



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen Castille
Secretary

NOTICE OF PERMIT

By E-Mail

Ronald.tuder@veoliaes.com

In the matter of an
Application for Permit
by:

Mr. Ronald L. Tuder
Onyx Waste Services of Florida, Inc.
1964 S. Orange Blossom Trail
Apopka, FL 32703

OCD-SW-06-0553

Marion County – SW
Onyx Ocala Transfer Station-Waste Processing Facility
DEP File No. SO42-0078342-003

Dear Mr. Tuder:

Enclosed is Permit Number SO42-0078342-003 to operate the Onyx Ocala Transfer Station, issued under Section(s) 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
407/894-7555

Date: December 5, 2006

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.

E. Williams

Dec. 5, 2006

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were transmitted before the close of business on December 5, 2006 to the listed persons.

E. Williams

Clerk

VFG/gc/ew

Enclosure

Copies furnished to:

Richard Tedder, P.E. – DEP – Tallahassee

Kenneth B. Karably, P.E. – Golder Associates, Inc. kkarably@golder.com

William Stubblebine – Onyx Waste Services of Florida, Inc. William.stubblebine@veoliaes.com

Ken Whitehead – Marion County Solid Waste Department Leonard.Whitehead@marioncountyfl.org



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Onyx Waste Services of Florida, Inc.
1964 S. Orange Blossom Trail
Apopka, FL 32703

WACS Facility: 21719
Permit/Certification Number:
SO42-0078342-003
Expiration Date: 08/09/2011
County: Marion
Section 33, Township 15 South, Range 22 East
Latitude 29°08'14", Longitude 82°06'22"
Project: Onyx Ocala Transfer Station -
Waste Processing Facility

Attention: Mr. Ronald L. Tuder

This permit is issued under the provisions of Chapter(s) 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 operate the Onyx Ocala Transfer Station - Waste Processing Facility to serve Marion, Citrus, Sumter, Alachua, Levy and Lake Counties, including the City of Ocala.

- The facility includes a solid waste transfer station building, scale, tipping bay, and roll-off storage area.
- The Onyx Ocala Transfer Station accepts municipal solid waste only.
- The Onyx Ocala Transfer Station provides a means to unload solid waste collecting vehicles in a controlled environment and to load the solid waste into more efficient transfer vehicles for transfer to the ultimate disposal site. This transfer takes place in a completely enclosed building.
- The floor slope to the drain trench prevents standing liquids on the floor. Drainage from cleaning the floor is handled by the leachate/wash down water system, and trucked to a permitted wastewater treatment facility capable of treating this water.
- The site consists of approximately 40.0 acres.

LOCATION: The facility is located at 5111 South Pine Avenue, Ocala, in Section 33, Township 15 South, Range 22 East, in Marion County, Florida.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.) The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup and auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under conditions of this permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - (a) A description of and cause of noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, Florida Administrative Code (F.A.C.), as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring information) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used;
 6. the results of such analyses.
14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

PERMITTEE:
Onyx Waste Services of Florida, Inc.

Attention: Mr. Ronald L. Tuder

WACS Facility: 21719
Permit/Certification Number:
SO42-0078342-003
Expiration Date: 08/09/2011

SPECIFIC CONDITIONS:

Note that time-sensitive specific conditions are summarized in Appendix B of this permit.

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. Inspection Requirements: A copy of the permit, with a complete copy of the permit application and engineering drawings shall be kept on file at the facility for inspection and review upon request.
3. Other Permits: This permit does not relieve the permittee from complying with any other appropriate stormwater, ERP, or other permit requirements.
4. Signs: Signs indicating the name of the operating authority, traffic flow, hours of operation, charges for disposal and the types of wastes accepted shall be placed at all entrances to the facility, Rule 62-701.500(5) and 11(g), F.A.C.
5. Site Access: Access to the site shall be restricted by an effective barrier designed to prevent unauthorized entry and dumping, Rule 62-701.710(4)(f), F.A.C.
6. Litter, Dust & Fire Protection: The facility shall have litter control devices, dust controls, fire protection and fire-fighting facilities. Litter is to be picked up and litter control devices cleaned. All collected litter shall be disposed of with waste removed from the transfer station, or placed in an appropriate container for disposal at a permitted landfill.
7. Safety Devices: Safety devices shall be provided on equipment to shield and protect the operators from potential hazards during operation.
8. Equipment Breakdown: In the event of equipment malfunction, destruction, breakdown or other problems resulting in the permittee being temporarily unable to comply with any of the conditions of this permit, the permittee shall immediately notify the Department. The notification shall address the cause of the problem, corrective action, and what steps are being taken to prevent a recurrence, as required by Rule 62-4.130, F.A.C.
9. Effluent Discharge: There shall be no discharge of liquid effluents or contaminated runoff to surface or ground water without prior approval from the Department.
10. Stormwater Management: All stormwater runoff from the site shall be collected and treated to meet the requirements of Chapters 373 and 403, Florida Statutes (F.S.) and Rule 62-701.710(8), F.A.C. prior to discharge off-site.
11. Control of Nuisance Conditions: The operating authority shall be responsible for the control of odors and fugitive particulates arising from this operation. Such controls shall prevent the creation of nuisance conditions that may arise from adverse odors and fugitive particulates, and their effect on adjacent or nearby properties and users. The permittee shall immediately investigate any complaints received from the general public and, where warranted, take corrective actions to abate the adverse odor or nuisance condition.

PERMITTEE:
Onyx Waste Services of Florida, Inc.

Attention: Mr. Ronald L. Tuder

WACS Facility: 21719
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SO42-0078342-003
Expiration Date: 08/09/2011

SPECIFIC CONDITIONS:

12. Improper Operations: When the Department, after investigation, has good reason (such as complaints, questionable maintenance of equipment, improper operations, etc.) to believe that any applicable standard contained in Chapter 62-701, F.A.C. or in this permit is being violated, it may require the owner or operator of the source to identify the nature of the problem and report to the Department in writing, the results of the investigation and corrective action taken to prevent its recurrence.
13. Transfer Station Requirements: The facility shall meet the requirements for Waste Processing Facilities, Rule 62-701.710, F.A.C.
14. Clean-up of Solid Waste Storage Areas: All solid waste storage areas shall be maintained and cleaned, as necessary, to prevent fly, rodent and other vector problems.
15. Facility Shut-down: During any periods the facility is not operating, whether due to a planned or emergency shutdown, all incoming waste shall be directed to a Department permitted landfill or disposal facility for disposal.
16. Leachate Minimization: All sorting, processing and storage shall be completed under a permanent roof structure or within covered containers, protected from rainfall.
17. Solid Waste Processing Rate: The average solid waste processing rate for this source is 800 tons per day as stated in the application. Actual operating rates may vary depending upon business conditions.
18. Operation Plan: The facility operator shall be trained, Rule 62-701.320(15), F.A.C., and a copy of the operation plan that describes how the applicant shall comply with Rule 62-701.710(4), F.A.C. shall be kept at the facility.
19. Operator and Spotter Training Certificates: Copies of operator and spotter training certificates shall be submitted to the Department within 30 days after receipt of training certificates by employees at the facility.
20. Record Keeping: The permittee shall comply with the record keeping requirements of Rule 62-701.710(9), F.A.C.
21. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the operation authorized by this permit.
22. Operation Permit Renewal: An operation permit renewal must be submitted at least 60 days prior to the expiration of the operation permit, Rule 62-4.090, F.A.C.

PERMITTEE:
Onyx Waste Services of Florida, Inc.

Attention: Mr. Ronald L. Tudor

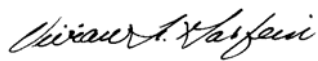
WACS Facility: 21719
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Expiration Date: 08/09/2011

SPECIFIC CONDITIONS:

23. Facility Closure: The owner or operator shall notify the Department in writing 180 days before the date the facility is expected to close. Closure shall be completed within 180 days after receiving the final waste quantity. Within 30 days after closure is completed, the owner or operator shall certify in writing to the Department that closure is complete.

ISSUED: December 5, 2006

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Vivian F. Garfein
Director, Central District
3319 Maguire Boulevard
Suite 232
Orlando, Florida 32803

FILING AND ACKNOWLEDGMENT

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



Dec. 5, 2006

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were transmitted before the close of business on December 5, 2006 to the listed persons.



Clerk

Appendix A

1. Application For Renewal Of Permit To Operate A Waste Processing Facility, Ocala Transfer Station, Onyx Waste Services Of Florida, Inc., Marion County, Florida – Golder Associates, Inc., Jacksonville, Florida, dated February 28, 2006. Received and stamped March 9, 2006, Central District – DEP.
2. Request for Additional Information from DEP – Central District dated April 4, 2005.
3. Response from Golder Associates, Inc., Jacksonville, Florida dated May 9, 2006. Received and stamped May 10, 2006, Central District – DEP.
4. Request for Additional Information from DEP – Central District by telephone dated May 25, 2006.
5. Response from Golder Associates, Inc., Jacksonville, Florida dated June 5, 2006. Received and stamped June 15, 2006, Central District – DEP.

APPENDIX B

DEP Permit # SO42-0078342-003

Specific condition	Requirement	Action	Due date
8	Equipment breakdown causing temporary noncompliance with the permit	Notify the Department and implement corrective action	Immediately upon discovery
11	Control of nuisance conditions	Investigate complaints of nuisance conditions	Immediately upon discovery
22	Permit renewal (permit expires 8/09/2011)	Submit application for permit renewal	Before 6/08/2011 (at least 60 days prior to permit expiration)
23	Facility closure	Notify the Department in writing	Within 180 days of expected facility closure date
23	Facility closure	Completion of closure	Within 180 days of the last day waste is received at the facility
23	Facility closure	Certify in writing to the Department that closure is completed	Within 30 days after closure is completed