



Florida Department of Environmental Protection

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

NOTICE OF PERMIT

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

By-Email

DMcConnell@wm.com

In the matter of an
Application for Permit

By:

Mr. David McConnell
Waste Management Inc. of Florida
6501 Greenland Road
Jacksonville, FL 32258

OCD-SW-10-0350

Orange County – SW
Vista Materials Recovery Facility,
Class III MRF – Waste Processing Facility
DEP File No. SO48-0165969-017

Dear Mr. McConnell:

Enclosed is Permit Number SO48-0165969-017 to construct/operate the Vista Materials Recovery Facility, Class III MRF-Waste Processing Facility, 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

F. Thomas Lubozynski for

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

Date: June 11, 2010

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

June 11, 2010

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were sent before the close of business on June 11, 2010 to the listed persons.

E. Williams

Clerk

VFG/gc/ew

Enclosures

1. Permit No. SO48-0165969-017
2. Appendix A – List of Documents Incorporated into Permit
3. Appendix B – Time Sensitive Specific Conditions

Copies furnished to:

Richard Tedder, P.E. – DEP – Tallahassee
Raymond J. Chewning, P.E. rchewning1@tampabay.rr.com
Irv Slike, Waste Management Inc. of Florida islike@wm.com
R. Jay Davoll, P.E., City of Apopka – jdavoll@apopka.net
Frank Hornbrook – DEP – Tallahassee frank.hornbrook@dep.state.fl.us
Fred Wick – DEP – Tallahassee fred.wick@dep.state.fl.us
Sheree Grant – SGrant@wm.com



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Permit Issued to:

Vista Materials Recovery Facility
Located at: 242 West Keene Road
Apopka, Florida, Orange County
Telephone No. (407) 866-2920
Facility ID No.: WACS ID # 87081

Authorized Representative:

Mr. David McConnell
Title: Vice President, Waste Management Inc. of Florida
6501 Greenland Road
Jacksonville, Florida 32258

**Solid Waste Construction/Operation Permit –Waste Processing Facility
Class III Materials Recovery Facility – Waste Processing Facility
Permit No.: SO48-0165969-017**

Permit Issued: 06/11/2010
Permit Renewal Application Due Date: 03/06/2015
Permit Expires: 05/05/2015

Permitting Authority

Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803
Telephone No. (407) 893-3328



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Permittee:

Waste Management, Inc. of Florida
6501 Greenland Road
Jacksonville, FL 32258

WACS Facility: 87081
Permit Number: SO48-0165969-017
Expiration Date: 05/05/2015
County: Orange
Section 28, Township 21 South, Range 28 East
Latitude 28°38'24.5" N, Longitude 81°30'41.7"W
Project: Vista Materials Recovery Facility, Class III
MRF-Waste Processing Facility

Attention: Mr. David McConnell

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-701. The permittee is hereby authorized to construct and operate the facility described below in accordance with the specific and general conditions of this permit and any documents attached to this permit or specifically referenced in this permit and made a part of this permit.

- To construct/operate the Vista Materials Recovery Facility, Class III MRF – Waste Processing Facility. The proposed facility will be operated within the property boundary of the Vista Landfill, LLC, Class III landfill which is owned and operated by Waste Management Inc. of Florida (WMIF). The facility will serve Orange County and Greater Orlando Area.
- Only Class III and Construction and Demolition Debris (C&DD) waste materials will be accepted at the facility. Recyclables and residual waste will be sorted and removed on a first in, first out basis. All residual waste, Class III and C&DD shall be disposed of at the Vista Landfill, LLC, Class III.
- Vista Materials Recovery Facility will recover recyclable materials from Class III and Construction and Demolition Debris (C&DD) waste including concrete, roofing materials, wood, metal, plastic, glass, and others, recyclable and reusable construction materials.
- On-site structures include a scale house, recyclable materials sorting bins, covered waste processing/storage building (i.e., tipping area), leachate collection and lift station, roads and storm water conveyance ditches.
- Liquid from the tipping floor area and sorting area is collected and conveyed, via gravity flow to a leachate pump station where it is pumped to the existing leachate storage tanks for the Vista landfill. From the leachate tanks, leachate is then discharged into the City of Apopka's sewer system in accordance with the currently approved Industrial Wastewater permit issued by the City of Apopka.

LOCATION: The facility is located at 242 West Keene Road, Apopka, in Section 28, Township 21 South, 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

GENERAL CONDITIONS:

(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 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

WACS Facility: 87081
Permit Number: SO48-0165969-017
Expiration Date: 05/05/2015

Attention: Mr. David McConnell

SPECIFIC CONDITIONS:

Note that time-sensitive specific conditions are summarized in Appendix B of this permit. If any of the time deadlines in Appendix B are inconsistent with the time deadlines in the permit conditions, the time deadline in the permit condition shall be followed.

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. These documents that make up the approved permit application are listed in Appendix A.
2. Document 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, environmental resource permitting, 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(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 capabilities. Litter is to be picked up and litter control devices are to be cleaned.
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 permittee 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

PERMITTEE:
Waste Management, Inc. of Florida

WACS Facility: 87081
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SPECIFIC CONDITIONS:

from the general public and, where warranted, take corrective actions to abate the adverse odor or nuisance condition. The permittee must prepare a written report on each complaint describing the action taken to resolve the complaint, and submit the report to the Department within 10 days of receiving the complaint. If the complaint has not been resolved by that time, the permittee must prepare and submit an additional report no later than 10 days from the date of resolution.

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. Materials Recovery Facility: The facility shall meet all applicable 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. Putrescible Waste: At no time shall any stored putrescible waste be allowed to remain unprocessed for more than 48 hours, unless adequate provisions are made to control flies, rodents and odors, in which case putrescible wastes may be stored for up to seven days, Rule 62-701.710(4)(b), F.A.C.
16. Mixed Waste Disposal: If wastes are mixed, the wastes must be disposed of as the highest category of waste, e.g., C&D mixed with Class III shall be disposed at a Class III landfill.
17. Leachate Minimization: All solid waste sorting, processing and storage shall be completed under a permanent roof structure or within covered containers, protected from rainfall.
18. Leachate Collection Sump and Drain: The leachate collection sump and drain shall be inspected periodically and accumulated debris shall be removed, as needed, at a minimum frequency of once a week.
19. 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.
20. Operation Plan: The facility operators and spotters 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 and readily available for reference by operation personnel.
21. Solid Waste Processing Rate: The average solid waste processing rate for this source is 250 tons per day as stated in the permit application (Reference No. 1 – Appendix A). Actual operating rates may vary depending upon business conditions.

PERMITTEE:
Waste Management, Inc. of Florida

WACS Facility: 87081
Permit Number: SO48-0165969-017
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SPECIFIC CONDITIONS:

22. Certification Requirements: The facility shall meet the certification requirements of Rule 62-701.710(5), F.A.C. After all specified construction has been completed, the engineer of record shall certify to the Department on form 62-701.900(2) that the permitted construction was completed in accordance with the plans submitted to the Department except where minor deviation was necessary. The Engineer of Record shall provide a detailed description of all deviations with an explanation of why each deviation was necessary. The applicant shall provide at least 30 days advance notice to the Department prior to accepting solid waste so that the Department has the opportunity to inspect the site. The facility may not operate under the terms of this permit until the Department inspects the completed construction and provides a letter accepting the certification to the permittee.

23. Recordkeeping: The Permittee shall comply with the record keeping requirements of Rule 62-701.710(9), F.A.C.

24. Permit Deviations: The Department shall be notified and approval shall be obtained prior to executing any substantial changes or revisions to the construction/operation authorized by this permit.

25. 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.

26. 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, Rule 52-701.710(6)(d), F.A.C..

27. Financial Assurance Mechanism: The permittee shall maintain, in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance. Support documentation and evidence of inflation adjustment increases shall be submitted within the time frames specified in Rule 62-701.630, F.A.C. All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental protection
Financial Coordinator – Solid Waste Section
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400

28. Annual Cost Estimates: The permittee shall annually adjust the closure cost estimates) for inflation using Form 62-701.900(28). Adjustments shall be made in accordance with Rule 62-701.630(4), F.A.C. and, as applicable, 40 CFR Part 264.142(a) and 264.144(a). An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the adjusted cost estimate(s) between January 1 and March 1. An owner or operator using an escrow account shall submit the adjusted estimate(s) between July 1 and September 1. All submittals in response to this specific condition shall be sent to: Department of Environmental Protection, Central District, Solid Waste Section, 3319 Maguire Boulevard, Suite 232, Orlando Florida 32803-3767, with a copy to: Department of Environmental Protection, Financial Coordinator, Solid Waste Section, 2600 Blair Stone Road, MS-4565, Tallahassee, Florida 32399-2400.

PERMITTEE:
Waste Management, Inc. of Florida

Attention: Mr. David McConnell

WACS Facility: 87081
Permit Number: SO48-0165969-017
Expiration Date: 05/05/2015

SPECIFIC CONDITIONS:

ISSUED: June 11, 2010

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



F. Thomas Lubozynski for

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.



June 11, 2010

Clerk

Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were sent before the close of business on June 11, 2010 to the listed persons.



Clerk

Appendix A
List of Documents Incorporated into the Permit

1. Permit Application To Construct And Operate A Waste Processing Facility, Vista Materials Recovery Facility, Apopka, Florida, Prepared by: Raymond J. Chewning, P.E., Engineering Consultant, dated November 2009. Received and stamped, December 7, 2009, DEP – Central District.
2. First Request for Additional Information from DEP – Central District dated December 28, 2009.
3. Response to First Request for Additional Information from Raymond J. Chewning, P.E., Engineering Consultant, dated January 14, 2010. Received and stamped January 28, 2010, DEP – Central District.
4. Closure Cost Estimate from Sharon Grant, Waste Management Inc. of Florida dated February 1, 2010. Received and stamped February 1, 2010, DEP – Central District.
5. Second Request for Additional Information from DEP – Central District dated February 23, 2010.
6. Electronic mail from Ray Chewning, P.E., Engineering Consultant, dated April 21, 2010.
7. Permit Application Completion letter from DEP – Central District, dated April 23, 2010.

Appendix B
Time Sensitive Specific Conditions
DEP Permit Number SO48-0165969-017

Specific Condition	Requirement	Action	Due date
8	Equipment Breakdown	Notify the Department of equipment breakdown, malfunction, etc.	Immediately upon discovery
9	Effluent Discharge	Prior to any discharge of liquid effluents/contaminated runoff to surface water or groundwater	Seek Approval of the Department
11	Control of Nuisance Conditions	Prepare and submit a written report on each warranted complaint describing the action to resolve the complaint	Within 10 days of receiving the complaint
11	Control of Nuisance Conditions	Submit an additional report if complaint has not been resolved within 10 days	No later than 10 days from the date of resolution
15	Putrescible Waste	Do not store unprocessed putrescible waste	For more than 48 hours unless provisions are made to control flies, rodents and odors, in which case putrescible waste can be stored for up to seven days, Rule 62-701.710(4)(b), F.A.C.
18	Leachate Collection Sump and Drain	Inspect and remove accumulated debris	At a minimum frequency of once a week
21	Solid Waste Processing Rate	The average solid waste processing rate for this source is 250 tons per day as stated in permit application. Actual operating rates may vary.	
22	Certification Requirements	Meet the certification requirements outlined in Rule 62-701.710(5), F.A.C. Submit certification of construction completion using DEP Form 62-701.900(2)	Prior to acceptance of solid waste at the facility

Appendix B
Time Sensitive Specific Conditions
DEP Permit Number SO48-0165969-017

Specific Condition	Requirement	Action	Due date
22	Certification Requirements	Notify the Department in writing when the facility is ready for inspection prior to accepting solid waste at the facility	At least 30 days prior to acceptance of solid waste at the facility
22	Certification Requirements	The facility may not operate under the terms of this permit	Until the Department inspects the completed construction and provides a letter accepting the certification to the permittee
23	Recordkeeping	Comply with requirements of Rule 62-701.710(9), F.A.C.	
24	Permit Deviations	Notify the Department of any substantial changes or revisions to the operation	Prior to executing any substantial changes or revisions to the operation
25	Operation Permit Renewal (Permit expires on 05/15/2015)	Submit an operation permit renewal application	At least 60 days prior to the expiration date of this permit (before 03/06/2015)
26	Facility Closure	Notify the Department in writing	180 days before the date of expected closure of the recycling facility.
26	Facility Closure	Complete the closure activities	Within 180 days after receiving the final waste quantity
26	Facility Closure	Submit certification of closure completion to the Department in accordance with Rule 62-701.710(6)(d), F.A.C.	Within 30 days of closure completion

Appendix B
Time Sensitive Specific Conditions
DEP Permit Number SO48-0165969-017

Specific Condition	Requirement	Action	Due date
27	Financial Assurance Requirements	Maintain in good standing, the financial assurance mechanisms established to demonstrate proof of financial assurance.	Support documentation and evidence of inflation adjustment increases shall be submitted within the time frames specified in Rule 62-701.630, F.A.C.
28	Annual Cost Estimates	Adjust annually the closure and the long-term care cost estimates using Form 62-701.900(28), and the financial assurance mechanism to reflect increase in cost estimates	Submit between January 1 and March 1 of each year; if using an escrow account submit between July 1 and September 1 of each year