



FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE
3319 MAGUIRE BLVD, SUITE 232
ORLANDO FLORIDA 32803

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

July 17, 2019

NOTICE OF PERMIT

In the Matter of an
Application for Permit By:

Mr. Eric Parker - Environmental Protection Manager
Waste Management of Florida
242 West Keene Road
Apopka, Florida 32854-7217
EParker1@wm.com

Orange County
WACS#87081
Vista Landfill LLC - Waste Tire Processing Facility
DEP Application No. 0165969-031-WT

Dear Mr. Parker;

Enclosed is Permit Number 0165969-031-WT to operate a Waste Tire Processing Facility at the above referenced facility, issued under Section 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, 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.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

A handwritten signature in black ink, appearing to read "NH 7L".

Nathan Hess
Program Administrator
Permitting and Waste Clean-up

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

Eric Parker, Environmental Protection Manager, WMI, Eparker1@wm.com
Deborah Perez, Sr. District Manager, Waste Management, dperez@wm.com
Sheree Grant, Engineer, Waste Management, sgrant@wm.com
Cory Dilmore, P.E. - FDEP Tallahassee, Cory.dilmore@dep.state.fl.us
FDEP, Central District: Lu Burson, Gloria-Jean DePradine, Sirena Davila



Clerk

July 17, 2019
Date

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

July 17, 2019
Date

Attachment: Renewal Permit No. 0165969-031-WT and attachments



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Permit Issued to:

Waste Management, Inc. of Florida
Located at: Vista Landfill
242 W. Keene Road
Apopka, Florida
(407) 902-1469

Facility WACS ID No.: 87081
Facility Name: Vista Landfill LLC
Facility Address: 242 W. Keene Road
Apopka, Orange County, Florida

Contact Person:
Mr. Eric Parker
Eparker1@wm.org

Solid Waste Operation Permit – Waste Tire Processing Facility

Renewal Permit No.: 0165969-031-WT
Replaces Permit No.: 0165969-023-WT-06

Permit Issued: July 17, 2019
Permit Renewal Application Due Date: 07/16/2024
Permit Expires: 09/16/2024

Permitting Authority

Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
(407) 897-4100
DEP_CD@dep.state.fl.us

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The permittee is hereby authorized to operate a small waste tire processing facility at the Vista Landfill 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 operation permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4, 62-701, and 62-711.

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 Landfill is located at 242 West Keene Road, Apopka, in Section 28, Township 21 South, Range 28 East in Orange County, Florida (Latitude 28° 38' 24.5" N and Longitude 81° 30' 41.7" W).

C. Facility Description

The Vista Landfill is a permitted Class III landfill. Its current Operation Permit is 0165969-030-SO. The expiration date for the Class III Permit is June 1, 2036.

The permittee operates a small waste tire processing facility at the Vista Landfill. The facility receives tires and stores them in 30-cubic yard metal storage containers. A tire shredding contractor will process the whole waste tires into smaller fragments using a mobile shredder. The shredder will be used less than 120-days each time it is mobilized to the Vista Landfill. The contractor shall have a current General Permit in accordance with Rule 62-711.801, F.A.C, prior to mobilizing and processing tires at the facility. The processed waste tires will be beneficially re-used within the landfill as either daily cover material or temporary road base within the lined landfill disposal area.

D. Appendices Made Part of This Permit

APPENDIX 1 - General Conditions

APPENDIX 2 – List of Documents Incorporated into this Permit

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application as finally revised, replaced or amended. 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

This Permit does not authorize any construction activities.

C. Operation Requirements

1. General Operating Requirements. The permittee shall operate the Small Waste Tire Processing Facility in accordance with the approved Operation Plan, dated June 2009 (Document #3 in Appendix 2). 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.
2. Authorized Waste and Material Types. The Small Waste Tire Processing Facility is authorized to manage only the following:
 - a) Whole waste tires as defined in Rule 62-701.200, F.A.C.
3. Unauthorized Waste Types. The Small Waste Tire Processing Facility is not authorized to accept or manage any waste types not listed in C.2. above. Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan.

4. Small Waste Tire Processing Facility Maximum Storage Quantities. The maximum storage at the Small Waste Tire Processing Facility shall be less than 1,500 waste tires on any day, Rule 62-711.530(7), F.A.C.
5. Facility Capacity. If the Small Waste Tire Processing Facility has reached its permitted capacity for storage of waste tires, the permittee shall not accept additional waste tires 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 DEP's Central District Office at (407) 897-4100.
7. Emergency Situations: The operator of the facility shall immediately notify the Department in the event of a fire or other emergency if that emergency has potential off-site effects. Within two weeks of any emergency involving potential off-site impact, the operator of the facility shall submit to the Department, a written report describing the origins of the emergency, the actions that were taken to deal with the emergency, the results of the actions that were taken, and an analysis of the success or failure of the actions, Rule 62-711.540(1)(f), F.A.C.
8. Operations Involving Use of Open Flames. No operations involving the use of open flames shall be conducted within 25 feet of a waste tire pile, Rule 62-711.540(1)(b), F.A.C.
9. Processing Requirements. At least 75% of the whole tires and used tires that are delivered to or are contained on the site at the beginning of each calendar year must be processed and removed for disposal or recycling from the facility during the year, or disposed in a permitted solid waste management facility, Rule 62-711.530(3), F.A.C.
10. Small Waste Tire Processing Facility Requirements. The facility shall process less than 1,500 tires during any 30 days, Rule 62-711.530(7).
11. Quarterly Reports. Owners or operators of waste tire processing facilities shall submit quarterly reports to the Department that summarize the information collected under Rule 62-711.530(4), F.A.C. The reports shall be submitted on DEP Form 62-701.900(21), on the 20th of the month following the close of each calendar quarter as required by Rule 62-711.530(5), F.A.C., to: FDEP Central District at DEP_CD@dep.state.fl.us with a copy to:

Department of Environmental Protection, Solid Waste Section
2600 Blair Stone Road MS 4565
Tallahassee, Florida 32399-2400
12. Fire Safety Survey. A fire safety survey shall be conducted by the local fire protection authorities annually while a mobile shredder is on-site, Rule 62-711.540(1)(d), F.A.C. If

a mobile shredder is not on site within a calendar year, a survey is not required for that period. The survey report shall be made part of the next quarterly report in Specific Condition Section **2.C.11** above.

D. Water Quality Monitoring Requirements

[There are no water quality monitoring requirements for this facility.]

E. Gas Management System Requirements

[There are no gas management requirements for this facility.]

F. Closure Requirements

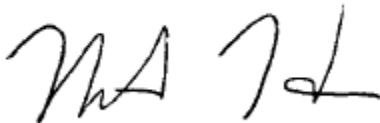
[There are no closure requirements for this facility.]

G. Financial Assurance and Cost Estimates

[None]

Executed in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Nathan Hess
Program Administrator
Permitting and Waste Cleanup

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

July 17, 2019

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent before the close of business on July 17, 2019, to the following listed persons:

Deborah Perez, dperez@wm.com

Sheree Grant, sgrant@wm.com

Cory Dilmore, P.E. - FDEP Tallahassee, Cory.Dilmore@dep.state.fl.us



Clerk

July 17, 2019

Date

Enclosures:

1. Appendix 1 – General Conditions
2. Appendix 2 – List of Documents Incorporated into Permit
3. Notice of Rights

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, 403.161, 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.
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.
11. This permit or a copy thereof shall be kept at the work site of the permitted activity.
12. 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.
13. 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 this Permit

Documents Generated for this Permit Application:

1. Application for a Small Waste Tire Processing Facility dated May 3, 2019. Received and May 3, 2019, Central District.
2. Permit Application Complete Letter dated June 3, 2019.

List of Documents Associated with Permit Renewal SO48-0165969-023-WT:

1. Application for a Small Waste Tire Processing Facility dated July 15, 2014. Received and stamped July 16, 2014, DEP – Central District.
2. Permit Application Complete Letter from DEP – Central District dated July 28, 2014.

Historical Information

3. Facility Plot Plan contained in Permit Renewal Application to Operate Vista Class III Landfill Facility, prepared by HSA Golden, Orlando, Florida, dated February 17, 2011. Received and stamped February 18, 2011, DEP – Central District

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice,

whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver may not apply to persons who have not received a clear point of entry.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.