attached for your records.

The Department appreciates your efforts to maintain these facilities in compliance with state and federal rules. Should you have any questions or comments, please contact Rick Roudebush at (239) 344-5653 or whenever possible, electronically via e-mail at [Rick.Roudebush@dep.state.fl.us](mailto:Rick.Roudebush@dep.state.fl.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Snyder", is written over a horizontal line.

Ryan Snyder, Environmental Manager  
South District Office  
Florida Department of Environmental Protection

RS/RRR/rcd

Attachments: Compliance Inspection Report  
Addendum to Compliance Inspection Report  
February 7, 2014 FDEP letter authorizing Beneficial Reuse of RSM



**Florida Department of  
Environmental Protection  
Inspection Checklist**

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**FACILITY INFORMATION:**

**Facility Name:** LEE COUNTY RESOURCE RECOVERY FACILITY

**On-Site Inspection Start Date:** 09/01/2015

**On-Site Inspection End Date:** 09/16/2015

**WACS No.:** 93715

**Facility Street Address:** 10500 BUCKINGHAM ROAD

**City:** FORT MYERS

**County Name:** LEE

**Zip:** 33913

**INSPECTION PARTICIPANTS:**

(Include ALL Landfill and Department Personnel with Corresponding Titles)

**Principal Inspector:** Rick R Roudebush, Environmental Specialist II

**Other Participants:** Laura Gray, P. E. Engineering Manager II

**INSPECTION TYPE:**

Routine Operation Inspection for WPF - Waste To Energy Facility

Routine Operation Inspection for Other - Waste Tire Collection Center facility

Complaint Investigation Inspection for WPF - Source-Separated Organics Proc Fac (SOPF) facility

Routine Operation Inspection for WPF - Material Recovery Facility - C&D

**ATTACHMENTS TO THE INSPECTION CHECK LIST:**

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

SECTION 1.0 - FILE REVIEW

SECTION 4.0 - WASTE PROCESSING FACILITIES

SECTION 9.0 - WASTE TIRE FACILITIES

SECTION 10.0 - REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES

SECTION 12.0 - WTE FACILITIES

Inspection Date: 09/01/2015

**SECTION 1.0 - FILE REVIEW**

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.) Completed	Ok	Not Ok	Unk	N/A
1.1	For landfills and C&D disposal facilities, does the facility have a current plan for the method and sequence of filling wastes? 62-701.500(2)(f) for landfills; 62-701.730(7)(a) for C&D debris sites				✓
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK) <input type="checkbox"/> Waste reports (annually) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)				✓
1.3	Is gas monitoring being performed as required by the permit? 62-701.500(9), 62-701.530(2)				✓
1.4	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)(c)				✓
1.5	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? 62-701.510(2) for landfills; 62-701.730(8) and 62-701.730(10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.6	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) and (4); 62-701.730(4)(c) and (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.7	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.600(6)(b), 62-701.730(9)(e)				✓
1.8	Is financial assurance adequate? 62-701.630 for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.				✓
1.9	Are cost estimates current and adjusted every year? 62-701.630(4) for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(b) and 62-713.600(6)(c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.				✓
1.10	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by February 1st of each year? 62-701.730(12)				✓
1.11	For C&D recycling facilities with no disposal, is an Annual Report for the recycling facility submitted to the Department by February 1st of each year? 62-701.710(8)(b)	✓			
1.12	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.13	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓

Inspection Date: 09/01/2015

**SECTION 4.0 - WASTE PROCESSING FACILITIES**

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18)) Completed	Ok	Not Ok	Unk	N/A
4.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility? 62-701.300(1)(a)	✓			
4.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
4.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
4.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)	✓			
4.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)	✓			
4.5	Unauthorized open burning of solid waste prohibited, except in accordance with Department requirements? 62-701.300(3)	✓			
4.6	Are the following unauthorized wastes or special wastes properly managed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Used oil and oily wastes, except as exempted 62-701.300(11) <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Liquids 62-701.300(10)	✓			

Item No.	WASTE PROCESSING FACILITY OPERATION AND MAINTENANCE Completed	Ok	Not Ok	Unk	N/A
4.7	For areas not enclosed, is litter controlled and are litter control devices maintained? 62-701.710(3)(a)	✓			
4.8	Is leachate collection and removal system maintained and operated as required? 62-701.710(3)(b)	✓			
4.9	Are all drains and leachate conveyances kept clean so that leachate flow is not impeded? 62-701.710(4)(g)				✓
4.10	Are the following records or plans current and available on-site? (Check any that are Not OK) <input type="checkbox"/> Operation Plan 62-701.710(2)(e) <input type="checkbox"/> Contingency Plan 62-701.710(2)(g) <input type="checkbox"/> Operation records 62-701.710(8)(a)	✓			
4.11	Is the Operation Plan substantially followed? 62-701.710(4)(a)	✓			
4.12	Are putrescible wastes stored no longer than 48 hours or as otherwise allowed in the Operation Plan? 62-701.710(4)(b)	✓			
4.13	Are the operating hours posted at the facility? 62-701.710(4)(c)1	✓			
4.14	Is a trained operator on duty whenever the facility is operating? 62-701.710(4)(c)1	✓			
4.15	Is at least one trained spotter on duty at all times that waste is received at the facility to inspect the incoming waste, unless exempt under 62-701.710(1)(d)1? 62-701.710(4)(c)2	✓			
4.16	Are unauthorized wastes removed from the waste stream and placed into appropriate containers for disposal at a permitted facility? 62-701.710(4)(c)2	✓			

Inspection Date: 09/01/2015

Item No.	WASTE PROCESSING FACILITY OPERATION AND MAINTENANCE Completed	Ok	Not Ok	Unk	N/A
4.16		✓			
4.17	Is the facility operated to control objectionable odors? 62-701.710(4)(d)	✓			
4.18	Is adequate fire protection equipment available and operational? 62-701.710(4)(e)	✓			
4.19	Is access to the facility controlled by fencing or other effective barriers to prevent disposal of unauthorized solid waste? 62-701.710(4)(f)	✓			
4.20	If the facility is a Transfer Station and is claiming the financial assurance exemption, does it manage the waste on a first-in, first-out basis and store waste for no greater than 7 days? 62-701.710(1)(d)1	✓			
4.21	Are all additional specific conditions (not otherwise addressed above) in the permit, Department order, or certification, if any, being followed? 62-701.320(1), 403.161, F.S.	✓			
4.22	If the facility has reached its permitted capacity for storage of wastes or recyclable materials, has the permittee stopped accepting additional waste for processing? 62-701.710(4)(i)	✓			

Item No.	WASTE PROCESSING FACILITY CLOSURE Completed	Ok	Not Ok	Unk	N/A
4.23	Has the solid waste or residue been properly disposed of within 30 days after receiving the final solid waste shipment? 62-701.710(6)(b)				✓
4.24	Has closure been completed within 180 days after receiving the final solid waste shipment? 62-701.710(6)(c)				✓

Inspection Date: 09/01/2015

**SECTION 9.0 - WASTE TIRE FACILITIES**

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18)) Completed	Ok	Not Ok	Unk	N/A
9.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility? 62-701.300(1)(a)	✓			
9.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
9.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
9.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event) 62-701.300(2)(d)	✓			
9.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)	✓			
9.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			

Item No.	WASTE TIRE FACILITY - GENERAL REQUIREMENTS FOR STORAGE Completed	Ok	Not Ok	Unk	N/A
9.6	If the facility accepts tires from the public, is a sign posted at the facility entrance stating operating hours, cost of disposal and site rules? 62-711.540(1)(a)	✓			
9.7	Are operations involving the use of open flames conducted no closer than 25 feet of a waste tire pile? 62-711.540(1)(b)	✓			
9.8	If the facility accepts tires from the public, is an attendant always present on site when the site is open for business? 62-711.540(1)(c)	✓			
9.9	Are fire protection services assured through notification to local fire protection authorities? 62-711.540(1)(d)	✓			
9.10	Is an annual fire safety survey conducted? 62-711.540(1)(d)	✓			
9.11	Is a copy of the annual fire safety report made part of the next quarterly report? 62-711.540(1)(d)	✓			
9.12	Does the facility have an Emergency Preparedness Manual (EPM) on-site? 62-711.540(1)(e)	✓			
9.13	Does the EPM contain the following information? (Check all that are Not OK) <input type="checkbox"/> Contact names and numbers 62-711.540(1)(e)1 <input type="checkbox"/> List of emergency response equipment and locations on-site 62-711.540(1)(e)2 <input type="checkbox"/> Procedures to be followed in the event of a fire 62-711.540(1)(e)3	✓			
9.14	Is the operator at the facility maintaining records of the quantity of waste tires received at the site, stored at the site, and shipped from the site? 62-711.540(1)(g) and 62-711.400(5)	✓			
9.15	If the operator of the site is not the owner of the property, has written authorization been obtained from the property owner to operate the facility? 62-711.540(1)(h)				✓
9.16	Is adequate communications equipment available at the site? 62-711.540(1)(i)	✓			
9.17	Is the owner or operator providing for control of mosquitoes and rodents so as to protect the public health and welfare? 62-711.540(1)(j)	✓			

Item No.	WASTE TIRE FACILITY - STORAGE INDOORS Completed	Ok	Not Ok	Unk	N/A
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Inspection Date: 09/01/2015

Item No.	WASTE TIRE FACILITY - STORAGE INDOORS Completed	Ok	Not Ok	Unk	N/A
9.18	Are waste tire piles more than 50 feet in width? 62-711.540(2)(a)				✓
9.19	Are waste tire piles along a wall more than 25 feet in width? 62-711.540(2)(a)				✓
9.20	Are widths of main aisles between piles less than 8 feet? 62-711.540(2)(b)				✓
9.21	Is there less than 3 feet of clearance between the top of storage to sprinkler detectors or roof structures? 62-711.540(2)(c)				✓
9.22	Is there less than 3 feet of clearance between waste tire piles and unit heaters, etc.? 62-711.540(2)(d)				✓
9.23	If waste tires are stored up to 15 feet high, do walls between adjacent warehouse areas and between manufacturing and warehouse areas have at least a four-hour fire rating? 62-711.540(2)(e)				✓
9.24	If waste tires are stored over 15 feet high, do walls between manufacturing and warehouse areas have a fire rating of not less than six hours and do steel columns have one-hour fireproofing? If the top of storage exceeds 20 feet in height, do columns and their connections with other structural members have two-hour fireproofing? 62-711.540(2)(f)				✓
9.25	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(2)(h)				✓

Item No.	WASTE TIRE FACILITY - STORAGE OUTDOORS Completed	Ok	Not Ok	Unk	N/A
9.26	Is the waste tire site operated within 200 feet from a body of water? 62-711.540(3)(a)	✓			
9.27	Does the waste tire pile have a width less than 50 feet? 62-711.540(3)(b)	✓			
9.28	Does the waste tire pile have an area less than 10,000 sq. ft? 62-711.540(3)(b)	✓			
9.29	Does the waste tire pile have a height less than 15 feet? 62-711.540(3)(b)	✓			
9.30	Is there a 50 feet wide fire lane around the perimeter of the waste tire pile? 62-711.540(3)(c)	✓			
9.31	Is there unobstructed access to the fire lane? 62-711.540(3)(c)	✓			
9.32	Is the access controlled through the use of doors, fences, gates, natural barriers or other means? 62-711.540(3)(d)	✓			
9.33	Is the site kept free of grass, underbrush, and other potentially flammable vegetation? 62-711.540(3)(f)	✓			
9.34	Is the site bermed or given other adequate protection to prevent liquid runoff from entering water bodies? 62-711.540(3)(e)	✓			
9.35	Are residuals contained on-site and disposed of in a permitted solid waste management facility or properly recycled? 62-711.540(5)	✓			
9.36	Does the waste tire site qualify for the exceptions to the technical and operational standards as allowed by rule? 62-711.540(6)				✓

Item No.	WASTE TIRE FACILITY - COLLECTION CENTER Completed	Ok	Not Ok	Unk	N/A
9.37	Are no more than 1,500 tires at the collection center at any one time? 62-711.550(1)(a)				✓
9.38	Are all waste tires, which are not used tires, removed from site yearly for recycling, processing, or disposal? 62-711.550(1)(b)				✓

Inspection Date: 09/01/2015

**SECTION 10.0 - REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES**

Requirements:

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- |  |  |   |   |
|--|--|---|---|
| <b>FACILITY TYPE(S)</b>                                  | <b>MATERIAL(S) PROCESSED</b>                           | <b>PRODUCE(S)</b>                         | <b>METHOD OF COMPOSTING</b>                       |
| <input type="checkbox"/> Yard Trash Transfer Station     | <input checked="" type="checkbox"/> Yard Trash         | <input checked="" type="checkbox"/> Mulch | <input type="checkbox"/> Windrow                  |
| <input checked="" type="checkbox"/> Yard Trash Recycling | <input type="checkbox"/> Manure                        | <input type="checkbox"/> Firewood         | <input type="checkbox"/> Passive aerated windrows |
|  | <input type="checkbox"/> Animal byproducts             | <input checked="" type="checkbox"/> Fuel  | <input type="checkbox"/> Aerated static piles     |
|  | <input type="checkbox"/> Pre-consumer vegetative waste | <input type="checkbox"/> Compost          | <input type="checkbox"/> In-vessel composting     |
|  | <input type="checkbox"/> Vegetative waste              | <input type="checkbox"/> Soil Amendment   |   |
|  |  | <input type="checkbox"/> Soil             |   |
|  |  | <input type="checkbox"/> Other            |   |

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ALL REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES Completed	Ok	Not Ok	Unk	N/A
10.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted or registered solid waste management facility or other exempt facility? 62-701.300(1)(a)	✓			
10.2	Have objectionable odors been caused or allowed in violation of Chapter 62-296, F.A.C.? 62-709.300(7)(a)	✓			
10.3	Unauthorized storage or processing in a way or location that violates air quality or water quality standards? 62-709.300(7)(b), 62-701.300(1)(b)	✓			
10.4	Do geological formations or subsurface features provide support for the facility? 62-709.300(7)(b), 62-701.300(2)(a)	✓			
10.5	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e), 62-709.320(3)	✓			
10.6	Unauthorized storage or processing in any natural or artificial water body (e.g. ground water and wetlands within DEP jurisdiction)? 62-709.300(7)(b), 62-701.300(2)(d)	✓			
10.7	Unauthorized storage or processing on the right of way of any public highway, road, or alley? 62-709.300(7)(b), 62-701.300(2)(f)	✓			
10.8	Unauthorized open burning of solid waste except in accordance with Department requirements? 62-709.300(7)(b), 62-701.300(3)	✓			
10.9	Unauthorized incorporation of CCA treated wood into material that will be applied as a ground cover, soil or soil amendment? 62-709.300(7)(b), 62-701.300(14)	✓			
10.10	Unauthorized unconfined emissions of particulate matter in violation of paragraph 62-296.320(4)(c), F.A.C.? 62-709.300(7)(b), 62-701.300(15)	✓			
10.11	Does the facility have the necessary operational features and equipment - unless otherwise specified? Including: 62-709.320(2)(a)				
10.11.1	Effective barrier to prevent unauthorized entry and dumping? 62-709.320(2)(a)1	✓			
10.11.2	Dust and litter control methods? 62-709.320(2)(a)2	✓			
10.12	Does the facility have the necessary fire protection and control provisions to deal with accidental burning of solid waste? Including 62-709.320(2)(a)3				
10.12.1	20-foot all-weather access road all around the perimeter? 62-709.320(2)(a)3.a.	✓			
10.12.2	No material mechanically compacted? 62-709.320(2)(a)3.b.	✓			
10.12.3	No material more than 50 feet from access by motorized firefighting equipment? 62-709.320(2)(a)3.c.	✓			
10.13	Is the facility operated in a manner to control vectors? 62-709.320(2)(b)	✓			
10.14	Is the facility operated in a manner to control objectionable odors per with Rule 62-296.320(2), F.A.C.? 62-709.320(2)(c)	✓			
10.15	Are any installed drains and leachate or condensate conveyances kept cleaned? 62-709.320(2)(d)				✓
10.16	Is the received solid waste processed timely as follows? 62-709.320(2)(e)				



Inspection Date: 09/01/2015

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ALL REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES Completed	Ok	Not Ok	Unk	N/A
10.16					
10.16.1	Is yard trash size-reduced or removed within 6 months or time needed to receive 3,000 tons or 12,000 cubic yards, whichever is greater? (Separated logs with 6 inch diameter or greater can be stored for up to 12 months before being size-reduced or removed.) 62-709.320(2)(e)1	✓			
10.16.2	Is putrescible waste (e.g. vegetative wastes, animal byproducts or manure) processed and incorporated into the composting material, or removed from the facility, within 48 hours? 62-709.320(2)(e)2	✓			
10.17	Is any treated or untreated biomedical waste; hazardous waste; or any materials having (PCB) concentration of 50 ppm or greater containerized and removed immediately? 62-709.320(2)(f), 62-701.300(4), 62-701.300(5), 62-701.300(6)	✓			
10.18	Have all residuals, solid waste and recyclable materials been removed and recycled or disposed and has any remaining processed material been properly used or disposed upon the facility ceasing operations? 62-709.320(2)(g)				✓
10.19	If temperature is used to show disinfection or vector attraction achieved, are records kept for at least three years? 62-709.320(4)(b)				✓
10.20	Is the registration for the facility current and on file with the Department? 62-709.320(3)(b)	✓			
10.21	Are renewal applications for annual registration of the facility submitted to the Department by July 1st, if applicable? 62-709.320(3)(c)	✓			
10.22	Are monthly records of incoming and outgoing material kept on-site or at another location as indicated on the registration form for at least three years? 62-709.320(4)(a)	✓			
10.23	Are Annual Reports, based upon the preceding calendar year, summarizing monthly records, submitted to the Department as required? 62-709.320(4)(a)	✓			

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO YARD TRASH ONLY FACILITIES Completed	Ok	Not Ok	Unk	N/A
10.24	Unauthorized storage or processing within 100 feet from off-site potable water well that existed before facility registered? 62-709.300(7)(b) and 62-701.300(12)(a)	✓			
10.25	Unauthorized storage or processing within 50 feet from any body of water, including wetlands? (Does not include parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.) 62-709.300(7)(b), 62-701.300(12)(b)	✓			
10.26	Is processed material removed from facility within 18 months, unless longer storage authorized by permit? 62-709.330(2)	✓			
10.27	Is the facility accepting only yard trash, and bags used to collect yard trash and containerizing any other material? 62-709.330(3)	✓			

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ONLY THOSE FACILITIES THAT BLEND MANURE OR COMPOST VEGETATIVE WASTES, ANIMAL BYPRODUCTS OR MANURE Completed	Ok	Not Ok	Unk	N/A
10.28	Unauthorized storage or processing within 500 feet off-site potable water well that existed before facility registered? 62-709.300(7)(b) and 62-701.300(2)(b)				✓
10.29	Unauthorized storage or processing within 200 feet from any body of water, including wetlands? (Does not include parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.) 62-709.300(7)(b), 62-701.300(2)(e)				✓
10.30	Unauthorized storage or processing within 10,000 feet of any licensed and operating airport runway used by turbine powered aircraft, or within 5,000 feet of any licensed and operating airport runway used only by piston engine aircraft, unless applicant demonstrates that the facility is designed and will be operated so that it does not pose a bird hazard to aircraft? 62-709.300(7)(b), 62-701.320(13)(b)				✓
10.31	Is the carbon:nitrogen ratio of the blended feedstocks greater than 20? 62-709.350(2)				✓
10.32	Do piles exceed 12 feet in height? 62-709.350(3)				✓
10.33	Is all material removed within 18 months, unless longer storage authorized by permit? 62-709.350(5)				✓
10.34	Is there documentation showing that disinfection has been achieved? Note that this is not required if they are composting only pre-consumer vegetative waste with or without yard trash. 62-709.350(6)				✓
10.35	Is there vector attraction reduction controls that include one of the following? 62-709.350(7) <ul style="list-style-type: none"> <li><input type="checkbox"/> Temperature monitoring records showing the waste was composted for at least 14 days, with temperature no lower than 40 degrees Celsius and average temperature of the material being composted higher than 45 degrees Celsius. or 62-709.350(7)(a)</li> <li><input type="checkbox"/> Results of testing showing the specific oxygen uptake rate (SOUR) for material being composted or blended equal to or less than 1.5 milligrams</li> </ul>				✓

Inspection Date: 09/01/2015

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ONLY THOSE FACILITIES THAT BLEND MANURE OR COMPOST VEGETATIVE WASTES, ANIMAL BYPRODUCTS OR MANURE Completed	Ok	Not Ok	Unk	N/A
10.35	<input type="checkbox"/> of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius. 62-709.350(7)(b)				✓

Inspection Date: 09/01/2015

**SECTION 12.0 - WTE FACILITIES**

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18)) Completed	Ok	Not Ok	Unk	N/A
12.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility? 62-701.300(1)(a)	✓			
12.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
12.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
12.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)	✓			
12.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)	✓			
12.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
12.6	Are the following unauthorized wastes or special wastes properly managed? (Check any that are Not OK) <input type="checkbox"/> Lead-acid batteries, mercury-containing switches and lamps in WTEs 62-701.300(9) <input type="checkbox"/> CCA treated wood 62-701.300(14)	✓			
Item No.	WTE FACILITY OPERATION AND MAINTENANCE Completed	Ok	Not Ok	Unk	N/A
12.7	WTE facility in compliance with all permit conditions, site certification conditions, Department order, or certification, if any, and applicable requirements? 62-701.320(1), 403.161, F.S.	✓			

**COMMENTS:**

10/05/2015

On September 2, 9 and 16, 2015, an annual routine operation inspection and complaint investigation was conducted at the Lee County Resource Recovery Facility and the Lee-Hendry Landfill (See attached narrative for complaint observations and conclusions).

No violations were noted for any of the facilities and processes during this evaluation and investigation.

**ATTACHMENTS:**

Inspection Date: 09/01/2015

RSM Mixing Area at L-H LF



Compost Processing Area



RSM Stockpile for LF Uses



Inspection Date: 09/01/2015

**Signed:**

Rick R Roudebush  
**PRINCIPAL INSPECTOR NAME**

Environmental Specialist II  
**PRINCIPAL INSPECTOR TITLE**

*R R R*  
**PRINCIPAL INSPECTOR SIGNATURE**

FDEP  
**ORGANIZATION** 10/5/2015  
**DATE**

Laura Gray  
**REPRESENTATIVE NAME**

P. E. Engineering Manager II  
**REPRESENTATIVE TITLE**

NO SIGNATURE  
**REPRESENTATIVE SIGNATURE**

Lee County Resource Recovery  
 Facility  
**ORGANIZATION**

NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Not Ok" or areas of concern.



# Florida Department of Environmental Protection

South District  
Post Office Box 2549  
Fort Myers, Florida 33902-2549  
*SouthDistrict@dep.state.fl.us*

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

## **Addendum to Compliance Inspection Report for Lee County Resource Recovery Facilities (WACS ID No. 93715), September 2015.**

On July 29, 2015, the FDEP, South District Office received a complaint regarding potential mixing of recovered screen material (RSM) from construction and demolition (C&D) debris recycling operations and finished compost product at the Lee County Resource Recovery (LCRR) facility, 10500 Buckingham Road, Lee County. The complainant also alleged that “clean C&D debris” was not being properly recycled and that LCRRF was directing the clean C&D to the waste-to-energy (W-T-E) plant to be burned for energy recovery. This activity was also indicated to be occurring at the LCRR facility on Buckingham Road. A follow up to this complaint was made by the complainants on August 26, 2015.

On September 1, 2015, an investigation into the allegations was conducted at the LCRR facility, Buckingham Road, Lee County, where the alleged activities were indicated as being conducted. Upon arrival, the FDEP representatives met with Ms. Laura Gray, Engineering Manager, and Mr. Erich Tscherteu, Solid Waste Coordinator, Lee County Solid Waste Division (SWD). The FDEP representatives explained the nature of the complaints to Ms. Gray and Mr. Tscherteu and were provided with a tour of the C&D recycling and yard waste processing areas by Mr. Tim LaMontagne, Solid Waste Coordinator, who oversees the C&D recycling operation. The Department representatives were also provided with a detailed description of the related processes for each area.

The two (2) processing areas in questions are separated by approximately two hundred (200) yards distance. C&D loads are delivered via truck and off-loaded into a stockpile by the recycling process (picking) conveyor line. C&D is sorted out by type (e.g. drywall, wood, metal, etc.). Each type of recovered material is then sent for further processing or recycling. C&D wastes (mainly plastic wrapping) are taken from the process and routed to the W-T-E plant and recovered for energy. The RSM from this process is transported to the Lee-Hendry Landfill for beneficial reuse (e.g. alternative daily cover) at the landfill.

The yard trash area receives debris from Lee and Hendry County facilities, Lee County franchise haulers, individual home owners, and landscaping businesses. The yard trash is stockpiled and ground into rough mulch. Mr. LaMontagne indicated that the mulch is transported to the Lee-Hendry Landfill for further processing into compost. Finished compost is returned to the LCRR facility, stored in a bunker, and sold in small bulk amounts to Lee County residents and businesses. The bulk of the remaining finished compost is sold to farms for use as a soil amendment.

Department staff referenced the photograph that was included in the July 17, 2015 complaint and specifically asked about mixing RSM from the C&D recycling area with the compost product from the landfill. Mr. LaMontagne indicated the photograph must have been taken at the compost facility at the landfill due to the structures present in the photo.

On September 9, 2015 during an inspection of the LCRR, Ms. Gray indicated that Lee County may mix RSM with compost, but only at the landfill, for uses specifically authorized there (see attachment – February 7, 2014 FDEP letter to LCRRF authorizing Beneficial Reuse of RSM). It does not appear as though any RSM mixing occurs at the LCRR facility. After the LCRR inspection, Mr. Keith Howard, Acting Director, SWD, met with the Department's inspector and provided further detail on the C&D recycling and yard waste processing operations conducted at the LCRR and the composting operation conducted at the landfill facility.

On September 16, 2015 a site visit was conducted at the composting facility located at the Lee-Hendry Landfill to examine and discuss processes relating to the compost operations and use of RSM at the landfill. The tour and explanation of operations was conducted by Mr. Jason Fournier, Operations Manager. Mr. Fournier indicated that when RSM was mixed with compost it was done in the composting area (see pictures) and used for landfill daily cover. This practice proved to be nonproductive and was abandoned in July. There was a small (overgrown) pile of RSM, stockpiled north of the class I landfill area. Mr. Fournier said this material is used for road base to the working face of the C&D landfill (an approved activity). No mixing operations were being conducted at the time of the site visit.

### **CONCLUSIONS AND RECOMMENDATIONS:**

Based on the information and observations obtained during the evaluation of the facility, The Department was unable to validate the complaint received on July 17, 2015. The facility is currently in compliance with all Department rules and regulations.



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**  
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RICK SCOTT  
GOVERNOR

CARLOS LOPEZ-CANTERA  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

February 7, 2014

Sent via e-mail: [KHoward@leegov.com](mailto:KHoward@leegov.com)

Mr. Keith Howard, Deputy Director  
Lee County Solid Waste Division  
P.O. Box 398  
Fort Myers, FL 33902-0398

Subject: Lee/Hendry Landfill RSM Beneficial Use Request

Dear Mr. Howard,

Thank you for your letter dated June 26, 2013 requesting additional beneficial uses of recovered screen material (RSM) generated from the Lee County C&D Debris Recycling Facility and for your patience during this review process. Your request and the additional information you provided on July 3, 2013, and October 23, 2013, has been reviewed and evaluated along with information for other RSM use requests under consideration by the Department. After our review of your information, the Department has no objection to you using RSM from the Lee County C&D Debris Facility at the Lee/Hendry Landfill as described below.

1. Subsurface soils for landfill construction: RSM may be used as a supplemental subsurface fill material beneath the landfill liner system provided its use is limited to areas above the seasonal high ground water table (SHGWT). The RSM will be placed and amended into existing subsurface soils and compacted prior to GCL placement. The compaction shall ensure the GCL will not be adversely impacted by the RSM in the subsurface soils. A geotechnical evaluation will be performed to ensure the subsurface soils will adequately support the anticipated landfill loading.
2. Landfill perimeter berms: RSM may be placed and amended into existing soils used for construction of toe berms at the perimeter of landfill cell construction provided geotechnical testing confirms the perimeter toe berms will be stable at the anticipated landfill loading. The exterior surfaces of the perimeter toe berms will be capped with soils and vegetation to control erosion.
3. Subsurface soils for the compost facility: RSM may be used as a supplemental subsurface fill material, similar to the subsurface soils for landfill construction, for fill beneath pavement sections during compost facility construction. The pavement




Mr. Keith Howard  
February 7, 2014  
Page 2

sections will include a base rock covered with asphalt pavement above the subsurface fill.

4. Screening berms: RSM may be used alone or blended with on-site soils to construct the core of screening berms at various locations within the Lee/Hendry Landfill property boundary. These berms will be capped with two feet of clean fill and/or compost and vegetation for erosion control. Lee County will notify the Department's South District office when the locations for the screening berms have been identified.

In all cases, these uses of RSM are limited to RSM generated at the Lee County C&D Debris Recycling Facility in Ft. Myers for use above the SHGWT within the Lee/Hendry Landfill property boundary. If you have any questions regarding this approval for using RSM, please contact Lee Martin, P.E., at 850-245-8734 or [lee.martin@dep.state.fl.us](mailto:lee.martin@dep.state.fl.us). Thank you again for your patience.

Sincerely,



Richard B. Tedder, P.E.  
Environmental Administrator  
Solid Waste Section

cc: Al McLaurin, P.E., DEP South District, [Al.McLaurin@dep.state.fl.us](mailto:Al.McLaurin@dep.state.fl.us)  
Laura Gray, Lee Co. Solid Waste Division, [lgray@leegov.com](mailto:lgray@leegov.com)  
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