



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
dmccConnell@wm.com

In the matter of an
Application for Permit
by:

Mr. R. David McConnell
Waste Management, Inc. of Florida
2859 Paces Ferry Road, Suite 1600
Atlanta, GA 30339

OCD-SW-06-0302

Orange County – SW
Keene Road South, Class III Landfill –
Construct and Operate
DEP File Nos. SC48-0165969-010 & SO48-0165969-011

Dear Mr. McConnell:

Enclosed are Permit Numbers SC48-0165969-010 and SO48-0165969-011 to construct and operate the Keene Road South Landfill, Class III, 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.

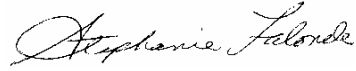
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Vivian F. Garfein
Director, Central District
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
407/894-7555

Date: July 25, 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.



July 25, 2006

Clerk

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 July 25, 2006 to the listed persons.



Clerk

VFG/gc/ew

Enclosure

Copies furnished to:

Richard Tedder, P.E. - FDEP - Tallahassee

Fred Wick - FDEP – Tallahassee

William J. Edwards, P.E. – S2L, Inc. jedwards@S2li.com

Jay Davoll, P.E. – City of Apopka jdavoll@apopka.net

Jim Swan – Waste Management jswan2@wm.com

Crystal Queen, Association of Community Organizations for Reform Now (flacornor3@acorn.org)



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen Castille
Secretary

By E-Mail
dmccconnell@wm.com

Permittee:

Waste Management, Inc. of Florida
2859 Paces Ferry Road, Suite 1600
Atlanta, GA 30339

Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit / Certification Number:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011
County: Orange
Section 28/Township 21 South/ Range 28 East
Latitude 28°38'25"/ Longitude 81°30'42"
Project: Keene Road South Landfill, Class III

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-4, 62-701 and 62-711. 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 and operate the Keene Road South Landfill, Class III. The Class III landfill is designed to reclaim an existing borrow pit. The landfill will accept Class III wastes in accordance with Rule 62-701.200(14), F.A.C.
- The Department has issued an order granting variance, SWVA No. 00-02, from Rule 62-701.340(4)(c), F.A.C. to the permittee. The variance will allow the disposal of solid waste within 50 feet of the property boundary on the west, south, and east sides of the property.
- As authorized in the variance, a high density polyethylene (HDPE) geomembrane deflection liner installed along the western, southern and eastern perimeters of Cells 1, 2, 3, and 4 will ensure that any leachate generated by the waste placed over the HDPE liner is released to the unlined areas at a distance no closer than 100 feet to the adjacent property boundaries. The deflection liner has been permitted as shown on Drawing No. 4 – Site Plan (Reference No. 2 – Appendix A) between the 50-foot and the 100-foot property line setback. Construction of the deflection liner in Cells 1, 2, and 3 has been completed, certified by the Engineer of Record, and accepted by the Department.
- The landfill will serve Orange County and surrounding communities.
- The disposal area is 102 acres within a property boundary of 150 acres.
- The project incorporates a ground water monitoring plan.
- No waste can be accepted at the facility until all applicable provisions of Specific Conditions 12, 20, 21, and 48 of this permit have been met.

LOCATION: The landfill is located at 230 West Keene Road, Apopka, in Section 28, Township 21 South, and Range 28 East, in Orange 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:
Waste Management, Inc. of Florida
Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

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 landfill 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 site, Rule 62-701.500(5) and 62-701.500(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 62-701.500(5), F.A.C.
6. Litter, Dust and Fire Protection: The landfill shall have litter control devices, dust controls, fire protection and fire-fighting facilities. Litter must be picked up and litter control devices cleaned, with the litter placed in the active cell.
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 water or ground water without prior approval from the Department.
10. Surface Water Management: All surface water runoff from the site shall be collected and treated to meet the requirements of Chapters 373 and 403, Florida Statutes (F.S.) prior to discharge off-site. The surface water management system shall prevent surface water flow into waste filled areas.
11. Zone of Discharge: The zone of discharge for the facility shall be a three dimensional volume, defined in the horizontal plane as extending 100 feet from the edge of the solid waste deposit, or to the property boundary, whichever is less, as depicted in Attachment B of the Monitoring Plan Implementation Schedule (Exhibit I) of this permit, and defined in the vertical plane as extending from the top of the ground to the bottom of the screen of the lower surficial monitoring wells. Class G-II water quality standards must be met at the boundary of the zone of discharge in accordance with Rule 62-522.410, F.A.C.

Permittee:
Waste Management, Inc. of Florida

Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

SPECIFIC CONDITIONS:

12. Monitoring Plan Implementation Schedule: The Monitoring Plan Implementation Schedule (MPIS), attached as Exhibit I, is made a part of this permit. Monitoring wells for Cells 1-4, MW-1A, MW-1B, MW-2A, MW-2B, MW-3A, MW-3B, MW-4A, MW-4B, MW-5A, MW-5B, MW-6A, MW-6B, MW-7A, MW-7B, MW-8, MW-FL1, MW-FL2 and MW-FL3, have been installed and initial sampling has been completed. Proposed monitoring wells for Cells 5-8 and Cells 9-12 are listed in Attachment A of the MPIS. Construction of these wells, as well as sampling, and reporting of analysis results is required, in addition to all other applicable requirements of this permit, including but not limited to the financial assurance requirements noted in Specific Condition 48, before solid waste is placed in these cells.
13. Updated Liner Systems Construction Quality Assurance: Prior to the installation of the remainder of the deflection liner, the permittee shall provide the Department with an updated CQA Plan. After acceptance by the Department, the updated CQA Plan shall be followed when installing and testing the deflection liner system and related components. The CQA engineer or the engineer's designee shall be on-site at all times during construction of the liner system to monitor all construction activities, including the preparation of the subgrade and placement of the liner, to ensure that the underlying geomembrane is not damaged during construction.
14. Supervision: A professional engineer qualified to practice 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 as to the complete conformity to the plans and specifications as approved. 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 signed and sealed by the CQA engineer and included with the certification required in Specific Condition No. 20 of this permit.
15. Base: Prior to the liner installation, the base shall be prepared to provide a firm unyielding foundation. The base shall not contain rocks, roots, debris, shells, or other materials that could penetrate the liner material.
16. Liner: A 60-mil high density polyethylene (HDPE) geomembrane liner shall be installed along the western perimeter of the borrow area, and has been installed along the southern and eastern perimeters of the borrow area. The liner to be installed shall meet the requirements of Rule 62-701.400(3)(e), F.A.C. The liner shall be covered with a 12-inch minimum sand cover and 24-inches sand at all vehicle access and trafficked areas. The sand should be free of rocks, sticks or any deleterious material which could puncture the liner. The Site Plan - Drawing 4 (Reference No. 2 in Appendix A) shows areas where the deflection liner has already been installed, as well as the other permitted areas that still require deflection liner installation.
17. Initial Waste Placement: The first layer of waste placed above the liner shall be a minimum of four feet in compacted thickness and consist of selected wastes containing no large rigid objects that may damage the liner.
18. Liner Installation: 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 commencement of liner construction.

Permittee:
Waste Management, Inc. of Florida
Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

SPECIFIC CONDITIONS:

19. 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 on schedule, the permittee must notify the Department in writing at least 60 days prior to the expiration of the construction permit and apply for renewal of the construction permit.
20. Certification of Construction Completion: After all significant initial construction has been completed and prior to acceptance of any solid waste, the Engineer of Record shall complete and submit a Certification of Construction Completion, DEP Form 62-701.900(2), and then contact the Department to arrange for Department representatives to inspect the facility in the company of the permittee, the engineer, and the proposed on-site facility operator.
21. Solid Waste Disposal – Cell 4: No solid waste shall be placed in Cell 4 until the liner system depicted on Drawing Number 4 with the notation “To Be Installed” is constructed and Specific Conditions 14, 20, and 48 are satisfied.
22. Waste Compaction and Working Face: Solid waste shall be spread in layers and compacted at least weekly using suitable heavy equipment, Rule 62-701.500(7)(a), F.A.C. All compacted solid waste shall be formed into cells, with the working face and the side grades above land surface maintained at a slope no greater than three (3) feet horizontal to one (1) foot vertical rise, Rule 62-701.500(7)(c), F.A.C. The working face of a cell shall be only wide enough to efficiently accommodate vehicles discharging waste, and to minimize the exposed area and the use of unnecessary cover material, Rule 62-701.500(7)(d), F.A.C.
23. Initial Cover and Intermediate Cover: Initial cover shall be applied at least once every week, Rule 62-701.500(7)(e)2, F.A.C. An intermediate cover of one (1) foot of compacted earth in addition to the six (6) inch initial cover shall be applied within seven (7) days of cell completion if additional solid waste will not be deposited within 180 days of cell completion. All or part of the intermediate cover may be removed prior to placing additional waste or installing final cover, Rule 62-701.500(7)(f), F.A.C. The initial and intermediate covers may be amended with mulched yard trash, but the soil component of the cover shall be at least 50% by volume.
24. Final Cover: All areas filled with waste shall have a final cover of soil to minimize infiltration of rainfall. Final cover and seeding for planting of vegetative cover shall be placed over each completed cell within 180 days after the final waste deposit. The final cover shall consist of a 3-foot thick layer of soil, of which the bottom 18 inches is the barrier layer and the top 18 inches thick to sustain vegetative growth. The 18-inch barrier layer shall have a permeability of 1×10^{-5} cm./sec. or less. Random and frequent control, sampling and analysis of the cover material shall be implemented in order to meet the 1×10^{-5} cm./sec. or less permeability specified.
25. Final Cover Surface Gradient: The top gradient of the final cover surface shall take into consideration the effects of expected subsidence caused by settling and decomposition of the fill material to minimize ponding and erosion.
26. Stormwater Infiltration: Infiltration of stormwater runoff into the closed landfill shall be minimized by capping of the landfill with a barrier soil layer as required by Rule 62-701.600(5)(g), F.A.C., and properly sloping the landfill surface to allow stormwater to drain from the landfill in a controlled manner.

Permittee:
Waste Management, Inc. of Florida
Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

SPECIFIC CONDITIONS:

27. Routine Maintenance: Cracks or eroded sections in the surface of any filled and covered area shall be properly repaired and a regular maintenance program shall be followed to eliminate pockets or depressions that may develop as refuse settles. The slopes and drainage structures shall be inspected at least monthly and after major storm events for evidence of settling, erosion, washout and siltation.
28. Solid Waste Burning: Burning of solid waste is prohibited in accordance with Rule 62-701.300(3), F.A.C. Any fires at the landfill must be reported to the Department within five (5) days by letter explaining the cause, remedial action, and measures taken to prevent recurrence.
29. Control of Nuisance Conditions: The permittee shall be responsible for the control of odors and fugitive particulates from the landfill. Such controls shall prevent the creation of nuisance conditions caused by 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 action to abate the adverse odor or nuisance condition.
30. Gas and Odor Control: Gas and odor control at the site shall be accomplished through the exclusion of putrescible wastes, segregation of stormwater, compaction, application of cover, waste screening, and controlling the distribution of gypsum wallboard in the fill. If gas concentrations cause objectionable odors beyond the landfill property boundary, the permittee shall implement a routine odor-monitoring program to determine the timing and extent of off-site odors and shall submit to the Department an odor remediation plan for the gas releases, Rule 62-701.530(3)(b), F.A.C.
31. Gas Monitoring: The gas monitoring locations are shown on Drawing 4 - Site Plan (Reference No. 2 in Appendix A). The permittee shall comply with the gas monitoring requirements of Rule 62-701.530(2), F.A.C. Monitoring for methane gas at the property boundary and within structures on the property shall be performed quarterly, beginning 90 days after initial receipt of solid waste, to determine the effectiveness of the gas migration controls. The gas monitoring results shall be reported as percent of the lower explosive limit (LEL), calibrated to methane, and shall be submitted to the Department within 30 days of receipt of data. If the gas monitoring results show that combustible gas concentrations exceed 25% of the LEL noted above, the permittee shall implement a Gas Remediation Plan as required in Rule 62-701.530(3)(a), F.A.C.
32. Improper Operations: When the Department, after investigation, has good reason (such as complaints, or questionable maintenance of equipment) 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.
33. Updated Operation Plan: The permittee shall provide the Department with an updated operation plan that meets the requirements of Rule 62-701.500(2), F.A.C., 60 days prior to initial acceptance of solid waste at the landfill.
34. Method and Sequence of Filling Waste: The method and sequence of filling waste will proceed as described in Section 7.0 of the Operation Plan, and as depicted on Drawing Number 6 and Drawing Number 7 of the Engineering Drawings submitted with the permit application.

Permittee:
Waste Management, Inc. of Florida

Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

SPECIFIC CONDITIONS:

35. Operator Training Compliance: The Keene Road South Landfill, Class III, shall comply with Rule 62-701.320(15), F.A.C., Operator Training.
36. Hazardous Wastes: Any incidental hazardous wastes received in connection with operation of this Class III landfill must be disposed of in accordance with Chapter 62-730, F.A.C.
37. Waste Tires: Waste tires shall be received, stored and processed in accordance with the Waste Tire Rule, Chapter 62-711, F.A.C.
38. Asbestos Disposal: Asbestos disposal shall meet the requirements of 40 CFR Part 61.154. After placement of the asbestos, landfill operation personnel shall immediately place a minimum of six (6) inches of cover soil over the asbestos. Records shall be kept on site for all asbestos containing materials received at the landfill.
39. Unacceptable Waste: Garbage, white goods, waste oil, hazardous wastes, infectious waste, residential waste and any other prohibited materials inadvertently received at the Class III landfill shall be immediately removed from the waste stream for proper disposal.
40. Delineation of Limits of Waste: The limits of waste within the permitted footprint of the disposal area shall be delineated with permanent monuments or markers. The location of monuments or markers shall be established by a Professional Surveyor and Mapper, licensed in Florida. The monuments or markers shall be of sufficient number to clearly define the limits of waste disposal, and shall be visible and easily identifiable to operation personnel and regulatory inspectors.
41. Waste Report: A waste report shall be submitted to the Department quarterly, by the 15th day of January, April, July, and October. Waste reports shall include the quantity of each of the following:

- Household waste
- Agricultural waste
- Commercial waste
- Incinerator by-pass waste
- Construction and demolition debris
- Industrial sludge
- Treated biomedical waste
- Yard Trash
- Industrial waste
- Ash residue
- Sewage sludge
- Water/air treatment sludges
- Waste tires

All submittals in response to this specific condition shall be submitted to: Solid Waste Section, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, with a copy to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.

Permittee:
Waste Management, Inc. of Florida
Attention: Mr. R. David McConnell

WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

SPECIFIC CONDITIONS:

42. Record Keeping: The permittee shall comply with the record keeping requirements for a Class III landfill, Rule 62-701.500(13), F.A.C.
43. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the construction and operation authorized by this permit.
44. Operation Permit Renewal: An operation permit renewal must be submitted at least 60 days prior to the expiration date of this permit, Rule 62-4.090, F.A.C.
45. Closure Permit Requirements: At least 90 days prior to the date when waste will no longer be accepted at the landfill, the owner or operator shall submit a closure permit application to the Department, Rule 62-701.600(3), F.A.C.
46. Final Grade Plan: The final grade plan is shown on Drawing Number 8 and Drawing Number 9 (Reference No. 2 – Appendix A) of the Engineering Drawings submitted with the permit application. Solid waste shall not be placed above or below the maximum and minimum elevations depicted on these drawings, nominally 150 feet NGVD and 66 feet NGVD, respectively.
47. Solid Waste Disposal Rate: The solid waste disposal rate for this source is 2,500 tons per day, as stated in the application. Actual operating rates may vary depending upon business conditions.
48. Financial Assurance Requirements: Before solid waste disposal is authorized at the Keene Road South Landfill, the permittee shall apply for and receive a minor permit modification from the Department, for financial assurance. The permit modification application must include updated, detailed cost estimates for closure and long-term care, and documentation of a fully-funded financial mechanism in accordance with the requirements of rule 62-701.630, F.A.C. and 40 CFR Part 264 Subpart H. The permit modification application will not be deemed complete until: 1) the cost estimates are approved by the Department's Central District staff, and 2) the fully-funded financial mechanism is accepted by the Department's Financial Coordinator. Final agency action on the permit modification application by the Department, which is contingent upon satisfaction of all financial assurance requirements noted in this specific condition, must be completed at least sixty (60) days prior to the acceptance of any solid waste at the facility.
49. Phased Financial Assurance: The permit application for the Keene Road South Landfill did not include a request for phased financial assurance, with the necessary provisions and constraints. Therefore the updated, detailed cost estimates noted above must include the entire 102-acre disposal area unless a specific request for phased financial assurance is included in the minor permit modification application required in Specific Condition 48 of this permit. A request for phased financial assurance must include specific documentation, including narrative information and drawings, signed and sealed by the Engineer of Record, to ensure that disposal of solid waste will take place only within the designated area for which financial assurance is provided. Before solid waste disposal is authorized in any cell in a future phase, the permittee must apply for and receive a minor permit modification from the Department, for financial assurance, and meet all applicable provisions of Specific Condition 48 above.

Permittee:
Waste Management, Inc. of Florida

Attention: Mr. R. David McConnell

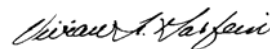
WACS Facility: 87081
Permit/Certification Numbers:
SC48-0165969-010 & SO48-0165969-011
Expiration Date: 4/19/2011

SPECIFIC CONDITIONS:

50. Annual Cost Estimates and Financial Instrument Adjustments: The permittee shall, in addition to annually adjusting the closure and long-term care cost estimates, adjust the financial assurance mechanism to reflect an increase in cost estimates. Cost estimate adjustments shall be in accordance with Rule 62-701.630(4), F.A.C. Instrument adjustments shall be in accordance with Rule 62-701.630, F.A.C. and 40 CFR Part 264, Subpart H as adopted by reference in Rule 62-701.630, F.A.C. Documentation of financial mechanism increases shall be submitted to: Financial Coordinator, Solid Waste Section, Department of Environmental Protection, Twin Towers Office Building, 2600 Blair Stone Road, MS-4565, Tallahassee, Florida 32399-2400. All estimate update submittals shall be sent to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.

ISSUED : July 25, 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.



July 25, 2006

Clerk

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 July 25, 2006 to the listed persons.



Clerk

Appendix A

1. Keene Road South Class III Landfill, Apopka, Florida – Application For Renewal of Class III Landfill, Construction and Operation Permits, Prepared by: S2L, Inc., Maitland, Florida 32751 dated January 2006. Received and stamped January 20, 2006, Central District – DEP.
2. Full size set of Engineering Drawings For Class III Landfill Permit Renewal, Keene Road South, Apopka, Florida, dated January 2006. Received and stamped January 20, 2006, Central District – DEP.

APPENDIX B

Page 1

DEP Permit # SC48-0165969-010

DEP Permit # SO48-0165969-011

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
12	Monitoring Plan Implementation Schedule (MPIS)	Conduct required semiannual ground water monitoring	Twice each year; results submitted within 60 days of receipt of laboratory results
18	Liner installation	Notify the Department	At least 10 days prior to commencement of liner construction
19	Construction Permit Renewal (permit expires 3/15/2011)	If construction cannot be completed on schedule	Notify the Department in writing before 01/14/2011 (at least 60 days prior to permit expiration)
23	Initial cover	Apply initial cover	At least once every week
23	Intermediate cover	Apply intermediate cover	If solid waste will not be deposited within 180 days of cell completion, apply within 7 days
24	Final cover	Place final cover and vegetative cover over each disposal unit	Within 180 days after disposal unit has reached final grade
27	Routine maintenance	Inspect slopes and drainage structures for evidence of settling, erosion, washout and siltation	At least monthly and after major storm events
28	Fires or burning of solid waste	Letter explaining cause, remedial action, and measures taken to prevent recurrence	Within 5 days of fire
29	Control of nuisance conditions	Investigate complaints of nuisance conditions	Immediately upon discovery
31	Gas monitoring	Monitor all waste filled areas for the presence of landfill gas and submit results to the Department within 30 days of receipt of data	Begin monitoring 90 days following initial receipt of waste; monitor quarterly; submit results within 30 days of receipt of data

APPENDIX B

Page 2

DEP Permit # SC48-0165969-010

DEP Permit # SO48-0165969-011

33	Updated Operation Plan	Provide the Department with an updated operation plan that meets the requirements of Rule 62-701.500(2), F.A.C.	60 days prior to initial acceptance of solid waste at the landfill
41	Waste reports	Submit a report quarterly including a summary of the types and quantities of solid wastes received	Quarterly, by January, April, July, and October 15
44	Permit renewal (permit expires 3/15/2011)	Submit application for permit renewal	Before 01/14/2011 (at least 60 days prior to permit expiration)
45	Closure permit requirements	Submit a closure permit application to the Department	At least 90 days prior to the date when waste will no longer be accepted
48	Financial Assurance	Apply for minor permit modification; provide cost estimates and fully-funded financial mechanism	Final agency action on permit modification must be completed at least 60 days prior to acceptance of solid waste
50	Annual cost estimates and financial instrument adjustments	Annually adjust the closure and long-term care cost estimates, and funding of the financial assurance mechanism	Submit between January 1 and March 1 of each year