

# Florida Department of Environmental Protection

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July 23, 2009

**Certified Mail Return Receipt No. 7008 3230 0002 7195 9046**

Ms. Susan Metcalfe, P.G.  
Citrus County Solid Waste Management Division  
PO Box 340  
Lecanto, FL 34460

RE: Warning Letter #WL09-013SW09SWD  
Citrus County Central Class I Landfill  
WACS No. 39859, Permit No. 21375-008-SO  
Citrus County

Dear Ms. Metcalfe:

The purpose of this letter is to advise the Citrus County Solid Waste Management Division (the County) of possible violations of law for which the County may be responsible and to seek the County's cooperation in resolving the matter. A Florida Department of Environmental Protection (Department) inspection conducted on May 6, 2009, of the Citrus County Central Class I Landfill ("facility") indicated that violations of Florida Statutes and Rules may exist:

- 1) During the inspection, Department staff observed a large area of exposed waste adjacent to the active working face. There was not adequate initial cover. The facility operator stated this area as being the active working face the previous week. These conditions are contrary to Rules 62-701.500(7)(e) and 62-701.200 (59), Florida Administrative Code ("F.A.C."), Specific Conditions C.11.a and C.11.a.1) of Permit No. 21375-008-S ("permit"), and the facility's approved Operations Plan, Section 7.5.

Rule 62-4.160(1), F.A.C., states, "The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are 'permit conditions' and are binding and enforceable pursuant to Section 403.141, 403.727, or 403.859, Florida Statutes." Rule 62-4.160(2), F.A.C. states, "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."

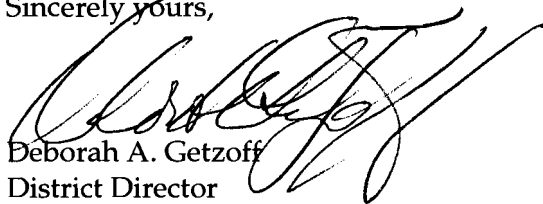
Rule 62-701.500(7)(e) F.A.C., states, "Initial cover shall be applied and maintained at landfills in order to minimize any adverse environmental, safety, or health effects such as those resulting from birds, unauthorized wastes, blowing litter, odors, disease vectors, or fires. The minimum frequency for applying cover is: 1. For Class I and II landfills, at the end of each working day." Rule 62-701.200(59), F.A.C., defines initial cover as "...a 6-inch layer of compacted earth, used to cover an area of solid waste before placement of additional waste, intermediate cover, or final cover."

Specific Condition C.11.a. of the permit states, "Initial cover shall be applied and maintained at the end of each working day in the Class I landfill in accordance with Rule 62-701.500 (7)(e), F.A.C., so as to protect the public health and welfare [ref. SC#A.2.a.(1),Section 7.5]. Further, Specific Condition C.11.a.1) states, "All solid waste disposed of in the Class I landfill must be covered with at least 6 inches of compacted earth or other suitable material as approved by the Department (in writing), at the end of each working day. The facility's approved Operations Plan, Section 7.5 states, "Daily cover will be placed over the waste at the end of each working day. Daily cover will consist of six inches of compacted soils, a yard waste/soil mix, synthetic material such as tarps and geomembranes, or a spray on slurry of polymer and recycled paper fibers, as approved by the FDEP".

The deficiencies noted above and any other activities at your facility that may be contributing to violations of the above rules should be ceased. The operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties up to \$10,000 per violation per day pursuant to Sections 403.141 and 403.161, Florida Statutes. It is typically Department policy to initiate enforcement action and seek civil penalties of **\$3,000.00** and **\$500.00** in Department costs for conditions such as those described above.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. You are requested to contact Ms. Dinah Frazier at (813) 632-7600, extension 382, within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,



Deborah A. Getzoff  
District Director  
Southwest District

DAG/dlf

ec: William Kutash, P.G., FDEP SWD  
Susan Pelz, P.E., FDEP SWD  
Stephanie Watson, FDEP SWD  
Melissa Madden, FDEP SWD  
Dinah Frazier, FDEP SWD