



Florida Department of Environmental Protection

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Herschel T. Vinyard Jr.
Secretary

September 22, 2011

NOTICE OF PERMIT

By-Email

mkaiser@wasteservicesinc.com

In the matter of an
Application for Permit
By:

Mr. Mike Kaiser
Omni Waste of Osceola County, LLC
1501 Omni Way
St. Cloud, FL 34773

OCD-SW-11-308

Osceola County – SW WACS # 89544
J.E.D. Solid Waste Management Facility
Class I Landfill
DEP File No. SC49-0199726-017

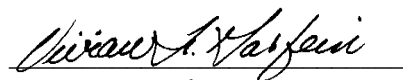
Dear Mr. Kaiser:

Enclosed is Permit Number SC49-0199726-017 to construct the lateral expansion (363 total landfill acres) of the J.E.D. Solid Waste Management Facility, Class I Landfill, 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



Vivian F. Garfein
Director, Central District
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
407/897-4100

FILING AND ACKNOWLEDGMENT

FILED, September 22, 2011, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



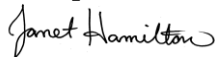
Clerk

September 22, 2011

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 September 22, 2011 to the listed persons.



Clerk

VFG/ftl/kr

Enclosure

1. Permit No. SC49-0199726-017

Copies furnished to:

Richard Tedder, P.E. – DEP – Tallahassee, Richard.Tedder@dep.state.fl.us

Fred Wick – DEP – Tallahassee, Fred.Wick@dep.state.fl.us

Frank Hornbrook, DEP, frank.hornbrook@dep.state.fl.us

Craig Browne, P.E. – Geosyntec Consultants, cbrowne@geosyntec.com



Florida Department of Environmental Protection

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Permit Issued to:
Omni Waste of Osceola County, LLC
Located at: 1501 Omni Way
St. Cloud, Florida, Osceola County
Telephone No. (904) 673-0446
Facility ID No.: WACS ID # 89544

Authorized Representative: Mr. Mike Kaiser
Title: Regional Engineer
1501 Omni Way
St. Cloud, Florida 34773

**Solid Waste Construction Permit – J.E.D. Solid Waste Management Facility
Class I Landfill
Permit No. SC49-0199726-017**

Permit Issued:
Permit Renewal Application Due Date: 06/17/2016
Permit Expires: 08/16/2016

Permitting Authority
Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
Telephone No. (407) 897-4304

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-4 and 62-701. The above named permittee is hereby authorized to construct the lateral expansion area shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

- To construct the lateral expansion area Cells 11 – 21 of the J.E.D. Solid Waste Management Facility – Class I Landfill.
- The lateral expansion area adds approximately 99 acres (for a total landfill acreage of approximately 363 acres) while maintaining the current permitted maximum elevation of 330 feet (NGVD). This expansion involves the modification of cells 11-21 and adds new cells 22 and 23.
- The lateral expansion will impact wetlands which shall be mitigated prior to any construction or impacts authorized by this permit.
- The lateral expansion area is partially located within the 100-year flood plain. Calculations verifying the capability of the landfill storm water management system to contain the 100-year storm event were submitted to the appropriate office as part of the 2011 Conceptual ERP Modification Application.
- The complete build-out of the JED facility will include 23 landfill cells with a footprint of approximately 363 acres within a property boundary of approximately 2,179 acres. The landfill is authorized to an elevation of 330 feet (NGVD). The anticipated life of the complete facility is approximately 23 years.
- The design includes a double-composite liner system, which directs any liquid entering the landfill that may have contacted waste to a leachate collection system (LCS). Collected leachate is pumped from the sumps into the leachate transmission line where it is conveyed to an on-site leachate storage facility. Periodically it is either trucked to the St. Cloud wastewater treatment plant (WWTP) conveyance lines for treatment and disposal or recirculated into the open portions of the landfill via the water truck.
- The design includes an active gas management system to control odors and migration of methane.
- The facility has a Title V air permit #0970079-003-AV.

LOCATION: The facility is located approximately 6.5 miles south of Holopaw, on the west side of U.S. Highway 441, in eastern Osceola County, Florida.

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

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;

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

GENERAL CONDITIONS:

- (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

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

GENERAL CONDITIONS:

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.

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

SPECIFIC CONDITIONS:

1. Plans and Specifications: Drawings, plans, documents and specifications submitted by the permittee, not attached hereto, but on file at the Central District office, are made a part of this permit. The documents are listed in Appendix A.
2. Document Requirements: A copy of the permit, with a complete copy of the permit application and engineering drawings, shall be kept on file at the landfill for inspection and review upon request.
3. Other Permits: This permit does not relieve the permittee from complying with any other appropriate stormwater, Environmental Resource Permitting, Air permitting (e.g. Title V/NSPS) or other permit requirements.
4. Site Access: Access to the site shall be restricted by an effective barrier designed to prevent unauthorized entry and dumping, Rule 62-701.500(5), F.A.C.
5. Stormwater Management: All stormwater runoff from the site shall be collected and treated to meet the requirements of Chapters 373 Florida Statutes (F.S.) and Rule 62-701.500(10), F.A.C. prior to discharge off-site. The stormwater management system shall prevent stormwater flow into waste filled areas.
6. Stormwater Management System Maintenance: The stormwater management system shall be maintained and visually inspected regularly, and shall be cleaned and maintained as necessary to allow for treatment and conveyance of stormwater according to the permitted engineering design.
7. Construction Quality Assurance: The approved Construction Quality Assurance (CQA) Plan shall be followed for installing and testing the liner system and related components (Reference No. 8 – Appendix A). The CQA engineer or the engineer's designee shall be on-site at all times during construction of the liner systems to monitor the construction activities including the preparation of the subgrade, placement of the GCL, primary and secondary geomembrane liners, primary and secondary drainage layers and the placement of the liner protective layer over the primary liner to ensure the underlying geosynthetics are not damaged during construction.
8. Liner Installation-Summary Report: A professional engineer, licensed in Florida, shall supervise and evaluate the liner installation quality assurance/quality control program to ensure that the liner meets design specifications. Upon completion, the engineer shall submit a summary report to the Department, documenting complete conformity to the approved plans and specifications. This summary report shall include a documented control program of the liner installation, liner inspections, and the quality assurance/quality control testing procedures and laboratory analyses. This report shall be included with the certification required in Specific Condition 24 of this permit.

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

SPECIFIC CONDITIONS:

9. Subgrade Preparation: Prior to the liner installation, the subgrade shall be prepared to provide a firm, unyielding foundation. If necessary, the base shall be brought up to grade by placement and compaction of fill material. The fill material and subgrade shall not contain rocks, roots, debris, shells, or other materials that could penetrate the liner material.
10. Liner System: The liner system consists of a double-composite liner per drawing 15 (Reference No. 1 – Appendix A). The liner system, from top to bottom, consists of: 2 foot thick protective soil layer, primary geocomposite drainage layer, 60-mil thick primary HDPE textured geomembrane, secondary geocomposite drainage layer, 60-mil thick secondary HDPE textured geomembrane, geosynthetic clay liner (GCL), six inch prepared subbase, and compacted sub-grade.
11. Liner Installation – Department Notification: Installation of the liner shall be performed by an experienced installer who has installed similar type materials. The permittee shall notify the Department at least 10 days prior to the commencement of liner installation work in any cell.
12. GCL Installation Limitation: The number of geosynthetic clay liner (GCL) panels that may be deployed in any one day shall be limited to the number that can be placed in a dry condition and covered by the HDPE while still dry. No installation or seaming of GCL under wet conditions shall be allowed. The CQA plan requires the owner's inspector to inspect the subbase each day prior to placing the GCL.
13. Geomembrane Testing: Non-destructive air pressure tests and/or vacuum test shall be conducted by the installer, under the direction of the CQA engineer or his designee, to test 100 percent of the field seams of the geomembrane. Destructive tests of the geomembrane field seams shall be in accordance with the approved CQA plan and at a frequency of no less than one destructive test sample every 500 linear feet of field seam.
14. Construction Permit Renewal: The construction shall reasonably conform to the plans and supporting documents submitted as part of the application. If construction cannot be completed before the expiration of this permit, the permittee must notify the Department, in writing, at least 60 days prior to the expiration of the construction permit and request a renewal of the construction permit.
15. Construction Sequencing Plans: The construction sequencing plans are depicted on drawing 26A (Reference No. 1 – Appendix A).
16. Liner Edge Identification: The edge of the liner must be clearly and permanently outlined by permanent monuments or markers, so that solid waste is deposited at least 10 feet inside the edge of the liner. The location of monuments or markers shall be established by a Professional Surveyor and Mapper, licensed in Florida. The monuments or markers shall be

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

SPECIFIC CONDITIONS:

of sufficient number to clearly define the liner edge, and shall be visible and easily identifiable to operation personnel and regulatory inspectors.

17. Leachate Collection and Removal System: The primary leachate collection and removal system lying above the upper geomembrane shall be designed to limit the leachate head to one foot above the liner during routine landfill operations after placement of initial cover, except in sumps and leachate collection trenches, Rule 62-701.400(3)(c)1, F.A.C.
18. Secondary Leachate Collection System: The secondary leachate collection system must have a minimum hydraulic conductivity of 10 cm/sec and shall be designed to not allow the leachate head on the secondary geomembrane liner to exceed the thickness of the drainage layer, Rule 62-701.400(3)(c)2, F.A.C.
19. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the construction authorized by this permit.
20. Final Elevation: The final permitted elevation is 330 feet NGVD (corresponding to a maximum waste thickness of approximately 240 feet) as indicated in drawings 33 and 34 (Reference No. 1 – Appendix A).
21. Side Slopes: Side Slopes will be 3H:1V with 15 foot wide side slope benches every 40 feet vertically per drawings 33 and 34 (Reference No. 1 – Appendix A).
22. Base Grade Configuration: The base grade configuration will be a conventional “herringbone” pattern per drawings 9A and 9B (Reference No. 1 – Appendix A).
23. Technical Specifications: The landfill shall comply with the approved technical specifications. (Reference No. 8– Appendix A).
24. Certificate of Construction Completion: Within 60 days after all significant initial construction has been completed in each cell, and prior to acceptance of any solid waste in that cell, the Engineer of Record shall submit a Certification of Construction Completion, DEP Form 62-701.900(2), signed and sealed by a professional engineer, licensed in Florida, independent of the contractor, to the Department. All substantial deviations, if any, from the approved design shall be noted, Rule 62-701.320(9)(b), F.A.C. The Engineer of Record shall then contact the Department to arrange for Department representatives to inspect the facility with the permittee, the engineer, and the proposed on-site facility operator. The certification must be done for each cell individually.
25. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the construction authorized by this permit.

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

SPECIFIC CONDITIONS:

26. Wetland Mitigation: The lateral expansion will impact wetlands. Prior to any construction or impacts authorized by this permit, the permittee shall provide the Department with documentation that the credits have been deducted from the credit ledger of the approved mitigation bank.
27. Disposal of Waste in Cells 11-23: Before solid waste may be disposed in any portion of Cells 11 through 23, the permittee must satisfy the following. The actions do not have to be accomplished sequentially.
- a. Specific conditions 8 and 24 have been satisfied.
 - b. The Department has approved the Certificate of Construction Completion for the particular cell(s).
 - c. The leachate collection system is in place and functional.
 - d. The permittee must apply for an intermediate permit modification of the operations permit requesting authorization for disposal in the cell(s). The modification must include:
 - i. A proposed update to the water quality monitoring plan (MPIS). The proposal must include the proposed locations for new water quality sampling locations. All monitoring locations shall be clearly labeled on a facility map, identifying each monitoring well in the cluster.
 - ii. An updated closure and long-term care cost estimate.
 - iii. Proof of financial assurance that meets the requirements of Rule 62-701.630, F.A.C.
 - e. The issuance of the intermediate modification allowing for disposal operations in the cell(s). This modification will include an MPIS specifying the new sampling locations and schedule. The MPIS will require the locations to be sampled prior to placement of waste in the new cell(s).
 - f. Initial water sampling for the new sampling locations. (The report about the sampling event does not have to be submitted prior to waste being placed in the new cell(s). It must be submitted within 60 days of receipt of the laboratory results. The results must be submitted in ADaPT format. [Rule 62-701.510(6)(b), F.A.C.]. The report must have the Well Completion Report Forms, including the information required by Rule 62-701.510(3)(d), F.A.C.)

PERMITTEE:
Omni Waste of Osceola County, LLC

Attention: Mr. Mike Kaiser

WACS Facility: 89544
Permit/Certification Number:
SC49-0199726-017
Expiration Date: 08/16/2016

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Vivian F. Garfein
Director, Central District

FILING AND ACKNOWLEDGMENT

FILED, September 22, 2011, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

September 22, 2011
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on September 22, 2011 to the listed persons.



Clerk

Appendix A

List of Documents Incorporated into Permit

1. Landfill Lateral Expansion – Application for a Major Permit Modification, JED Solid Waste Management Facility, volumes 1 and 2, dated February 17, 2011. Received and stamped February 18, 2011, DEP – Central District.
2. First Request for Additional Information from DEP – Central District dated March 18, 2011.
3. Response to FDEP First Request for Additional Information, J.E.D. Solid Waste Management Facility, dated April 14, 2011. Received and stamped April 15, 2011, DEP – Central District.
4. Second Request for Additional Information from DEP – Central District dated May 6, 2011.
5. Response to FDEP Second Request for Additional Information, J.E.D. Solid Waste Management Facility, dated May 18, 2011. Received and stamped May 19, 2011, DEP – Central District.
6. Correction to Response to Second Request for Additional Information, J.E.D. Solid Waste Management Facility, dated June 6, 2011. Received June 6, 2011, DEP – Central District.
7. Permit Application Completion Letter from DEP – Central District dated June 15, 2011.
8. Major Modification Application, Vertical Expansion of the JED Facility, Omni Waste of Osceola County, LLC, dated September 17, 2007. Received and stamped September 18, 2007.