

Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

PERMITTEE

Manatee County
c/o Mr. Daniel Gray
Utilities Operations Dept.
1026 - 26th Avenue East
Bradenton, FL 34210

PERMIT/CERTIFICATION

WACS Facility ID No: SWD/41/44795
Permit No: 39884-005-SC
Date of Issue: 11/14/2001
Expiration Date: 11/14/2002
County: Manatee
Lat/Long: 27°28'00"N
82°27'00"W
Sec/Town/Rge: 1,6 & 31/34S/19E
Project: Lena Road Landfill -
Stages I and III LCRS

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4 and 62-701. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To construct leachate collection and removal systems for Stages I and III of the existing landfill and related facilities, referred to as the Lena Road Landfill, subject to the specific and general conditions attached, located at 3333 Lena Road, Bradenton, Manatee County, Florida. The specific conditions attached are for the construction of:

1. Class I Landfill Disposal Facility - Stages I and III LCRS

General Information: The new leachate collection system is an extension of the existing systems and will be located along the southwest side of Stage I and the east side of Stage III to allow the level of leachate along the slurry wall to be lowered to maintain an inward gradient.

Replaces Permit No.: N/A, new

This permit contains compliance items summarized in Attachment 1 that shall be complied with and submitted to the Department by the dates noted. If the compliance dates are not met and submittals are not received by the Department on the dates noted, enforcement action may be initiated to assure compliance with the conditions of this permit.

"More Protection, Less Process"

PERMITTEE: Manatee County
c/o Mr. Daniel Gray

PERM NO.: 39884-005-SC
Lena Road Landfill -
Stages I and III LCRS

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.

PERMITTEE: Manatee County
c/o Mr. Daniel Gray

PERMIT NO.: 39884-005-SC
Lena Road Landfill -
Stages I and III LCRS

GENERAL CONDITIONS:

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.

PERMITTEE: Manatee County
c/o Mr. Daniel Gray

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GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, Florida Administrative Code, 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. This permit also constitutes:

- (a) Determination of Best Available Control Technology (BACT)
- (b) Determination of Prevention of Significant Deterioration (PSD)
- (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
- (d) Compliance with New Source Performance Standards

14. 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.

PERMITTEE: Manatee County
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GENERAL CONDITIONS:

15. 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.

SPECIFIC CONDITIONS:

1. **Permit Application Documentation.** This permit is valid for construction of the Stages I and III LCRS improvements in accordance with the reports, plans and other information as follows:

- Application, construction plans, and supporting information received on August 20, 2001;
- Supporting information and CQA plan received on September 27, 2001;
- Revised Drawing L-4 by PBS&J received on October 11, 2001;

and in accordance with all applicable requirements of Department rules. Upon receipt and approval of a request for a minor permit modification pursuant to FAC 62-4.050(4)(s) to operate the new components of the facility regulated by this permit, including Certification of Construction Completion for the related improvements, revised operation and maintenance manual, report assessing effectiveness of the related system, and related supporting documents identified in this permit, the current landfill operation permit shall be modified to allow the operation of the new system and related improvements or a new operation permit issued subject to Department rules.

2. **Permit Modifications.** Any construction subject to Department Solid Waste regulations not previously approved as part of this permit shall require a separate Department permit unless the Department determines a permit modification to be more appropriate, or unless otherwise approved in writing by the Department. Permits shall be modified in accordance with the requirements of 62-4.080, F.A.C. A modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review by the Department is considered a substantial modification.

3. **Permit Renewal.** No later than **one hundred eighty (180) days** before the expiration of the Department Permit, the permittee shall apply for a renewal of a permit, if necessary for continuing related activities, on forms and in a manner prescribed by the Department, in order to assure conformance with all applicable Department rules. Permits shall be renewed at least every five years as required by F.A.C. 62-4.070(4).

4. **Construction Schedule and Progress Report.** No later than **two (2) weeks after** the pre-construction conference, the owner or operator shall submit a construction schedule which includes estimated dates for related solid waste construction activities to the Department. The Engineer of Record or another qualified professional engineer shall make periodic inspections during construction to ensure that design integrity is maintained. An updated construction schedule and progress chart shall be submitted to the Department **monthly**.

SPECIFIC CONDITIONS:

5. **Quality Assurance.** The construction quality assurance plan shall provide personnel with adequate information to achieve continuous compliance with the construction requirements. The plan shall include or refer to specifications and construction methods which use established engineering practices for construction and provide for quality control testing procedures and sampling frequencies. Sampling and testing shall be conducted by trained personnel during construction and after construction completion. Such personnel will be under the direction of the construction quality assurance professional engineer, to assure the project will comply with the standards. The engineer or his designee shall be on-site at all times during construction to monitor construction activities.

6. **Laboratory and Field Testing Requirements.** Field testing during the construction activities shall be conducted under the direct supervision of the Certifying Engineer or his designee representing the owner. A laboratory experienced in the testing of geosynthetics, independent of the manufacturer and installer, shall perform the required conformance testing.

7. **Certification of Construction Completeness.** Within sixty (60) days after the specified construction has been completed, the following activities shall be completed:

a. The owner or operator shall submit a Certification of Construction Completion, Form 62-701.900(2), signed and sealed by the responsible professional engineer for the construction to the Department for approval, and shall arrange for Department representatives to inspect the construction in the company of the permittee, the engineer, and the facility operator.

b. The owner or operator shall submit Record Drawings showing all changes (i.e. additions, deletions, revisions to the plans previously approved by the Department including site grades and elevations). The Record Drawings shall include, but not be limited to, details such as the as-built elevations of the top and bottom of the leachate collection system, ditches, and piping.

c. The owner or operator shall submit a narrative indicating all changes in plans and the cause of the deviations and certification by the design engineer to the Department.

d. The engineer of record shall provide a report to verify conformance with the project specifications. The report including all testing results for the entire project shall be submitted to the Department along with the completion of construction documents.

SPECIFIC CONDITIONS:

8. **Control of Nuisance Conditions.** The operating authority shall be responsible for the control of odors and fugitive particulates arising from the construction. Such control shall minimize the creation of nuisance conditions on adjoining property. If a complaint is received from the general public concerning activities regulated by this permit, and the Department personnel confirms that the complaint is based on a violation of the standards and criteria applicable to the permittee pursuant to this permit, then the permittee must take immediate corrective action to abate the violation.

9. **Facility Maintenance and Repair.** If there is any damage to any portion of the site facilities regulated by this permit or failure of any portion of the associated systems, and such damage or failure may adversely affect the continued compliance with this permit, then the permittee shall **immediately (within 24 hours)** notify the Department explaining such occurrence, method to prevent reoccurrence, remedial measures to be taken and time needed for repairs. Written detailed notification shall be submitted to the Department **within seven (7) days** following the occurrence.

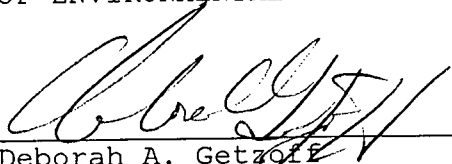
10. **Professional Certification.** Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.), Florida Statutes, applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

11. **General Conditions.** The permittee shall be aware of and operate under the "General Conditions". General Conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes.

12. **Permit Acceptance.** By acceptance of this Permit, the Permittee certifies that he/she has read and understands the obligations imposed by the Specific and General Conditions contained herein, including date of permit expiration and renewal deadlines. It is a violation of this permit for failure to comply with all conditions and deadlines.

Executed in Tampa, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
Director of District Management
Southwest District

PERMITTEE: Manatee County
c/o Mr. Daniel Gray

PERMIT NO.: 39884-005-SC
Lena Road Landfill -
Stages I and III LCRS

ATTACHMENT 1

SPECIFIC CONDITION	SUBMITTAL DUE DATE	REQUIRED ITEM
4.	2 weeks after pre-construction conference	Submit construction schedule
4.	Monthly	Update construction schedule
7.	Within 60 days after construction is complete	Submit Certification of Construction Completion, Arrange for inspection, submit Record Drawings, submit narrative describing all deviations.



Florida Department of Environmental Protection
Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, FL 32399-2400

DEP Form # 62-701.900(2)
Form Title Certification of Construction Completion
Effective Date May 19, 1994
DEP Application No. _____
(Filled by DEP)

Certification of Construction Completion of a Solid Waste Management Facility

DEP Construction Permit No: _____ County: _____

Name of Project: _____

Name of Owner: _____

Name of Engineer: _____

Type of Project: _____

Cost: Estimate \$ _____ Actual \$ _____

Site Design: Quantity: _____ ton/day Site Acreage: _____ Acres

Deviations from Plans and Application Approved by DEP: _____

Address and Telephone No. of Site: _____

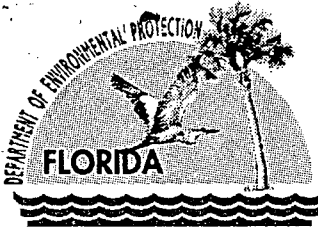
Name(s) of Site Supervisor: _____

Date Site inspection is requested: _____

This is to certify that, with the exception of any deviation noted above, the construction of the project has been completed in substantial accordance with the plans authorized by Construction

Permit No.: _____ Dated: _____

Date: _____
Signature of Professional Engineer



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

November 14, 2001

NOTICE OF PERMIT

Manatee County
c/o Mr. Daniel Gray
Utilities Operations Department
1026 - 26th Avenue East
Bradenton, FL 34210

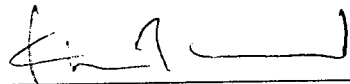
Dear Mr. Bramble:

Enclosed is Permit Number 39884-005-SC, issued pursuant to Section(s) 403.087(1), Florida Statutes.

Any party to the Order (permit) has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, 32399-2400; 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 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Kim B. Ford, P.E.
Solid Waste Section
Division of Waste Management

KBF/ab
Attachment

cc: Gus DiFonzo, Manatee County
Pete Putman, P.E., PBS&J
Robert Butera, P.E., FDEP Tampa
Susan Pelz, P.E., FDEP Tampa (permit notebook)
Richard Tedder, P.E., FDEP Tallahassee

"More Protection, Less Process"

Printed on recycled paper.

Manatee County
c/o Mr. Daniel Gray
Permit No.: 39884-005-SC

Page Two

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on ~~NOV 14 2001~~ to the listed persons.

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(10), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Betty Driffith
Clerk

11-14-01
Date

Events Scheduled

69 of 90

Site # **0039884** Name **MANATEE CO. LENA ROAD CLASS I LF (LF1)**
 Permit # **0039884-005-SC** Type/Subtype **SC / 08** Received **20-AUG-2001**
 Project # **005** Name **LENA ROAD LF - LCRS EXPANSION**

> ISSUE PERMIT: Issued

Event	Begin Date	Prd	Due Date	Rmn	Status	End Date
Awaiting Additional Information	18-SEP-2001	45	02-NOV-2001		Received	27-SEP-2001
Completeness Review	27-SEP-2001	30	27-OCT-2001		Complete	27-SEP-2001
Determine Agency Action	27-SEP-2001	90	26-DEC-2001		Issue	19-OCT-2001
Mail Public Notice of Intent to A	19-OCT-2001	10	29-OCT-2001		Done	19-OCT-2001
Date of Publication	19-OCT-2001	999	14-JUL-2004		Published	29-OCT-2001
Issue Final Permit	29-OCT-2001	14	12-NOV-2001		Issued	14-NOV-2001
ISSUE PERMIT	14-NOV-2001	1	15-NOV-2001		Issued	14-NOV-2001
STOP CLOCK	14-NOV-2001	1	15-NOV-2001		Done	14-NOV-2001
STOP CLOCK	19-OCT-2001	1	20-OCT-2001		Done	19-OCT-2001
Publish Notice of Application	21-AUG-2001	14	04-SEP-2001		Done	21-SEP-2001
Return Proof of Publication of Not	21-SEP-2001	21	12-OCT-2001		Received	01-OCT-2001

