



# Florida Department of Environmental Protection

Central District  
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Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

By E-Mail

[Imarion@co.volusia.fl.us](mailto:Imarion@co.volusia.fl.us)

Mr. Leonard Marion  
Volusia County Solid Waste Department  
3151 East State Road 44  
DeLand, FL 32724

OCD-SW-09-0223

Volusia County – SW  
Tomoka Farms Road Landfill, Class III  
First Request for Additional Information  
Permit Application No. SO64-0078767-026

Dear Mr. Marion:

The SCS Engineers submitted on your behalf, "Application to Renew Operation Permit Tomoka Farms Road Landfill, Class III Disposal Cell." It was dated June 23, 2009, and received June 26, 2009. We have assigned permit number SO64-0078767-026 to the application. The application is incomplete. Please provide the information listed on the attached sheet promptly. Evaluation of your application will be delayed until all the requested information has been received.

Pursuant to Section 120.60(2), Florida Statutes, the Department may deny an application, if the applicant, after receiving timely notice, fails to correct errors and omissions, or supply additional information within a reasonable period of time. Accordingly, please provide the additional information within 30 days of the date you receive this letter. Submit three copies of the requested information to the Department and reference the above permit application number in your correspondence.

If you have any questions, please contact me at (407) 893-3328.

Sincerely,

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F. Thomas Lubozynski, P.E.  
Waste Program Administrator

Date: July 22, 2009

FTL/gc/ew

Enclosure

cc:

Lee A. Powell, P.E. – SCS Engineers [lpowell@scsengineers.com](mailto:lpowell@scsengineers.com)  
Chet Purves, [cpurves@co.volusia.fl.us](mailto:cpurves@co.volusia.fl.us)

Note that all references to "Report" in the following text refers to the document entitled, "Application to Renew Operation Permit Tomoka Farms Road Landfill, Class III Disposal Cell, Volusia County, Florida," dated June 23, 2009.

1. Financial Assurance Cost Estimate. You have indicated on Page S-1 that the cost estimate dated June 23, 2009 is the same as the cost estimate dated February 1, 2008, which was submitted in Section S of the application to construct the expansion to the Class III cell (SC64-0078767-024; dated July 11, 2008). The Total Closing Cost in the June 23, 2009 and February 1, 2008, are the same, \$7,436,100. The Total Long-Term Care Costs for the June 23, 2009 and February 1, 2008 are the same, \$1,346,400. You have indicated that the February 1, 2008 cost estimates were approved by the Department. However, these were not the cost estimates approved when the Department issued permit SC64-0078767-024. In your response dated September 26, 2008 to RAI No. 1 concerning the application for SC64-0078767-024, you submitted a new Financial Assurance Cost Estimate. It was signed and sealed by Lee A. Powell and dated September 23, 2008. It was a detailed cost estimate for the expanded Class III landfill. The total closing cost was estimated to be \$7,632,040. And the total 30-year long-term care cost was estimated to be \$2,675,821. The Department approved this cost estimate on October 17, 2008 (DEP letter OCD-SW-08-0538), replacing the inflation adjusted cost estimate dated August 22, 2008.

Do you want the Department to evaluate the Financial Assurance Cost Estimate in Attachment S-1, dated June 23, 2009? Or, do you want to submit a statement saying the cost estimate for the permit renewal application is the September 23, 2008 estimate, approved by the Department on October 17, 2008 (DEP letter OCD-SW-08-0538)?

If you want the Department to evaluate the Financial Assurance Cost Estimate in Attachment S-1, dated June 23, 2009, then you must provide a basis for the calculations and justification for the unit cost used in preparing the June 23, 2009 estimates. (This comment is similar to the one we sent in RAI No. 1 for the permit application SC64-0078767-024.)

2. The Department used GIS to plot the latitude and longitude for wells B5, B65, and B37-1 from the Sliger & Associates, Inc. survey table (dated 9/13/07 and submitted 12/07). The locations appear to be hundreds of feet off from the locations shown on the aerial submitted as Drawing 2 of 8 for the Class III renewal application. (See Figures A and B). Please clarify.

**Figure A--MW locations plotted by GIS from survey table of latitude and longitude submitted 12/07.**



**Figure B—The aerial is from Drawing 2 for the Class III permit renewal application 7/09. The blue dots are MW locations from the DEP GIS latitude and longitude plots**

