



Department of Environmental Protection

Jeb Bush Permittee:
Governor

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

David B. Struhs
Secretary

Volusia County Solid Waste Services
3151 East State Road 44
DeLand, Florida 32724

Permit Numbers: SC64-0078767-014 &
SO64-0078767-015

Date of Issue:
Expiration Date: 10/1/2007
County: Volusia
Section/Township/Range:
9/16 South / 32 East

Attention: Mr. Josef Grusauskas

Latitude / Longitude:
29°07'50" North / 81°06'02 West
Project: Tomoka Farms Road Landfill,
East Cell, Class I

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 Tomoka Farms Road Landfill, East Cell, Class I, which involves extending the existing North Cell eastward. The actual disposal area is 47 acres.

The East Cell will have a double composite bottom liner system to match the existing North Cell liner system.

The East Cell is constructed in a dewatered former borrow pit. Keeping the bottom liner continuously below the adjacent groundwater level assists in keeping the GCL from desiccating. The groundwater level outside the landfill will be several feet higher than the bottom of the landfill liner, and leaks in the liner will result in groundwater flowing into the landfill leachate detection and collection systems, not leachate flowing out into groundwater.

Leachate will be disposed of on-site by evaporation, recirculation into the lined landfill, or by trucking off-site for treatment and disposal.

Solid waste has been disposed of at the Tomoka Landfill site since 1969. The landfill will receive residential, commercial, agricultural and industrial waste.

Major features of the Class I East Cell shared with the overall facility include site fencing and security, a scale house, a household hazardous waste facility, a tire and white goods facility, a Class III landfill, equipment maintenance facilities, groundwater monitoring, borrow pits and administration facilities.

The landfill will service Flagler and Volusia Counties.

The project incorporates a ground water and surface water monitoring plan.

LOCATION: The facility can be reached on I-4 east to I-95, north on I-95 to U. S. 92, left on U. S. 92 approximately 1/4 mile, turn left on C.R. 415 (Tomoka Road) and proceed about 3 miles - landfill entrance is on the right at 1990 Tomoka Farms Road in Volusia County, Florida.

General Conditions are attached and to be distributed to the permittee only.

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. This permit also constitutes:
 - () Determination of Best Available Control Technology (BACT)
 - () Determination of Prevention of Significant Deterioration (PSD)
 - () Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - () Compliance with New Source Performance Standards
14. 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.
15. 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: Volusia County Solid Waste Services

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SPECIFIC CONDITIONS:

1. Plans and Specifications: Drawings, plans, documents and specifications submitted by the permittee, not attached hereto, but remain on file at the Central District office, are made a part of this permit.
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.
5. Site Access: Access to the site shall be restricted by an effective barrier designed to prevent unauthorized entry and dumping.
6. Litter, Dust & Fire Protection: The landfill shall have litter control devices, dust controls, fire protection and fire-fighting facilities. Litter is to be picked up and litter control devices are to be 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 Department is to be immediately notified by the permittee as to the cause, what steps are being taken to correct the problem and prevent its 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 this 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. Stormwater - Leachate Contamination: Stormwater that comes into contact with leachate shall be treated as leachate and any leachate emanating from the landfill shall be collected and treated as necessary to meet the requirements of Chapters 62-302, 62-4 and 62-520, F.A.C., unless the leachate is transmitted to a permitted treatment facility.
12. Zone of Discharge: The zone of discharge for the facility shall be a three dimensional volume, defined in the vertical plane as extending from the top of the ground to the base of the surficial aquifer, and defined in the horizontal plane as extending 100 feet beyond the perimeter of the cell or to the property boundary, whichever is less. 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.

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13. Monitoring Plan Implementation Schedule: The Monitoring Plan Implementation Schedule attached as Exhibit I, is made a part of this permit. All wells shall be in place and sampled prior to placement of waste in the newly constructed cell.
14. 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 5 days by letter explaining the cause, remedial action and measures taken to prevent a recurrence.
15. 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 to submit a report to the Department on the results of the investigation and corrective action taken to prevent its recurrence.
16. Operation of Pollution Control Devices: The leachate and stormwater control systems shall be properly operated, monitored and maintained (Rule 62-701.500, F.A.C.)
17. Precipitation Records: A recording rain gauge shall be operated and maintained to record precipitation at the landfill. Precipitation records shall be maintained and used by the permittee to compare with leachate generation rates.
18. Construction Quality Assurance: The Construction Quality Assurance (CQA) Plan submitted with the permit application shall be followed for installing and testing the 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 the construction activities including the preparation of the subgrade, placement of the GCL, primary and secondary liners, and the placement of the soil drainage layer over the liner to ensure the underlying geosynthetics are not damaged during construction.
19. Sub-base: Prior to liner installation, the subgrade shall be prepared to provide a firm unyielding foundation and if necessary, the base shall be brought up to grade by placement and compaction of fill material. The fill material and subgrade shall not contain rocks, roots, debris, shells or other materials which could penetrate the liner material.
20. Geosynthetic Clay Liner (GCL): A geosynthetic clay liner (GCL) shall be placed on the prepared subgrade to assure compliance with soil component requirements.
21. Liner: The bottom liner system for the East Cell expansion will be the same as was constructed for the North Cell and will be comprised of a double composite liner including (from bottom up):
 - 6 inch sub-base comprised of compacted soils
 - A reinforced geosynthetic clay liner (GCL)
 - 60 mil HDPE geomembrane
 - Double-sided composite triplanar geonet
 - A reinforced geosynthetic clay liner (GCL)
 - 60 mil HDPE geomembrane
 - Double-sided composite triplanar geonet
 - 24-inch thick layer of drainage sand

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22. Site Dewatering: During construction of the landfill, the contractor shall keep the site dewatered. When the County accepts the landfill from the contractor, it will become the county's responsibility to keep the ditch sufficiently dewatered to prevent hydraulic uplift from pushing up the liner and displacing the leachate collection system. Twenty feet of waste and soil cover shall be placed on the liner before all dewatering may be discontinued.
23. GCL Installation Limitation: The number of geosynthetic clay liner (GCL) panels that may be deployed in any one day shall be limited to the number that can be placed in a dry condition and covered by the HDPE while still dry. No installation or seaming under wet conditions shall be allowed. The CQA plan requires the owner's inspector to inspect the sub-grade each day prior to placing the GCL.
24. Geomembrane Testing: Non-destructive air pressure tests and/or vacuum tests shall be conducted by the installer under the direction of the CQA engineer or his designee to test 100 percent of the field seams of the geomembrane. Destructive tests of the geomembrane field seams shall be in accordance with the approved CQA Plan and at a frequency no less than one destructive test sample every 500 linear feet of field seam.
25. Supervision: A professional engineer licensed 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 included with the certification required in Specific Condition 29 of this permit.
26. 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 any liner installation work.
27. Operations Plan: Prior to operation, the engineer of record shall prepare a day-to-day operations plan which shall include the sequence of filling, compaction, placement of cover, random load checking requirements, etc. The landfill operator shall be trained and a copy of the plan shall be kept at the landfill.
28. 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 before the expiration of the permit, the permittee must notify the Department, in writing, at least 60 days prior to the expiration of the construction permit and request a renewal of the construction permit.
29. Certification: After all significant initial construction has been completed, and prior to acceptance of any solid waste, the engineer of record shall complete a Certificate of Construction Completion, DEP Form 62-701.900(2), 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.

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30. Solid Waste Disposal: The landfill shall not receive any solid waste until the leachate collection system is in place and functional and Specific Conditions 13, 25 and 29 are satisfied.
31. Liner Edge Staking: The edge of the liner must be clearly and permanently marked or outlined by staking or other means so that solid waste is deposited at least 10 feet back from the edge of the liner.
32. Initial Waste Placement: The first layer of waste placed above the liner and leachate collection system 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 or leachate collection system.
33. Waste Compaction and Working Face: All solid waste shall be spread in layers of approximately two (2) feet in thickness and compacted to approximately one (1) foot in thickness or as thin a layer as practical before the next layer is applied. All compacted solid waste shall be formed into cells with the working face and the side grades above land surface at a slope no greater than three feet horizontal to one foot vertical rise. The working face shall be only large enough to efficiently accommodate vehicles discharging waste.
34. Initial Cover and Intermediate Cover: Initial cover shall be applied at the end of each working day except the working face which may be covered with temporary cover if solid waste will be placed on it within 18 hours. 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 final cover or an additional lift is not to be applied within 180 days of cell completion. All or part of the intermediate cover may be removed prior to placing waste for final cover.
35. Final Cover: In descending order, the cover system shall consist of 6 inches of topsoil, 18 inches of compacted protective soil layer, 40-mil linear low density polyethylene (LLDPE) flexible geomembrane liner and 12 inches of granular fill to protect the geomembrane from the underlying solid waste.
36. Side Slopes: The side slopes shall not be steeper than 3 horizontal to 1 vertical and shall be sodded to minimize erosion.
37. Final Cover Surface Gradient: The top gradient of the final cover surface will have a gradient of 4 percent and shall take into consideration the effects of expected subsidence caused by settling and decomposition of the fill material to minimize ponding and erosion.
38. Stormwater Terraces: Terraces and low permeability caps shall be completed and vegetated as vertical increments of 40 feet are achieved.
39. Stormwater Drainage: Stormwater drainage shall consist of benched terraces every 40 vertical feet starting at the toe of the landfill. These terraces will bring the stormwater to a series of letdown structures to a perimeter ditch at the toe of the landfill.

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40. 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 or siltation.
41. Asbestos Disposal: Asbestos disposal shall meet the requirements of 40 CFR Part 61.154. After placement of the asbestos, landfill personnel shall place a minimum of six (6) inches of cover soil immediately over the asbestos. Records shall be kept for all asbestos containing materials received at the landfill.
42. Waste Tires: The permittee can operate a waste tire site and waste tires shall be received, stored and processed in accordance with the Waste Tire Rule, Chapter 62-711, F.A.C.
43. Household Hazardous Waste Transfer Facility: The household hazardous waste transfer facility shall operate in accordance with the Hazardous Waste Rule, Chapter 62-730, F.A.C.; Section 403.7225, F.S., related to local hazardous waste management assessment; Section 403.7234, F.S., concerning conditionally exempt generator notification and verification; and Section 403.7264, F.S., dealing with Amnesty Days. The hazardous waste collection program shall allow the private contractor to collect wastes from conditionally exempt generators (those generating 100 kg or less of hazardous waste per month).
44. White Goods Storage: The white goods storage area shall be policed on a daily basis to insure white goods are pushed into an orderly pile, to discourage scavenging, and to remove any non-white goods. An independent contractor shall be contracted on an "as needed" basis to transport these materials off-site for recycling.
45. Hazardous Wastes: Any incidental hazardous wastes received in connection with operation of this facility must be disposed of in accordance with Rule 62-730, F.A.C.
46. Gas Monitoring: The East Cell shall implement a gas management system to comply with Rule 62-701.530, F.A.C.
47. Landfill Elevation: The final (maximum) elevation of the Tomoka Farms Road Landfill, East Cell, Class I shall be 192.0 feet NGVD.
48. Operation Training Compliance: The Tomoka Farms Road Landfill, East Cell, Class I, shall comply with Rule 62-701.320(15), F.A.C. - Operator training.

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49. Operations Report: An operations report shall be submitted to the Department on a quarterly basis. Reports shall include the following:
- types of solid waste received, and
 - quantities of solid waste received.

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.

50. 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.)

51. Closure Permit Requirements: At least 90 days prior to the date when wastes will no longer be accepted, the owner or operator shall submit a closure permit application to the Department.

52. Solid Waste Disposal Rate: The average solid waste disposal rate for this source is 1200 tons per day as stated in the application. Actual operating rates may vary depending upon business conditions.

53. Substantial Changes or Revisions: The Department shall be notified and approval obtained prior to executing any substantial changes or revisions to the construction and operation authorized by this permit.

54. Financial Responsibility: The permittee shall maintain financial assurance in accordance with the requirements of Rule 62-701.630, F.A.C. Proof that the financial mechanisms are established and funded 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. shall be submitted to the Department sixty (60) days prior to the acceptance of any solid waste at the facility. All submittals in response to this specific condition shall be sent to: Department of Environmental Protection, Financial Coordinator, Solid Waste Section, Twin Towers Office Building, 2600 Blair Stone Road, MS-4565, 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.

55. 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.

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56. Prevention of Significant Deterioration (PSD) Requirements: The landfill owner or operator is not required to obtain any air construction permit unless landfill construction or any modification is subject to the prevention of significant deterioration (PSD) requirements of Chapter 62-212, F.A.C. A landfill for which construction or modification is subject to PSD requirements must make application to the Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, for an air construction permit and must obtain such permit prior to beginning any construction or modification.
57. Title V Permit Requirements: The landfill owner or operator is not required to obtain any air operating permit unless the landfill is required to obtain a Title V air operating permit (Title V permit) pursuant to Section 403.0872, F.S. A landfill is required to obtain a Title V permit if the landfill (or the total facility, if the landfill is contiguous or part of a larger facility) has the potential to emit 10 TPY of any hazardous air pollutant, 25 TPY of any combination of hazardous air pollutants or 100 TPY of any other regulated air pollutant. A landfill is also required to obtain a Title V permit if the maximum design capacity as defined in 40 CFR 60, Subpart WWW, is equal or greater than 2.5 million Megagrams or 2.5 million cubic meters. Title V permits must be applied for in accordance with the timing and content requirements of Rule 62-204.800, F.A.C. and Chapter 62-213, F.A.C. Title V applications shall be submitted to the Central District Air Program Administrator.
58. 40 CFR 60 Requirements: The permittee shall comply with the requirements of 40 CFR 60, Subparts WWW and Cc, as adopted by reference at Rule 62-204.800, F.A.C. The permittee shall submit to the Division of Air Resources Management, Department of Environmental Protection, Mail Station 5500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 any amended design capacity report and any Non-Methane Organic Compound (NMOC) emission rate report, as applicable, pursuant to 40 CFR 60.757(a)(3) and (b).

ISSUED _____
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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