

ATTACHMENT 1

SERVICE AGREEMENT

**LEE – HENDRY REGIONAL SOLID WASTE DISPOSAL FACILITY
SERVICE AGREEMENT**

between

THE COUNTY OF LEE, FLORIDA

and

WASTE MANAGEMENT INC. OF FLORIDA

Dated

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THIS SERVICE AGREEMENT, dated as of October 1, 2025, is made and entered into by and between the COUNTY OF LEE, FLORIDA (the “County”), a political subdivision duly organized and existing under the Constitution and laws of the State of Florida (the “State”), and Waste Management Inc. of Florida (the “Company”) organized and existing under the laws of the State of Florida

W I T N E S S E T H:

WHEREAS, pursuant to a Request for Proposals dated September 27, 2024 (“RFP”), the County solicited services to operate and maintain certain portions of the Lee Hendry Regional Solid Waste Disposal Facility (the “Landfill Operations Areas”); and

WHEREAS, the Company submitted a response to the RFP, which the Company has attested to being correct and complete in all material respects, including, without limitation, all submittals, and all post-proposal submittals; and

WHEREAS, based on Company’s response to the RFP, County competitively selected Company to provide such operation and maintenance services; and

WHEREAS, the County and the Company desire to set forth in this Agreement the terms and conditions for the operation and maintenance of the Landfill Operations Areas; and

WHEREAS, the execution and delivery of this Agreement has been duly and validly authorized by the Board of County Commissioners of Lee County and constitutes a legal, valid and binding obligation of both parties, fully enforceable in accordance with its terms.

NOW, THEREFORE, in consideration of the premises and the mutual covenants hereinafter contained, the parties hereto covenant, agree and bind themselves as follows, with the above recitals hereby incorporated as if fully stated herein;

ARTICLE I DEFINITIONS AND INTERPRETATION

SECTION 1.1 DEFINITIONS

As used in this Agreement, the following terms shall have the meanings set forth below:

“Acceptable Waste” shall mean solid waste acceptable for disposal at the Lee-Hendry Regional Solid Waste Disposal Facility, as determined by permit or County policy. In no case shall Acceptable Waste be less restrictive than the meaning set forth in the Florida Department of Environmental Protection (FDEP) regulations, the Facility O&M Plans, and the Company O&M Manual(s).

“Agreement” or “Service Agreement” means this Landfill Facility Service Agreement between the Company and the County, including the RFP and the Appendices, as the same may be amended or modified from time to time in accordance herewith.

“Authorized Hauler” means a licensed hauler or resident of Lee or Hendry Counties, or County staff or contractors, approved and directed by the County personnel at the scale house of the Landfill to deliver Acceptable Waste to the Landfill.

“Base Fee” is a component of the Service Fee that is paid monthly to the Company, per the Bid Schedule in Appendix 13. The Base Fee includes equipment and labor costs for the first 10,000 tons per month of combined Class I MSW and Class I C&D Tonnage Rate Categories, for the first 5,000 tons per month of Class III Tonnage Rate Category, and for the first 3,000 tons per month of Ash Tonnage Rate Category. The Base Fee is paid regardless of tons applied to the Tonnage Fee during the period.

“Billing Period” means each calendar month in each Contract Year, except that (1) the first Billing Period shall begin on the Operation Date and shall continue to the last day of the month in which the Operation Date occurs and (2) the last Billing Period shall end on the last day of the Term of the Agreement. Any computation made on the basis of a Billing Period shall be adjusted on a pro rata basis to take into account any Billing Period of less than the actual number of days in the month to which such Billing Period relates.

“Class I Ash Monofill” – Means the +/- 37 acre area currently permitted for Class I / Ash Monofill operations under FDEP permit 0130719-014-SO. This area includes perimeter swales and is further shown in Appendix 2.

“Class I MSW Landfill” – Means the +/- 90 acre area currently permitted for Class I Landfill Operations under FDEP permit 0130719-018-SO. This area includes perimeter swales and

is further shown in Appendix 2.

“Class III Landfill” - Means the +/- 25 acre existing area currently permitted for Class III operations under FDEP permit 0130719-013-SO and future lateral expansions within the +/- 103 acre Future Class III/ Compost Area as shown in Appendix 2.

“Contract Year” means the fiscal year commencing on October 1 in any year and ending on the following September 30; provided, however, that the first Contract Year shall commence on the Contract Date and shall end on the following September 30, and the last Contract Year shall commence on October 1 prior to the date the Agreement expires, and shall end on the last day of the Term of the Agreement. Any computation made on the basis of a Contract Year shall be adjusted on a pro rata basis to take into account any Contract Year of less or more than 365 days.

“Cost Substantiation” means documentation reasonably acceptable to County provided by Vendor to support any third party cost or expense incurred or to be incurred by Vendor resulting from any costs identified under this Agreement for which Cost Substantiation must be supplied.

“County Breach” means the untruth of any material representation made by the County hereunder, or any breach, failure, nonperformance or noncompliance by the County with its obligations hereunder caused by any willful or negligent act, error or omission by the County, its officials, agents, employees, representatives, independent contractors or subcontractors of any tier that materially and adversely affects the Company’s performance or rights or obligations under the Agreement.

“Contract Administrator” means the Lee County Solid Waste Department Director or his designee.

“Facility” means the Lee-Hendry County Regional Solid Waste Disposal Facility at 5500 Church Road, Felda, Hendry County, Florida, and all contiguous land and structures, other appurtenances, and improvements located in Sections 04, 09, & 16, Township 45 S, Range 28 E in Hendry County, Florida. The Facility includes the Landfill Operations as well as other County operations, such as the Composting Facility, Deep Injection Well, leachate storage ponds, etc.

“Guaranty Agreement” means the Guaranty Agreement executed by the Guarantor in substantially the form attached to the Agreement as Appendix 6.

“Landfill Equipment means the equipment provided by the Company for the Operation Services as set forth in Appendix 14.

“Landfill Operations Areas” means the Company operations areas, both active and future areas, including the Class I Ash Monofill, the Class III Landfill, and the Class I MSW Landfill as depicted and described in Appendix 2.

“Material Type” means the scalehouse code assigned to waste received at the Facility, and which may be updated by the Contract Administrator from time to time. A full list of Material Types is provided in Appendix 11.

“Operating Assets” means all equipment, accessories, structures, items and appurtenances necessary for Operation Services at the Facility, including the Landfill Equipment.

“Operation Date” means October 1, 2025 or such other later date the County notifies the Company in writing that the Company will commence Operation Services, in accordance with the terms of the Agreement.

“O&M Manual(s)” or “O&M Manual” means the Company’s Manual for Operations at the Facility and shall be approved by the County and amended from time to time by the parties.

“O&M Plan(s)” or “O&M Plan” means the Facility’s permitted Operation & Maintenance Plan(s) attached hereto as Appendix 1, as amended from time to time by the parties or as required by applicable law.

“Operational Density” means the tons of waste placed during a defined time period divided by the airspace consumed expressed in cubic yards during the same time period and within the area of the Landfill Operations Area that received waste during the time period.

“Operation Price Index” has the meaning specified in the Appendix 5 to the Agreement.

“Operation Services” means everything required to be furnished and performed by the Company, relating to the Agreement by the Company pursuant to the terms of the Agreement, any and all state and federal regulations, applicable permits, and the facility O&M Plan(s) during the Operation Period.

“Performance Standards” means the performance standards set forth in Appendix 3 to the Agreement.

“Recovered Screen Material (RSM)” means the fines fraction, consisting of soil and other small materials, derived from the processing or recycling of construction and demolition debris which passes through a final screen size no greater than 3/4 of an inch.

“Service Fee” is the monthly payment due to the Company for performing the Operation Services in the Agreement.

“Soft / Wet Waste” means nonhazardous sludge, soft and/or wet wastes that pass the United States Environmental Protection Agency’s Paint Filter test but are not bladeable and stackable in the landfill and require some sort of fixation (stiffening/stabilization) before being introduced into the working face of the landfill cell. Nonhazardous wastes that average less than 750 pounds per square foot (psf) unconfined compressive strength would also meet the definition of soft or wet waste. Examples include, but are not limited to: pond sediment, process unit sludges, polymers, wastes mixed with bulking agents, and sump waste solids.

“Special Wastes” means solid wastes that can require special handling and management, including but not limited to, white goods, waste tires, used oil, lead-acid batteries, construction and demolition debris, ash residue, yard trash, biological wastes, and mercury-containing devices and lamps.

“Tonnage Fee” is a component of the Service Fee that is paid monthly to the Company and is paid as: the tons of waste received within the Tonnage Rate Category (above the first 10,000 tons of combined Class I MSW and Class I C&D Tonnage Rate Categories, above the first 5,000 tons of Class III Tonnage Rate Category, and above the first 3,000 tons of Ash Tonnage Rate Category) multiplied by the appropriate Tonnage Rate per the Bid Schedule in Appendix 13.

“Tonnage Rate” means the per-ton unit rate per the Bid Schedule in Appendix 13 for each of the Tonnage Fee Categories.

“Tonnage Rate Category” means a group of Material Types received at a designated Landfill Operations Area. Tonnage Rate Categories are: Class I MSW, Class I C&D, Class III, Ash, and “Other”.

“Unacceptable Waste” means any material not defined as Acceptable Waste.

SECTION 1.2 TERM

(A) Term

The Company shall be responsible for providing the services to the County for one (1) ten-year (10) period. Upon mutual written agreement of both parties, the parties may renew the Agreement, in whole or in part, for an additional renewal term of one (1) five-year (5) period. The increments of renewal shall be at the sole discretion of the County as deemed in its best interest.

(B) Operation Date and Transition Period

The Operation Date shall be October 1, 2025; however no work under this Agreement may begin at the Facility until the County issues a Notice to Proceed. The Transition Period will begin once the Company is issued a Notice to Proceed. The Transition Period will end on the Operation Date.

During the Transition Period, the Company and the County shall prepare for the transition of Operation Services from the previous landfill operator to the Company. The Company's Site Supervisor shall be onsite at least thirty (30) Days prior to the Operation Date. At the County's discretion, and at no additional cost to the County, the Company may be required to attend transition meetings; the Company shall attend site inspections as required under the terms of this Agreement.

Within sixty (60) days after the Operation Date, the County shall provide the Company with an initial Condition Assessment Report which details the condition of the Landfill Operation Areas as of the Operation Date. The Condition Assessment Report shall include, but not be limited to, (A) a review of (1) the site conditions at the Facility, and (2) the condition of the infrastructure at the Facility including the piping and the berms, and (B) a current topographic survey of the Landfill Operation Areas collected on or near the Operation Date as reasonably possible.

Any timeframes detailed as part of the Transition Period may be adjusted at the discretion of the Contract Administrator.

(C) Operations and Maintenance Manual

At least sixty (60) Days prior to the Operation Date, Company shall provide to the County a detailed Operations and Maintenance Manual (O&M Manual) to be approved by the Contract Administrator. The O&M Manual shall include a detailed description of all activities to be undertaken by Company to perform the Operation Services pursuant to this Agreement.

Company shall maintain an up-to-date version of the O&M Manual throughout the term of this Agreement. This plan shall be readily available at the Facility for review by the County. The O&M Manual and all revisions are subject to the Contract Administrator's review and approval.

The Contract Administrator shall have fifteen (15) days from receipt of the initial submittal to respond to Company with approval or with comments as to items that need to be revised; Contract Administrator shall have seven (7) days to review and respond to Company's subsequent submittals with approval or follow up comments on changes on revisions made to the O&M Manual.

The O&M Manual shall include, at a minimum, the following information:

- Company Contacts: name and contact information for all key personnel and emergency contacts;
- Operational Procedures: traffic control, working face management, filling sequence, methods to achieve density, best compaction practices, maintenance of slopes and grades, receiving protocol and load inspection, special waste management, dust control, litter control, cover procedures;
- Landfill Repairs and Maintenance: schedule of inspection and maintenance procedures, including but not limited to stormwater, access and perimeter roads, cover grades and vegetation;
- Organization and Staffing Plan: Organizational chart, job descriptions for each position, staffing requirements for all positions, including temporary labor;
- Health and Safety Procedures: Onboarding safety training requirements and procedures for all employees, including temporary labor, which demonstrates compliance with all applicable laws, rules and regulations, emergency procedures, fire prevention and training, safety policy and procedures, hazardous waste handling training, housekeeping standards and schedule;
- Emergency Procedures: procedures for fire, toxic or hazardous substance release, personnel or customer injury, and other emergency conditions;
- Contingency Plan: Inclement weather operations, unscheduled Landfill Equipment downtime, manpower shortage;
- Landfill Equipment List and Maintenance: schedule of preventative and regular maintenance for each piece of Landfill Equipment, spare parts inventory.
- Reporting Procedures: complete procedures for all required reporting including sample reports and forms.

ARTICLE II OPERATIONS AND MAINTENANCE

SECTION 2.1 OPERATION GENERALLY

Commencing on the Operation Date, the Company shall operate and maintain the Landfill Operations Areas in accordance with sound operating practice, the terms and conditions of this Agreement, any and all local, state and federal regulations, and applicable permits. During the Term hereof, the Company shall not use or permit the use of the Landfill Operations Areas for any purpose other than those contemplated by this Agreement.

The Company at its own cost and expense shall maintain the Landfill Operations Areas, including assigned office space, and assigned maintenance area(s) in good working order and repair and in a neat and orderly condition, and shall take all necessary precautions to safely and efficiently receive customers, comply with all environmental permits and regulations, and minimize nuisance conditions. The Company shall provide or make provisions for all labor and Operating Assets and conduct the required periodic maintenance of the Landfill Operations Areas and Landfill Equipment consistent with facility permits, the facility O&M Plan(s), the Company's O&M Manual, and this Agreement.

In general, the Company responsibilities include, but are not limited to: operations and maintenance of the area within the perimeter road of each landfill. This includes receiving, pushing and compacting waste; constructing and maintaining landfill internal approach roads; maintaining slopes and grades; landfill mowing including landfill ditches and extending to the perimeter site roads; weed whacking around pump stations and penetrations including existing and future groundwater and gas well stickups; installation and maintenance of (daily and intermediate) cover systems; stormwater management and maintenance; erosion and sediment control; repairs to maintain cover and internal road systems; dust control; litter controls and collection; and localized seep and outbreak repairs. The Company is responsible for dust control on all unpaved roads within the Facility and litter control within the Facility.

The Company is not responsible for large capital projects such as landfill cell design; cell construction; installation, construction, operations, monitoring and maintenance of the landfill gas collection and control system, nor for the following environmental maintenance items: cleaning stormwater swales outside the Landfill Operations Areas; removing sediment from culverts; maintaining and managing the leachate collection and removal system; or landfill final closure.

SECTION 2.2 HOURS OF OPERATION

- (A) The Company shall ensure the Landfill Operation Areas are ready to receive customers and waste during the Gate Open Hours.
- (B) Gate Open Hours are daily Monday to Friday from 7 am to 4 pm and Saturday from 7 am to 12 pm. If a holiday falls on a weekday, the Facility will be open from 7 am to 4 pm on the Saturday after the holiday.

- (C) The Company shall account for any and all additional time needed outside of Gate Open Hours to fuel, service, start and clean rolling stock Landfill Equipment, cover waste placed in active Landfill Operations Areas at the close of each operating day, conduct daily meetings, any other activities needed to prepare to receive waste, and any other activities needed to cover waste at the end of the day.
- (D) Annual holidays recognized by the County where the Facility will be closed and the Company will not be required to operate are:
- New Year's Day January 1
 - Memorial Day Last Monday in May
 - Independence Day July 4
 - Labor Day First Monday in September
 - Thanksgiving Day Fourth Thursday in November
 - Christmas Day December 25
- (E) From time to time the County may choose to extend Gate Open Hours beyond the Gate Open Hours as may be required to accommodate the County's disposal requirements, including but not limited to a special event, a natural disaster, or an emergency condition ("Extended Delivery Hours"). If Extended Delivery Hours exceed four hours per week for more than two continuous weeks, the Company shall provide a cost for such Extended Delivery Hours as a Cost-Substantiated Special Project, per Section 3.1(H).

SECTION 2.3 SITE MANAGEMENT AND COMPANY PERSONNEL

- (A) The Company shall provide qualified, knowledgeable personnel to perform the work specified in this Agreement and supply all necessary staffing, including those needed for proper landfill operations, loading and hauling landfill cover material, traffic management and dust control, and for orderly operation and maintenance of the internal approach roads, landfill slopes and working faces.
- (B) All Company personnel shall be trained in accordance with Florida Administrative Code Chapter 62-701 Solid Waste Management Facilities. At a minimum, all personnel shall be trained as a Florida Certified Spotter, with the exception of clerical or financial staff. All Company supervisory or lead positions shall be certified as a Florida Certified Landfill Operator.
- (C) The Company shall, at its cost and expense, staff the Landfill Operation Areas during the Term of this Agreement with the appropriate number of hourly and salaried

employees consistent with good management practice and contract documents. The Company shall notify the County of any material change in staffing levels and shall not make any such material change if the new staffing level would adversely affect the ability of the Company to meet the terms and conditions of this Agreement.

- (D) The Company shall provide positions equivalent to a Contract Manager, Fiscal Manager, and Site Supervisor (the “Key Personnel”).

- (1) Contract Manager – the Contract Manager shall be the individual designated by the Company in writing to represent it in all matters relating to the execution of the Operation Services. The Contract Manager shall at minimum, attend monthly operations meetings at the Facility; be the point of contact for all other company and subcontractor resources; be responsible for mid-term planning of operations within constructed cells and required materials and equipment; and be available to meet with and represent the Company to regulators and other outside parties.

- (2) Fiscal Manager – the Fiscal Manager shall be the invoicing point of contact for the Contract Manager and County.

- (3) Site Supervisor – the Site Supervisor shall oversee the daily / weekly operations of the Landfill Operation Areas, including but not limited to Landfill Equipment maintenance; temp laborers; subcontractors; staffing and personnel issues. At minimum, the Site Supervisor shall meet with and report weekly to the Contract Administrator the status of and plans for cover use, material stockpiles, stormwater management, equipment, staffing, and relevant Company or County activities in a way that is agreeable to the Contract Administrator. The Company shall identify an individual as the designated back-up to the Site Supervisor.

- (E) The Company shall not change any Key Personnel without cause unless mutually agreed to by the Contract Administrator. The Contract Administrator shall have the right to approve the qualifications of any replacement Key Personnel.

- (F) The Company shall have a visible means of identifying their staff to the public. At a minimum, the Company shall provide a uniform top with the Company’s name visible, along with the first name of the employee. All Company staff shall wear their uniform top at all times while working at the Facility. This requirement extends to Subcontractors responsible for interacting with the public.

SECTION 2.4 COMMUNICATIONS

The Company's personnel shall always have a means for communication with the Contract Manager and their designees during operational hours. Key Personnel shall be available after hours for emergency situations. The preferred method of communication is via cellular phone.

All equipment, vehicles, and personnel (including Subcontractors working within the Landfill Operations Areas) shall be equipped with vehicle and/or handheld CB Radio. The Company may maintain an internal channel but must also maintain an external channel capable of communication with customers and County staff.

SECTION 2.5 SAFETY

- (A) Company shall comply with all applicable law, rules, and regulations for the health and safety of employees, including temporary employees, persons, or property, or to protect them from damage, injury, or loss including but not limited to the Occupational Health and Safety Administration (OSHA) and the American National Standards Institute (ANSI).
- (B) Company shall be responsible for providing employees, including temporary employees, with personal protective equipment as required by applicable law. Company shall instruct employees, including temporary employees, in the principles of first aid and safety and in the specific operational procedures necessary to prevent accidents. Company shall provide and maintain adequate first aid supplies at the Facility at all times.
- (C) In emergencies affecting the safety of persons, equipment, building, site, or property adjacent thereto, Company, without special instruction or authorization from the Contract Administrator, is obligated to act at Company's discretion to prevent any and all threatened damage, injury, or loss of life and property. All emergencies that could affect the public health, safety, or welfare shall be communicated to the Contract Administrator as promptly as circumstances allow.
- (D) Company shall notify the County immediately of the occurrence of any accidents or incidents at the Facility affecting health or safety of the public or Company or County personnel.
- (E) The Company shall maintain a site-specific health and safety plan in full compliance with the Company's corporate safety policies.
- (F) The Company shall, at a minimum, be responsible to maintain the following safety

records as part of their operational tasks working at County owned property:

- (1) Maintain OSHA 300/300A logs of Company employee work related injury and illnesses related to work performed as part of this Service Agreement.
- (2) Maintain all safety meeting and training logs for all personnel working or contracted by the Company and performed on County owned property.
- (3) Communicate chemical hazard information to potentially exposed employees performing work at County owned property.
- (4) Company to complete PPE/hazard assessments for all personnel employed or contracted by the Company that perform work on County owned property.
- (5) Company to provide incident reports for all injuries, illnesses, fires, chemical spills, property damage & liability claims that occur on County owned property.

SECTION 2.6 REGULATORY REQUIREMENTS

(A) Permits and Licenses

- (1) The County shall be responsible for obtaining all permits, permit modifications and permit renewals for the site. The County reserves the right to add, delete, or modify permits for the site as operational activities require.

The County has obtained and will maintain the permits and approvals required by the Florida Department of Environmental Protection (FDEP) for operation of the Facility. The Company is responsible to adhere to those permits located in the Table contained in the Solicitation Document for this Service Agreement, as may be updated and amended from time to time.

- (2) The Company shall obtain all permits and licenses necessary to operate as a business in the State of Florida and in Hendry County. The Company shall be responsible for payment of all expenses related to these transactions.
- (3) If the Company elects to provide additional structures at the site and the additional structure has been approved by the County, the Company shall be responsible for all costs associated with the structure including plans, drawings, permit applications and inspection fees. Any structures thus constructed will become the property of the County at the end of the Contract Term.

(B) Compliance

- (1) The Company shall be knowledgeable of all permit and operational plans for the Facility. If requested by the County, the Company shall produce data, drawings, reports, letters, and/or other information needed to document compliance with permits. The Company shall submit the requested information to the County within twenty-four (24) hours unless an alternate timeframe has been agreed to by the County.
- (2) As requested by the County, the Company's Key Personnel shall attend meetings and inspection events as necessary with regulatory agencies relative to the various permits. All correspondence with regulatory agencies concerning permit compliance shall be the responsibility of the County.
- (3) The site is operated under regulatory authority of federal, state, and local agencies, and can only operate under permission granted through permits to the County, as the owner. Failure to comply with the terms and conditions of the permits can result in penalties which shall be paid by the Company if the Company is responsible for the violation.

- (C) The County's permitted Operations and Maintenance Plans are provided in Appendix 1. The Company shall at all times provide the Operation Services in accordance with the permitted Operations and Maintenance Plans, as amended from time to time by the County.

(D) Groundwater Wells/Water Quality Monitoring

The County shall be responsible for sampling and regulatory reporting of groundwater, surface water, landfill gas, leachate, and air emissions at the site.

(E) Recordkeeping and Reporting

Company reporting and compliance requirements include the following. Sample forms are provided in Appendix 9.

- (1) Perform random load inspection in full compliance with the Facility operating plan(s).
- (2) The Company shall be responsible for Stormwater Pollution Prevention

Plan (SWPPP) and Spill Pollution Control and Countermeasure (SPCC) routine inspections and reporting of the Landfill Operations Areas under the County site-wide SWPPP and SPCC plans.

- (3) The Company shall be responsible for annual SARA Tier II record keeping. The Company shall submit all records to the County at least fourteen (14) days prior to the regulatory deadline. The County will be responsible for preparing the annual report submission for the Facility.

- (F) Recordkeeping and Reporting requirements may change from time to time due to regulatory or County requests.

- (G) The Company shall direct any and all regulatory communications through the County.

- (H) If County, State, or Federal funds are going to be utilized for any purchase under this Agreement, as appropriate, all State procurement, all County, State, and Federal procurement requirements must be followed.

- (I) All construction-related Cost-Substantiated Special Projects, including repairs, must be procured in accordance with the Lee County Procurement requirements, or be performed by the Company in accordance with the Cost Schedule in Appendix 15. A summary of requirements needed to meet the County's procurement requirements for costs within certain thresholds is provided below.
 - (1) The following costs will be considered substantiated and in compliance with County Procurement requirements if one written quote is provided in support of the work and the work is approved by the Contract Administrator.
 - (a) Engineering and surveying costs under \$35,000.
 - (b) Construction and repair costs under \$50,000.
 - (c) Other commodities or services under \$50,000.
 - (2) The following costs will be considered substantiated and in compliance with County Procurement requirements if three written quotes are provided in support of the work and the work is approved by the Contract Administrator. If the Company is unable to receive three written quotes due to no-bids or lack of response, the Company must demonstrate that at least five vendors were solicited for the work.
 - (a) Construction and repair costs under \$200,000.
 - (b) Other commodities or services under \$250,000.
 - (3) All other costs in excess of these thresholds must be coordinated with the

Lee County Procurement Department.

- (4) At the Company's discretion, the Company may either provide a full accounting with all documentation to the County evidencing that it has complied with the Lee County Procurement requirements, or the Company may choose to have Lee County Procurement perform the procurement process.
- (5) These requirements are subject to change from time to time by the Contract Administrator.

SECTION 2.7 FACILITIES, GROUNDS, AND MAINTENANCE

- (A) The Operation Services are performed by the Company within the extents of the Facility. The County shall be responsible for general maintenance and repairs to facilities, grounds, and roadways outside of the Class I MSW, Class III, and Class I Ash Landfill Operations Areas. The County is also responsible for landfill gas and leachate infrastructure operations and maintenance within the Landfill Operations Areas.
- (B) Shared Use of County Owned Facilities. The Base Fee includes shared use of County owned facilities defined by the County and depicted on Exhibit 4 found in Appendix 2 of this Service Agreement.
- (C) Utilities. Company shall be responsible for arranging services and payment of expenses for phone and internet service to Company Office area. The Company shall also be responsible for providing its staff potable drinking water, and "Porta-Johns" for temporary and field workers. The County will provide non-potable water by means of an on-site well and on-site septic services.
- (D) Fuel. County will be required to supply all off road diesel used in execution of the Operation Services. Company will be required to provide all on road diesel and gasoline used in execution of the Operation Services.
- (E) Litter. The Company shall keep the Facility free of litter. The Company shall supply and install litter controls at the Landfill Operations Areas including, but not limited to, litter fencing and portable bull fencing to collect and control windblown litter from leaving the Landfill Operations Areas.

The Company shall include required labor needed to manage and collect within the Facility litter generated from all Facility areas, including customer vehicles after entering the Facility.

The County has a fine system for customers who un-tarp loads before arriving at the working face. The Company shall cooperate with the County to educate customers and assist the County with enforcement.

- (F) Dust. Dust control at the Facility shall be the responsibility of the Company. This includes the Class I MSW Landfill, Class I Ash Monofill, Class III Landfill, landfill internal approach roads, site roads, and stockpile areas. The Lee County Compost Facility and Overs Stockpile Area are excluded from Company dust control responsibility. Refer to Appendix 2 for dust control map.

Dust shall be minimized by frequent spraying of dirt roads and Landfill Operations Areas. Dust control measures shall meet the requirements of the Title V permit and other permits or rules pertaining to the Operation Services.

- (G) Infrastructure Protection. The Company shall replace and/or repair, at its own expense, all infrastructure damaged by the Company's operation of the Facility. This includes but is not limited to utility poles, pipes, culverts, ditches, swales, pumps, lift stations, and landfill gas collection infrastructure.

SECTION 2.8 LANDFILL OPERATIONS

- (A) Screening and Removal of Unacceptable Waste. The County shall not knowingly deliver, and shall use legal means reasonably available to prevent the delivery of, Unacceptable Waste to the Facility.

The Company shall refuse to accept any Unacceptable Waste delivered to the Landfill Operation Areas which is revealed by inspection of a load. If any Unacceptable Waste is delivered in any load, the Company shall immediately stop the customer from unloading of the waste.

If the Company finds Unacceptable Waste in a load and the customer is still in possession of the load, the Company shall immediately notify the Administrative Agent or their designee so that the County can follow up with the customer on the proper handling or disposal method for the Unacceptable Waste.

If the Company finds Unacceptable Waste in a load and the customer is no longer in possession of the load, then the Company is responsible for properly disposing of the waste according to federal, state, and local regulations or policies at the Company's expense. If the Company determines who the generator of the waste is, the Company may seek recovery for expenses incurred; notification to the County

is required.

(B) Special Wastes

(1) Special Waste Approvals. The Company shall be responsible for implementing and maintaining a Special Waste approval, acceptance, and recordkeeping program, through which Special Waste disposal requests are reviewed and approved by the Company for compliance with all site requirements and permits. Company shall be responsible for coordinating with Special Waste customers for scheduling receipt of waste and determining special handling requirements. The Special Waste Program shall meet the general requirements of the current program, provided in Appendix 10.

(a) Special waste handling requirements will be determined by the Company at the time of Special Waste approval. Notwithstanding, the County may require more stringent handling, to be determined at time of approval.

(b) Special waste handling and approval procedures may change from time to time and Company will cooperate with the County on such updates and modifications.

(2) Dead Animals. When bodies of dead animals are received and disposed of by the Company at the Landfill Operations Areas the Company shall promptly cover this waste material.

(3) Asbestos Containing Materials – Approved Special Waste Asbestos Containing Materials will be scheduled by the Company for receipt at the Class III Landfill only. The Company will receive the material, document disposal in accordance with facility permits, review and sign-off on manifests, and convey paperwork to the scale house. Both friable and non-friable asbestos-containing materials are required to be transported and handled as friable asbestos containing materials in order to be disposed of at the Facility.

(4) County Restricted and Special Handling. No treated or untreated biomedical waste may be accepted or disposed of at the Landfill Operations Areas.

(5) Soft / Wet Waste Limitations. The Company shall be responsible for maintaining Soft / Wet Waste amounts in the Class I MSW Landfill limited to the more stringent of either 5% by weight, per Company's corporate recommendations, or as agreed to by the Contract Administrator. Company is responsible for conducting paint filter testing to determine compliance with site permits and regulations, and for spreading and mixing

soft / wet waste with dry waste. Soft / wet waste shall not be placed within 50-feet of outside slopes, or as noted in the site O&M Plans or Company O&M Manual(s).

- (C) Outside County Waste. No solid waste generated outside Hendry County or Lee County shall be solicited or knowingly accepted by the Company for disposal at the Facility.
- (D) Authorized Haulers. The Company shall accord fair, proper and balanced treatment to all Authorized Haulers and shall not favor or disfavor any Authorized Hauler in relation to any other Authorized Hauler.
- (E) Waste Delivery Vehicle Turn -Around Time. The maximum time leaving from scale house to exiting the Landfill Operation Area for each waste delivery vehicle entering the facility shall be forty-five (45) minutes. This will be determined by scale house entry and exiting weight time stamps. If delays are caused by uncontrollable circumstances or by the fault of the delivery vehicle or through no fault or negligence of Company, then the requirement herein stated shall not apply.
- (F) The Company shall be responsible for assisting with the removal of stalled, abandoned, and disabled vehicles within the Landfill Operation Areas, including vehicles that become stuck. The Company may develop a liability waiver form for the customer to sign to relieve the Company of liability for damages to the customer's property, other than damages due to the negligence of the Company. A release of liability from the customer to the Company is acceptable with approval of the Contract Administrator.

SECTION 2.9 WEIGHING RECORDS

- (A) Measurement Devices and Procedures. The County shall operate and maintain truck scales, certified for commercial use in accordance with Florida Department of Agricultural and Consumer Services (FDACS) requirements, to weigh all vehicles delivering waste to the Facility. Each loaded vehicle shall be weighed, indicating gross weight, tare weight, date and time, waste classification and vehicle identification on a weight record. The Company and its agents shall have the right to monitor weighing activities and to receive copies of scale calibration certificates.
- (B) Estimates During Incapacitation. To the extent that weighing facilities are incapacitated, are being tested, or are bypassed, the County shall estimate the quantity of waste and Direct-Haul Materials delivered. These estimates shall take the place of actual weighing and shall be the basis for records during the scale outage.

- (C) Flat Fee Rates. The County reserves the right to charge a flat fee for certain customers if it is determined to be in the County's best interest. Prior to implementing flat fee rates, the County and the Company will mutually agree to recordkeeping acceptable to both parties.
- (D) Weight Records. The County shall maintain daily records of the number of Tons of waste and Direct-Haul Materials delivered to the Company, indicating the date and time of arrival or departure of each vehicle transporting such material, with appropriate identification of each vehicle.

SECTION 2.10 LANDFILL EQUIPMENT

- (A) Purchase and Maintain. The Company is responsible for supplying any and all Landfill Equipment necessary to perform the services provided herein. It is anticipated the Landfill Equipment will be maintained in accordance with manufacturer recommendations stipulated for the work environment this Landfill Equipment will be exposed to including the Class I Ash Monofill.
- (B) Reliability. The Company shall minimize Landfill Equipment downtime and maximize Landfill Equipment reliability. If a piece of Landfill Equipment is scheduled to be down for a period exceeding five (5) continuous working days, the Company will be obligated to provide a replacement piece of Landfill Equipment from available Company inventory or provide a rental piece at no additional cost to the County.
- (C) Compaction. The Company will be required to place and compact waste in the Class I and Class III landfills using a designated steel-wheel compactor during all operating hours. The Service Fee shall account for supplying Landfill Equipment of a size and in a condition capable of meeting and achieving the recommended minimum in-place Operational Density "for no penalty" as detailed in Appendix 3 – Performance Standards of this Service Agreement.

SECTION 2.11 LANDFILL FILL PLANNING AND SURVEYING

- (A) Annual Topographic Survey and Control Surveys. The Company shall subcontract with a survey company registered in the State of Florida to perform an Annual Topographic Survey within fifteen (15) days following commencement of each new Contract Year, or as soon as practicably possible. The Annual Survey will be used to determine airspace consumed within the fill areas and, by extension, Operational Density as further described in Appendix 3.

All surveying and mapping services must be performed by or under the responsible charge of a Florida Professional Surveyor and Mapper (PSM), in accordance with relevant sections of Florida Statutes Ch. 427, Chapter 5J-17, FAC – Professional Surveying, Mapping, Florida Statutes, and all other local, state, federal standards as applicable. The PSM must be full-time employee(s) of the Company's Subcontractor, registered with the State of Florida, as a business engaged in the practice or performance of surveying and mapping. The Company must provide the business's active business license number and certificate of authorization number of the survey company they choose to subcontract with.

Control surveys shall be performed by the PSM to establish on-site Facility ground control for use by the Company and prepare as-built survey referenced maps and topographic surveys.

- (1) The area to be included in the annual topographic survey shall include all areas of the Facility including, but not limited to, the soil stockpile areas, the Compost Facility, all closed and open Landfill Operations Areas, the Administration Buildings, scale house, and leachate storage ponds, etc.
- (2) The minimum data requirements and acquisition methods to conduct the Annual Topographic Survey are as follows:
 - (a) The County will provide existing control information, including control coordinate listing, existing horizontal and vertical datum's used, and any available Meta data to the Company's Subcontractor. This will determine the Existing Facility Control Statement that is currently being utilized by the Facility. The Company's Subcontractor will recover all existing control stations within the Facility. Using no less than three (3) existing control stations, the Company's Subcontractor shall verify existing control values and provided a report listing any observed differences to existing control values. These existing control stations may serve as major control stations as described below.
 - (b) In order to perpetuate Facility control under this Service Agreement, a minimum of six (6) on-site major control stations will be identified across the Facility. If the existing control is limited in number, the Company's Subcontractor is required to set additional major control stations that shall minimally consist of a 5/8" diameter, 30" long,

iron rod with an aluminum or plastic cap, appropriately and uniquely stamped, and identifying the subcontracting survey company name or PSM who set the station. Supplemental minor control stations or aerial control required to relate aerial imagery to ground control for the annual aerial survey may need to be re-established each year.

- (c) Company's Subcontractor shall acquire data to enable reporting of the relationship between Survey Control Stations per the Existing Facility Control Statement and the current realization of the National Spatial Reference System (NSRS). This relationship reporting between Existing Facility Control and the current realization of the NSRS shall be provided on all topographic survey, as-built survey, or other survey referenced maps the Company submits to the County.
- (d) Company's Subcontractor will acquire Orthorectified Aerial Imagery relative to ground control. Digital imagery will include natural color, panchromatic, and color infrared products using large or medium format digital aerial mapping cameras.
- (e) The horizontal accuracy of the mapping will be such that at least 90% of all well-defined features will be shown within at least 1/40" of their true position at map scale when compared to the nearest control station and none will be in error more than 1/20" using the same comparisons.
- (f) The vertical accuracy of the mapping shall be such that at least 90% of all elevations interpolated from solid line contours will be within one half the contour interval and none will be in error more than the contour interval.
- (g) The Company's Subcontractor must also be capable of testing and verifying the accuracy of the imagery in accordance with National Standards for Spatial Data Accuracy Assessment (NSSDA) and American Society for Photogrammetry and Remote Sensing (ASPRS) methodologies. Accuracy of the delivered imagery must exceed specifications by the South Florida Water Management District (SFWMD) and the Florida Department of Revenue (DOR).
- (h) Company's Subcontractor must be able to develop spatial metadata that is compliant with the Federal Geographic Data Committee's (FGDC) Content Standards for Digital Geospatial Metadata and District Standards. Metadata will be delivered in format compatible

with ESRI ArcGIS products.

- (3) Survey deliverables will include both a signed and sealed (.pdf) and (.dwg) files unless otherwise specified, delivered electronically via FTP of file sharing platforms with the Contract Administrator, unless otherwise specified.
 - (a) Report of Survey must be signed and sealed by a Professional Surveyor and Mapper (PSM) with an active license in good standing issued by the State of Florida.
 - (b) Topographic Survey at a scale of 1" = 200' of the entire Facility, reporting:
 - (1) 1-foot minor contours, spot elevations & all other acquired data
 - (2) Survey Control (planimetric location)
 - (3) Survey Control Table (existing facility control & current realization)
 - (4) Survey Control Statement (existing facility control & current realization)
 - (c) Topographic Survey(s) at a scale of 1" = 50' with 1-foot contours for all of the individual Landfill Operation Areas, hereinbefore described and contained in Appendix 2.
 - (d) Provide a 3D DTM TIN File (AutoCAD) (Digital Terrain Model, Triangulated Irregular Network). This is required for each individual surface model created.
 - (e) Aerial Photograph(s) of Site on 1" = 50-foot Digital Mosaic (TIF files for mosaic and consolidated TIF file with all mosaics stitched together in AutoCAD with location files (world files in the coordinate system as specified) and two – 4' x 4' hardcopies on photo quality paper.
 - (f) Submitted electronically via FTP or file sharing platform to the Contract Administrator, and will contain all, Survey Control, planimetric, and topographic data acquired or established.
 - (B) Annual Operational Density. The Annual Survey will be used to determine the Operational Density at the close of the prior Contract Year and to compute the prior year incentives or penalties that may be due or charged to the Company as detailed in Appendix 3 – Performance Standards of this Service Agreement.

- (C) Operational Density Report. The Operational Density Report shall be submitted no later than sixty (60) calendar days after the date that the topographic survey was performed. The Report shall include all applicable calculations and supporting documentation that were utilized in determining the annual Operational Density.
- (D) Fill Sequence Plan. Annually, the Company shall provide a five (5) year interim fill sequence plan showing the topographic detail and sequence within a constructed Phase and Subcell where waste is planned to be buried each year, and progressing annually over five (5) years. Interim fills shall include sloping of all top decks to prevent surface ponding and reduce stormwater infiltration within each Landfill Operation Area.

The plans shall include schedule projections for new Phase or Subcell liner construction over the five (5) year period. The County will supply the tonnage projections that the Company will use to develop the fill sequence plans.

The Company shall include the location of the County planned landfill gas collection and control system (GCCS) wells and piping located within each fill sequence area. The County anticipates the need to begin building a GCCS system sometime in 2025. The Company is not responsible for constructing GCCS infrastructure but shall coordinate waste placement within existing and future GCCS construction areas.

The County is responsible for providing Final Closure Plans in .dwg format. These documents will be used to determine the top of waste grade surface and maximize fill limits.

- (E) Quarterly Surveys. The Company shall supply three quarterly volume and density surveys to monitor compliance with planned fill sequence areas and minimum density standards detailed in the Appendix 3 – Performance Standards of this Service Agreement. These shall be in addition to the Annual Survey, per Section 2.11. The Company must ensure that the quarterly surveys are compatible with similar standards of the Annual Survey.
- (F) Maintenance of Slope and Grade. The Company shall ensure all filling complies with the most current permit grades and ensure all interim and final slope and fill requirements meet all cell permit plans. In order to maintain slope and fill extents the Company shall plan and schedule frequent survey stakeout events to be performed by a Registered Surveyor, licensed in the State of Florida to monitor and

set fill placement extents. In order to reduce the frequency of survey stakeout events needed over the contract term the Company may include the use of portable survey grade GPS equipment to periodically check grades with on-site personnel or install GPS surface control systems in the Landfill Equipment. The Company shall ensure that initial personnel training and equipment calibration of any GPS equipment is performed under the guidance and direction of a Registered Surveyor. All costs associated with survey staking including the purchase and use of any GPS equipment to monitor and set fill placement extents shall be borne by the Company and included in the Base Fee.

SECTION 2.12 LANDFILL COVER AND INTERNAL APPROACH ROADS

- (A) Daily Cover and Intermediate Cover, including Alternative Daily Cover, shall be used in accordance with permit conditions and acceptable industry standards.
- (B) Landfill Operations Materials. The County will provide certain materials used for the operation of the landfill specifically for, Daily Cover, intermediate cover, road construction, and other beneficial uses. The County has a robust complement of materials available for operations which consist of Direct-Haul Materials and Company-Haul Materials. In all cases, Direct-Haul Materials and Company-Haul Materials shall be loaded and hauled by the Company from the stockpiled areas to the placement areas needing daily cover, intermediate cover, road construction, and other beneficial uses
- (C) Direct-Haul Materials:
 - (1) Recovered Screen Materials (RSM). RSM from the County's Construction and Demolition Debris Recycling Facility is hauled to the Class III Landfill for stockpiling and use as Alternative Daily Cover.
 - (2) Crushed Glass. Crushed Glass overs from the County's Recovered Materials Processing Facility is hauled to the Class III Landfill for stockpiling and use as Alternative Daily Cover.
 - (3) Ash. Ash from the County's Resource Recovery Facility is acceptable for Alternative Daily Cover at the Class I Ash Monofill and Class I MSW Landfill. It may only be used for internal slopes and/or road stabilization that will not shed stormwater to exterior slopes. Ash that is placed in the Class I Ash Monofill either for disposal or as alternate daily cover is waste and is not considered a Landfill Operations Material.
 - (4) Other Beneficial Reuse Materials. From time to time, the County may

identify other acceptable materials that can be beneficially used within the Landfill Operations Areas. The Company and County shall coordinate ticketing for loads delivered for beneficial reuse.

(D) Company-Haul Materials:

(1) Compost Overs. Stockpiled “Overs” from the Lee County Composting Facility are available for use as daily or intermediate cover at the Class I Ash Monofill, Class I MSW Landfill, and/or Class III Landfill. Stockpiled Compost Overs are to be loaded and hauled by the Company.

(2) Mulch. Mulched Yard Trash from the County’s Yard Waste Processing Facility at Buckingham or other generators may be available for use as an erosion control / stabilization material or as a 1:1 soil:mulch blend for daily cover. Sufficiently decomposed mulch may be used as soil in accordance with permit conditions. Stockpiled mulch is to be loaded and hauled by the Company.

(3) Rip Rap Rubble Material. Rubble material consisting of tile, concrete, rock, and similar materials from the County’s Construction and Demolition Debris Recycling Facility is hauled to the Facility by the County and stockpiled for on-site use. Stockpiled rip rap rubble is to be loaded and hauled by the Company.

(4) On-site clay stockpiles. On-site clay stockpiles are currently located where shown in Appendix 2. On-site clayey material is to be loaded and hauled by the Company.

(5) On-site soil stockpiles. On-site soil stockpiles are currently located where shown in Appendix 2. On-site soil materials are to be loaded and hauled by the Company.

(E) Source and disposition of both Company-Haul Materials and Direct-Haul Materials will be at the discretion of the Company, but subject to approval by the Contract Administrator depending on availability.

(F) The Company shall minimize the use of on-site soils by using supplied Landfill Operations Materials and/or supply and use of tarps for landfill daily cover.

(G) The Company shall install intermediate cover within permit-required timeframes. Intermediate cover shall consist of on-site soils with a layer of Compost Overs to promote volunteer vegetative growth over the landfill surfaces. Slope stabilization beyond Compost Overs (such as sod or seed) will be performed by the Company at the County’s request as a Cost-Substantiated Special Project, per Section 3.1(H).

- (H) The Company shall be responsible for landfill internal approach road construction and maintenance using available Landfill Operations Materials. The landfill internal approach roads shall be crowned, graded and provided with side ditches to ensure all-weather access to the landfill working faces at all times. Internal Approach Roads shall be maintained to prevent damage to customer vehicles.

SECTION 2.13 EROSION PROTECTION AND SEDIMENT CONTROL

- (A) The Company shall repair all localized seeps, outbreaks, and erosion encountered on any landfill surface. Landfill Operations Materials may be used to complete these repairs as appropriate.
- (B) The Company shall control rill erosion and provide temporary erosion and sediment control measures, including installation of temporary and permanent down chutes complete with appropriate inlet and outlet protection at Company's expense.
- (C) The Company shall be responsible for any and all cover repairs identified by observation and/or SEMs, as may be tested for by the County.
- (D) If localized seeps, erosion areas, and outbreaks are addressed promptly and the outbreaks persist at certain locations, the County may consider additional remediation measures as a Cost-Substantiated Special Project, per Section 3.1(H).

SECTION 2.14 MOWING

- (A) Landfill quarterly mowing including mowing/weed whacking around existing and future penetrations and pump stations shall be performed by the Company in the Landfill Operation Areas identified in Appendix 2. Alternatively, in lieu of weed whacking, a licensed herbicide and pesticide application company may be used by the Company to spray around penetrations and pump stations.
- (B) Mowed grass shall be raked so as not to impede stormwater flow. Company shall be responsible for maintaining positive drainage from slopes at all times.

SECTION 2.15 COMPLIANCE WITH APPLICABLE LAW

In fulfilling its responsibilities under this Agreement, Company shall comply with all applicable laws, regulations, permits and similar requirements, including all requirements concerning health and safety, noise, odors, effluent and emissions. In the event that the Company or any Subcontractor fails at any time to comply with applicable law with respect to the Operation

Services, then the Company shall promptly remedy or cause its Subcontractor to remedy such failure at its cost and expense, and bear all losses and liabilities of the Company and the County resulting therefrom, and pay any resulting damages, fines, assessments, levies, impositions, penalties or other charges resulting therefrom.

SECTION 2.16 OPERATING PERIOD INSURANCE

Commencing on the Operation Date and continuing throughout the Term of this Agreement, the Company shall obtain and maintain the Required Operating Period Insurance for which it is responsible as specified in Appendix 4 hereto, shall on the Operation Date provide the County a certificate of insurance for the Required Operating Period Insurance, and shall comply with all applicable Insurance Requirements. Insurance coverage required pursuant to this Section shall be maintained with generally recognized financially responsible insurers, reasonably acceptable to the County, and qualified and licensed to insure risks in the State.

SECTION 2.17 NO NUISANCE COVENANT

The County and the Company acknowledge that a substantial objective of the County is to operate the Facility in an economically and environmentally sound manner and accordingly, the Company shall keep the Landfill Operations Areas, including offices, and maintenance area neat, clean and litter-free at all times, and, to ensure that the operation of the Landfill Operation Areas does not create any impermissible odor, litter, noise, fugitive dust, vector or other adverse environmental effects. Should any such nuisance condition occur, the Company shall expeditiously remedy same.

If a Notice of Violation (NOV) is issued by any governmental body for nuisance condition caused by the Company, the Company will be responsible, at its sole cost and expense, for any and all fines or damages that are levied as a result thereof, including remediation of the source or cause of such NOV.

SECTION 2.18 DELIVERY OF ACCEPTABLE WASTE BY THE COUNTY

- (A) Acceptable Waste Delivery Rights. Beginning on the Operation Date and throughout the Term of this Agreement, the County shall have the right, but not the obligation, to deliver or cause to be delivered to the Facility, Acceptable Waste.
- (B) Charges to Authorized Haulers. For the Operation Services provided hereunder the Company shall be paid the Service Fee by the County as provided in Section 3.1 hereof, and the Company shall not impose any charge, service fee, or tipping fee for its own account on Facility customers.
- (C) No County Liability for Failure to Deliver Acceptable Waste. The County shall not

be liable for damages or otherwise for any failure to deliver or cause to be delivered any Acceptable Waste to the Facility or for the quality, quantity, composition, or type of Acceptable Waste delivered to the Facility.

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ARTICLE III PAYMENT

SECTION 3.1 SERVICE FEE

- (A) The Company shall be compensated by the County for work performed based on criteria outlined below. The Company shall not be compensated for any work performed prior to its operation of the Facility such as the development and submittal of plans, attending Transition Period meetings, ordering Operating Assets, or the hiring of personnel.
- (B) Service Fee. Each month, the County shall pay to the Company the Service Fee. The Service Fee will be the total and complete compensation for the services performed by the Company under the terms of the Agreement. The Service Fee will be determined in accordance with the following formula:

$$SF = BF + TF + PI - PP - AF + CSOC$$

Where

SF	=	Service Fee
BF	=	Base Fee
TF	=	Tonnage Fees
PI	=	Performance Incentive
PP	=	Performance Penalty
AF	=	Administrative Fines
CSOC	=	Cost-Substantiated Operations Costs

Each component of the Service Fee shall be computed in accordance with this Article and may be adjusted from time to time as provided in this Agreement.

- (C) Base Fee. The Company shall be paid a monthly Base Fee, per the Bid Schedule in Appendix 13. The Base Fee shall include all equipment and labor costs for receipt and placement of the first 10,000 tons/month of combined Class I MSW and Class I C&D Tonnage Rate Categories, for the first 5,000 tons/month of Class III Tonnage Rate Category, and for the first 3,000 tons/month of Ash Tonnage Rate Category. The Base Fee shall also include all costs related to the Company's execution of this Agreement other than those tied to the Tonnage Fee exceeding monthly tonnage amounts stipulated above, including those costs associated with, but not limited to, all management costs, indemnification costs, intracompany and interest charges, radio/phone costs for on-site communications, miscellaneous building supplies and equipment needs, weekly and monthly reporting including

finance and accounting reporting and Company insurance costs, fill planning and surveying, special waste approval and management, erosion protection and sediment control, and mowing. Other Company responsibilities not included in the Tonnage Fee shall be incorporated into the Base Fee. The Base Fee in Appendix 13 is subject to annual escalation per Appendix 5.

- (D) Tonnage Fee. All waste received at the site will be weighed by the County. The County shall provide the Company with a daily report of the tonnage of all waste by Material Type and Landfill Operations Area. Tons of Landfill Operations Materials, beneficially reused material, daily cover, and intermediate cover used to cover the waste and build roadways are excluded from the Tonnage Fee.

The Material Types identified are generally disposed of at the Facility as waste and will be counted towards the Tonnage Fee. At times, some Material Types may be beneficially reused in the Landfill Operations Area, and alternatively, some beneficial reuse materials may be disposed of as waste. The Contract Administrator shall notify the Company accordingly of any changes to the Material Types included within the Tonnage Rate Category. The Tonnage Rates in Appendix 13 are subject annual escalation per Appendix 5.

From time-to-time the County may adjust tonnages due to ticketing error or other minor changes and will provide revised reports as applicable.

The Tonnage Fee will be paid as: number of incremental tons of waste above the first 10,000 tons of combined Class I MSW and Class I C&D Tonnage Rate Categories, above the first 5,000 tons of Class III Tonnage Rate Category, and above the first 3,000 tons of Ash Tonnage Rate Category multiplied by the appropriate Tonnage Rate per the Bid Schedule in Appendix 13. For Other Tonnage Rate Category waste that is directed to the Class I Ash Monofill, or Class I MSW Landfill, or Class III Landfill, the Tonnage Fee will be applied to each ton of waste received each month.

Table 3.1

<u>Tonnage Rate Category</u>	<u>Landfill Operations Area for Disposal</u>	<u>Included Material Types*</u>
Class I MSW	Class I MSW Landfill	LMSW, HMSW
Class I C&D	Class I MSW Landfill	L C&D, H C&D, LCLASSIII, HCLASS III, LSHINGLE, LTIRECHIPS

Class III	Class III Landfill	L C&D, H C&D, LCLASSIII, HCLASS III, LSHINGLE, TIRECHIPS, RSM, L HORT, L HORT RES, H HORT
Ash	Class I Ash Monofill or Class I MSW Landfill	LASH
Other	Class I Ash Monofill or Class I MSW Landfill or Class III Landfill	SLUDGE HEN, SLUDGE LEE, CFM SLUDGE, CONT SOIL, TIRE XL, HTIRE XL, LTIRECHIPS, SAND, HSAND, L ASBEST, H ASBESTOS, L BOAT/RV

*A description of Material Types is provided in Appendix 11 – Waste Material Types

(E) Performance Incentive:

The Company shall receive an annual incentive based upon the value of the airspace saved as a result of the Operational Density achieved by the Company for the contract year as follows, and as further detailed in Appendix 3:

Table 3.2

	Class I MSW Landfill	Class III Landfill
Bonus Parameter	≥1,800 pounds per cubic yard (pcy). (Max 2,000 pcy)	≥1,650 pcy (Max 1,850 pcy)
No Bonus	1,400 – 1,800 pcy	1,400 pcy – 1,650 pcy
Penalty Parameter	≤1,400 pcy	≤1,400 pcy
Point of Calculation	1,600 pcy	1,525 pcy

When the Company achieves the Bonus Parameter Operational Density shown in Table 3.2, the value of the airspace saved during the year will be calculated as the difference between volume consumed at the achieved Operational Density and the volume that would have been consumed at the Point of Calculation density. The volume of airspace saved will be converted to tons of airspace saved using the achieved Operational density.

For the Class I MSW Landfill, the Performance Incentive will consist of a 30% incentive applied to the tons of airspace saved multiplied by the current published Lee County MSW gate rate at the Facility. If the MSW gate rate at the Facility changes during the calculation period, the Performance Incentive will be calculated

separately for tons received under each rate.

For the Class III Landfill, the Performance Incentive will consist of a 20% incentive applied to the tons of airspace saved multiplied by the current published Lee County Class III gate rate at the Facility. If the Class III gate rate at the Facility changes during the calculation period, the Performance Incentive will be calculated separately for tons received under each rate.

The Performance Incentive will be calculated annually; however the Company may choose each month if it believes the Incentive will be met through quarterly surveys or other metrics. If the Company chooses to assume the incentive will be met and the Contract Administrator concurs, 50% of the Incentive will be paid to the Company and 50% will be accrued for final true-up following the end of the Contract Year. Final true-up will occur as part of the December billing cycle.

(F) Performance Penalty:

The Company shall pay an annual Performance Penalty based upon the value of the airspace lost as a result of the Operational Density calculation results achieved by the Company for the contract year, per Table 3.2 and as further detailed in Appendix 3.

When the Company achieves the Penalty Parameter Operational Density shown in Table 3.2, the value of the airspace lost during the year will be calculated as the difference between volume consumed at the achieved Operational Density and the volume that would have been consumed at the Point of Calculation density. The volume of airspace lost will be converted to tons of airspace lost using the achieved Operational density.

For the Class I MSW Landfill, the Performance Penalty will consist of a 30% penalty applied to the tons of airspace lost multiplied by the current published Lee County MSW gate rate at the Facility. If the MSW gate rate at the Facility changes during the calculation period, the Performance Penalty will be calculated separately for tons received under each rate.

For the Class III Landfill, the Performance Penalty will consist of a 20% penalty applied to the tons of airspace saved multiplied by the current published Lee County Class III gate rate at the Facility. If the Class III gate rate at the Facility changes during the calculation period, the Performance Penalty will be calculated separately

for tons received under each rate.

- (G) Administrative Fines. Administrative Fines include damages incurred by the County for which the Company is responsible. The Company shall also be responsible for payment of any monetary penalty assessed by a regulatory agency that is due to Company's acts or omissions in the execution of the Operation Services. The Company may appeal to the Contract Administrator on the assessment of any Administrative Fines or monetary penalty if it is believed the assessment has been unfairly applied. Administrative Fines are provided in Appendix 12.
- (H) Cost-Substantiated Special Projects. From time-to-time, the County may require services outside the scope of this Agreement that are nonetheless required for safe, compliant, or economical operation of the Facility. The County may request Special Projects for which the Company will be reimbursed as a Cost-Substantiated Operations Cost.

Special Projects will be in accordance with Section 2.6(I) and must be approved by the Contract Administrator prior to any work being completed.

Special projects may include such work including, but not limited to:

- (1) Supply material aggregate from off-site material sources.
- (2) Sodding and seeding services.
- (3) Supplemental litter pickup along Church Road entering the Facility.
- (4) Stormwater swale and pond cleanout.
- (5) Leachate pond cleanout.
- (6) Leachate pond liner repairs.
- (7) Extended Gate Open Hours.
- (8) Excavating and stockpiling on-site soil materials

SECTION 3.2 RATE ADJUSTMENTS

- (A) Extraordinary Rate Adjustment. The Company may petition the County for an

additional rate adjustment on the basis of extraordinary or unusual changes in the cost of operations that could not reasonably be foreseen by a prudent operator, such as, that resulting from a change in law. The Company's request must contain substantial evidence and justification, as determined by the Contract Administrator, to support the need for the rate adjustment. The County may request from the Company, and the Company shall provide, all information as may be reasonably necessary in making its determination. The Company can only receive a maximum of one extraordinary rate adjustment per calendar year. The County reserves the right to consider, and act upon, all available options instead of, or in addition to, rate adjustment to resolve or otherwise mitigate the issue(s) which resulted in the Company's petition.

- (B) Index Adjustment. The Base Fee and Tonnage Fee shall be adjusted annually per the procedures in Appendix 5.

SECTION 3.3 BILLING OF THE SERVICE FEE

- (A) Billing Statements. For each Billing Period the Company shall render a statement (a "Billing Statement") to the County by the 25th day of the following Billing Period, which shall set forth each component of the Service Fee. Each Billing Statement shall also include, for such Billing Period, (1) all other amounts payable by the County to the Company hereunder, (2) all amounts payable by the Company to the County hereunder, and (3) with respect to items (1) and (2) above the balance due to or from the County (the "Other Payments Balance"). The Company shall provide all information required pursuant to this Agreement, including Recordkeeping and Reporting Forms per Section 2.6 (E) with each Billing Statement. The County shall pay the Service Fee and any Other Payments Balance due to the Company, less Other Payments Balance due to the County, within sixty (60) days of the date of the Billing Statement.
- (B) Billing Period Processing Record. The County shall furnish the Company with a record, within ten (10) days after each Billing Period, of the waste and Direct-Haul Materials which were delivered to the Landfill Operations Area during such Billing Period for Company Records. The Company shall notify the County within seven (7) calendar days after receiving the record of any discrepancy in the record.
- (C) Billing Estimates and Adjustments. To the extent that the actual value of any item in any Billing Statement cannot be accurately determined at the Billing Statement date, such item shall be billed on an estimated basis and an adjustment shall be made to reflect the difference between such estimated amount and the actual amount of such item on the Billing Statement following the date on which the Company learns the

exact amount of such item.

- (D) Interest on Overdue Payments. All payments to be made by either party under this Agreement that are outstanding after the applicable due date, shall bear simple interest at the maximum rate permitted by Florida law, and in accordance with the local Government Prompt Payment Act, Florida State Statutes 218.70- 218.76.
- (E) Invoice or Payment Disputes. If any Party shall dispute an amount owing to the other Party, such Party shall: (i) give notice to the other Party of such disputed amount together with sufficient information to allow the other Party to understand the nature of the dispute and deliver such notice on or before the due date of the amount disputed; and (ii) pay all undisputed amounts on the due date. Interest at the rate specified in Section 3.3(D), or as specifically established for such item so disputed, shall accrue from the original due date on disputed amounts, or the portions thereof, to the Party which is ultimately determined to be entitled to such disputed amount (or any portions of such disputed amounts).
- (F) Proration. If any payments, rights or obligations under this Agreement (whether relating to Fees and Taxes, insurance, or to any other provision of this Agreement) relate to a period in part before the Operation Date or in part after the date of expiration or termination of the Term, the parties hereto agree that appropriate adjustments and proration shall be made.
- (G) Operations Summary. This Invoice statement shall include the following operational information for the billing period:
 - (1) Daily records of all Landfill Operations Materials used to perform the Operation Services.
 - (2) Daily, weekly and monthly reporting including, but not limited to, Landfill Equipment runtimes, Landfill Equipment downtime, waste tonnage handled, fuel usage, fleet inspection logs.
 - (3) Finance and accounting reporting.
 - (4) A description of any maintenance and repairs on the Landfill Equipment during the prior month exceeding \$3,000 and anticipated during the current and following month. These reports shall present the data in a form reasonably acceptable to the County.

- (5) A description of past-period employee staffing levels, hours worked, absences, and job responsibilities, as well as next-period projections.

SECTION 3.4 ANNUAL SETTLEMENT

Within thirty (30) calendar days after the end of each Contract Year, the Company shall deliver to the County an annual settlement statement (the “Annual Settlement Statement”) setting forth the actual aggregate Service Fee payable with respect to such Contract Year and a reconciliation of such amount with the amounts actually paid by the County pursuant to the Billing Statements with respect to such Contract Year, including, without limitation, all adjustments to the Service Fee made pursuant to this Article III, all adjustments made pursuant to Section 3.3 hereof, and any other amounts payable by the County or the Company pursuant hereto. If any amount is then in dispute, the Annual Settlement Statement shall set forth the Company’s estimate of such amount and a final reconciliation of such amount shall be made in the Billing Statement for the Billing Period immediately following the resolution of such dispute.

Within sixty (60) calendar days following commencement of each Contract Year, the County shall prepare an annual Condition Assessment Report to determine whether the Landfill Operations Areas, including office, maintenance areas, and the Landfill Equipment used by the Company have been operated and maintained as required by the Agreement. The County shall provide a copy of the Condition Assessment Report to the Company.

[Remainder of page intentionally left blank.]

ARTICLE IV BREACH, DEFAULT, TERMINATION FOR CAUSE AND DISPUTE RESOLUTION

SECTION 4.1 COMPANY PERFORMANCE

- (A) Compliance and Remedies. The Company shall at all times during the Term of this Agreement comply with such, except to the extent excused by any County Breach. If the Company fails to comply with any of the terms or conditions, the Company shall at its own cost and expense (1) pay any applicable penalties provided for herein and any other resulting damages, fines, levies, assessments, impositions, penalties or other charges resulting therefrom, and (2) take any action necessary in order to comply with such term or condition, continue or resume performance hereunder and eliminate the cause of, and avoid or prevent recurrences of noncompliance with, such term or condition and (3) indemnify the County for all losses and liabilities incurred due to the Company's failure to comply with the terms and conditions.

SECTION 4.2 SPECIFIC PERFORMANCE

The Company acknowledges that the County may enforce by an action for specific performance the Company's obligations hereunder to operate and maintain the Landfill Operations Areas on the terms and conditions provided herein. Neither party shall have the right to terminate this Agreement for cause except after an Event of Default determined in accordance with the provisions of this Article IV shall have occurred and be continuing.

SECTION 4.3 EVENTS OF DEFAULT

- (A) The following shall constitute an Event of Default by either party:
- (1) Persistent and repeated failure or refusal to perform timely, any obligation under this Agreement, unless such failure or refusal is clearly recognized, justified and excused by the terms and conditions of this Agreement.
 - (2) Failure to pay amounts owed under this Agreement within ninety (90) calendar days following the date they become due and owing.
 - (3) A party or, as to Company, the Guarantor's being or becoming insolvent or bankrupt or ceasing to pay its debts as they mature or making an arrangement with or for the benefit of its creditors or consenting to or acquiescing in the appointment of a receiver, trustee or liquidator for a substantial part of its property, or (b) a bankruptcy, winding up, reorganization, insolvency, arrangement or similar proceeding instituted by

or against a party or, as to Company, the Guarantor under the laws of any jurisdiction, which proceeding has not been dismissed within sixty (60) days, or (c) any action or answer by a party or, as to Company the Guarantor approving of, consenting to, or acquiescing in, any such proceeding, or (d) the levy of any distress, execution or attachment upon the property of a party or, as to Company, the Guarantor which shall substantially interfere with its performance hereunder.

(4) As to Company, the default of the Guarantor under the Guarantee.

(B) This Section 4.3 shall survive the termination or the expiration of this Agreement.

SECTION 4.4 DEFAULT NOTICES

Neither Party may exercise its termination rights pursuant to Section 4.3, unless and until such Party shall have given the other Party written notice of its failure or refusal to perform as applicable. If an Event of Default specified in a required notice of default is cured within ninety (90) calendar days after such notice, no Event of Default shall occur pursuant to such notice. However, the occurrence of an Event of Default specified in Sections 4.3(A)(3) or (A)(4) shall not require any notice.

SECTION 4.5 TERMINATION

(A) Termination for Event of Default

- (1) If an Event of Default has not been cured within ninety (90) days of notice, as required by Section 4.4, the non-defaulting party may terminate this Agreement upon thirty (30) days' notice.
- (2) If an Event of Default has occurred pursuant to Section 4.3(A)(3) or (A)(4), the non-defaulting party may terminate this Agreement forthwith.

(B) Termination for Labor Unrest

If personnel employed by the Company and performing services pursuant to the Company's obligations under this Agreement shall go on a labor strike or slowdown, or if a work stoppage, walkout or secondary boycott shall occur, for any reason or cause whatsoever, and such act or event effectively prevents the Company from performing its material obligations under this Agreement, the County may, in its sole discretion, by notice to the Company, terminate this

Agreement forthwith.

(C) Termination by Law

If the execution of the Operation Services or the County's direction of Solid Waste under this Agreement becomes unenforceable, then the County or the Company may terminate this Agreement forthwith. The Company hereby agrees not to be a party or participant to any action contesting the enforceability of this Agreement. In the event of such termination neither the County nor the Company shall have any legal or equitable remedy against the other for such termination except to the extent provided below.

(D) Termination for Convenience

Either party may terminate this Agreement for its convenience at any time upon providing 180 calendar days' written notice to the other party, with or without cause. If either party elects to terminate this Agreement for its convenience, then County is entitled to a pro rata refund of the funds paid by County to Vendor which is applicable to the portion of the term subsequent to the effective date of termination.

(E) Termination for Non-appropriation

All funds for payment by the County under this Agreement are subject to the availability of an annual appropriation for this purpose by the Lee County Board of County Commissioners. In the event of non-appropriation of funds by the County for the services provided under this Agreement, the County will terminate the Agreement, without termination charge or other liability, on the last day of the then current fiscal year or when the appropriation made for the then-current year for the services covered by this Agreement is spent, whichever event occurs first. If at any time funds are not appropriated for the continuance of this Agreement, cancellation shall be accepted by the Company on thirty (30) days' prior written notice, but failure to give such notice shall be of no effect and the County shall not be obligated under this Agreement beyond the date of termination.

(F) Remedies of the Company

- (1) If the Company terminates this Agreement pursuant to Sections 4.3(A)(1) or (A)(2), the Company shall receive (a) 50% of the annualized Service Fee resulting from multiplying the average monthly Service Fee by 12 months,

if termination occurs after the Contract Date and on or before the date which is the first anniversary of the Contract Date; (b) 25% of the annualized Service Fee resulting from multiplying the average monthly Service Fee by 12 months, if termination occurs after the first anniversary of the Contract Date and on or before the date which is the second anniversary of the Contract Date; or (c) 10% of the annualized Service Fee resulting from multiplying the average monthly Service Fee by 12 months, if termination occurs after the second anniversary of the Contract Date and on or before the date which is the third anniversary of the Contract Date. The parties agree and acknowledge that the damages provided for in this paragraph are to be liquidated damages and shall be the sole and exclusive measure of damages or liability for any breach or non-performance by the County under Sections 4.3(A)(1) or (A)(2) and that the provisions for damages set forth herein are intended to measure as accurately as possible the direct damages of the Company and are not intended to include punitive, special, consequential, incidental or indirect damages

- (2) If the Company terminates this Agreement pursuant to Section 4.3(A)(3), the Company shall have the right to seek legal and equitable remedies provided by law for such Event of Default.

(G) Remedies of the County

If the County shall terminate this Agreement pursuant to Section 4.3, the County shall have the right to seek legal and equitable remedies provided by law for such Event of Default and termination right, respectively, and the County shall have the right to call the Guaranty and shall be free to negotiate with other contractors or any other person or company for performance of the Operation Services.

(H) Manner of Termination Payment

All performance and payment obligations under this Agreement, including payment of all fees and charges that are due and owing, shall continue pursuant to the terms of this Agreement and any amount accrued but unpaid prior to termination shall, if due and owing, be payable in accordance with this Section. Except as otherwise specifically provided in this Agreement with respect to the time of payment following termination, within ninety (90) calendar days following termination of this Agreement, the County and the Company shall reconcile all amounts then due and payable to each other under the terms of this Agreement. Upon reaching, as a result of such reconciliation, the total amount of the

outstanding unpaid balance which the County and the Company owe the other, the County and the Company shall, within thirty (30) calendar days thereafter, make the final payments in complete discharge of their obligations under this Agreement, except those obligations which survive the termination of this Agreement. Payment obligations under this Section are subject to Sections 3.3(D) and 3.3(E).

(I) Exclusive Remedies

The remedies specifically set forth in this Agreement are exclusive, and the parties waive any other remedies they may have at law or in equity; provided, however, that either Party may seek judicial enforcement of any remedy provided herein and any amounts payable hereunder.

(J) Survival

This Section 4.5 shall survive the expiration or termination of this Agreement.

SECTION 4.6 CERTAIN OBLIGATIONS OF THE COMPANY UPON TERMINATION

(A) Obligations on Termination. Upon termination of this Agreement, the Company shall take the following actions:

- (1) stop the Operation Services on the date and to the extent specified by the County;
- (2) promptly take all action as necessary to protect and preserve all materials, equipment, tools, facilities and other property;
- (3) promptly remove from the Facility all equipment, implements, machinery, tools, temporary facilities of any kind and other property owned or leased by the Company (including, but not limited to, sheds, trailers, workshops and toilets), and repair any damage caused by such removal;
- (4) clean the offices and maintenance areas, and leave the same in a neat and orderly condition; and
- (5) promptly remove all employees of the Company and any Subcontractors and vacate the Facility.

- (B) In the case of early termination by the Company pursuant to a County Event of Default, the County shall reimburse the Company for the items listed above.
- (C) Before the end of the Term of the Agreement, the Company shall within thirty (30) calendar days of receipt of the final Condition Assessment Report develop a Remediation Plan for any item that is identified in the final Condition Assessment Report as requiring remediation, including cost estimates for remediation and reassessment, subject to County approval. Upon review and approval of the Remediation Plan by the County, the Company shall proceed with the Remediation Plan and shall complete all necessary work set forth in the Remediation Plan before the end of the Term of the Agreement. The County may in its discretion withhold in escrow all or a portion of the Service Fees due to the Company during the period commencing 6 months prior to the end of the final Contract Year, if in the County's reasonable opinion, the Company is not proceeding diligently to perform the work set forth in the Remediation Plan. Upon expiration of the Term of the Agreement the County may disburse to the Company all funds held in escrow pursuant hereto, upon a determination that the Company has fully complied with the Remediation Plan. The costs of such remediation shall be the responsibility of the Company.
- (D) This Section 4.6 shall survive the termination or the expiration of this Agreement.

[Remainder of page intentionally left blank.]

ARTICLE V GENERAL

SECTION 5.1 INDEMNIFICATION

- (A) Indemnification. To the fullest extent provided by applicable law, the Company shall protect, defend, indemnify and save the County, its agents, officials, commission members, employees, servants, including volunteers, any firm, company, organization or individual, or their contractors or subcontractors with whom the Company may be contracted, harmless from and against any and all claims, demands, fines, loss or destruction of property, liabilities, damages, including incidental, special, actual, punitive, consequential, indirect and environmental pollution, judgments, losses, costs, expenses, suits, actions, and causes of action of every kind and character, including, but not limited to, claims based on negligence, strict liability, and absolute liability which may arise in favor of any person or persons on account of illness, disease, loss of property, services, wages, death or personal injuries resulting from the Company's performance or non-performance of its obligations or operations under this Agreement, regardless whether others may be wholly, concurrently, partially or solely negligent, or strictly liable, or absolutely liable or otherwise at fault, except damages arising out of injuries or property claims to third parties caused solely by the negligence or willful misconduct of the County, its officials, commissioners, employees or agents. Further, the Company hereby agrees to indemnify the County for all reasonable expenses and attorney's fees incurred by or imposed upon the County in connection therewith for any loss, damage, injury or other casualty. The Company additionally agrees that the County may employ an attorney of the County's own selection to appear and defend any such action, on behalf of the County, at the expense of the Company. The Company further agrees to pay all reasonable expenses and attorney's fees incurred by the County in establishing the right to indemnity.
- (B) County Limitation of Liability. IN NO EVENT, BECAUSE OF A BREACH OF THIS AGREEMENT OR ANY OTHER CAUSE, WHETHER BASED UPON CONTRACT, TORT (INCLUDING NEGLIGENCE OR STRICT LIABILITY), WARRANTY, DELAY OR OTHERWISE, ARISING OUT OF THE PERFORMANCE OR NONPERFORMANCE BY THE COUNTY OF ITS OBLIGATIONS UNDER THIS AGREEMENT, INCLUDING, WITHOUT LIMITATION, SUITS BY THIRD PERSONS, SHALL THE COUNTY BE LIABLE FOR OR OBLIGATED IN ANY MANNER, EXCEPT TO THE EXTENT EXPRESSLY AND SPECIFICALLY RECOGNIZED IN THIS AGREEMENT, TO PAY INCIDENTAL, SPECIAL, PUNITIVE, CONSEQUENTIAL OR INDIRECT DAMAGES OF ANY NATURE INCURRED BY IT WHETHER OCCURRING DURING OR SUBSEQUENT

TO THE PERFORMANCE OF THIS AGREEMENT.

- (D) Survival. This Section 5.1 shall survive the termination or expiration of this Agreement.

SECTION 5.2 ASSIGNMENT AND TRANSFER

No assignment of this Agreement or any right occurring under this Agreement shall be made in whole or part by the Company without the express written consent of the County. The County shall have full discretion to approve or deny, with or without cause, any proposed assignment or assignment by the Company. Any assignment of this Agreement made by the Company without the express written consent of the County shall be null and void and shall be grounds for the County to declare a default of this Agreement and immediately terminate this Agreement by giving written notice to the Company, and upon the date of such notice this Agreement shall be deemed immediately terminated, and upon such termination all liability of the County under this Agreement to the Company shall cease, and County shall have the right to call upon the Guarantor and shall be free to negotiate with other contractors or any other person or company for the service of the franchise area which is the subject of this Agreement. In the event of any assignment approved by the County, assignee shall fully assume all the liabilities of the Company.

For purposes of this section, a parent, subsidiary or holding company shall mean any person, corporation or company holding, owning or in control of more than 5% stock or financial interest of another person, corporation or company.

For purposes of this section, assignment means: (1) Selling, exchanging, or otherwise transferring to a third party effective control of Company management; (2) Selling, exchanging, or otherwise transferring to a third party any of the Company's assets dedicated to its performance obligations, herein, unless such assets are promptly replaced with assets of greater or equal value and equivalent function; (3) Issuing stock or selling, exchanging, or otherwise transferring eight (8) percent or more of the then-outstanding common stock of the Company or Guarantor to an entity other than the shareholders owning said stock as of the Contract Date; (4) Any dissolution, reorganization, consolidation, merger, recapitalization, stock issuance or re-issuance, voting trust, pooling agreement, escrow arrangement, liquidation, or other transaction that results in a change of ownership or control of the Company or the Guarantor; (5) Any combination of the foregoing (whether or not in related or contemporaneous transactions) that effects a change of ownership or control of the Company.

SECTION 5.3 RECORDS

Company specifically acknowledges its obligations to comply with §119.0701, F.S., with regard to public records, and shall:

- (A) keep and maintain public records that ordinarily and necessarily would be required by the County in order to perform the services required under this Agreement;
- (B) upon request from the County's custodian of public records, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119 Florida Statutes or as otherwise provided by law;
- (C) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law; and
- (D) meet all requirements for retaining public records and transfer, at no cost to the County, all public records in possession of Company upon termination of this Agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the County in a format that is compatible with the information technology system of the County.

The County shall have final decision on whether records are exempt from disclosure under Chapter 119, Florida Statutes.

IF THE COMPANY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE COMPANY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THE CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 239-533-2221, 2115 SECOND STREET, FORT MYERS, FL 33901, PUBLCRECORDS@LEEGOV.COM, OR <http://www.leegov.com/publicrecords>.

SECTION 5.4 NO DISCRIMINATION, PREVAILING WAGES AND AFFIRMATIVE ACTION

During the performance of this contract, the Company agrees as follows:

The Company will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The Company will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Company agrees to post in conspicuous places, available to employees and

applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

SECTION 5.5 EQUAL EMPLOYMENT OPPORTUNITY

The Company shall use its best efforts consistent with applicable law to ensure that minority business enterprises shall have the maximum practicable opportunity to compete for work and, to the extent the Company is permitted to subcontract work, with respect to this Agreement, the Company is required to comply with all applicable federal, State, County and local directives respecting equal employment opportunity programs.

SECTION 5.6 BINDING EFFECT

This Agreement shall bind and inure to the benefit of the parties hereto and any successor or assignee acquiring an interest hereunder..

SECTION 5.7 AMENDMENTS

Neither this Agreement nor any provision hereof may be changed, modified, amended or waived except by written agreement duly executed by both parties.

SECTION 5.8 NOTICES

Any notices of default or termination shall be sufficient if sent by the parties via email, United States certified mail, postage paid, or via nationally recognized delivery service, to the addresses listed below:

<u>Company's Representative</u>		<u>County's Representative</u>	
Name: David Myhan	Name:	Mary Tucker	
Title: President	Title:	Procurement	
		Management Director	
Address: 1800 N.	Address:	P.O. Box 398	
Military Trail, Suite		Fort Myers, FL 33902	
201, Boca Raton,			
Florida 33431			
	Telephone:	(239) 533-8881	
	Facsimile:	(239) 485-8383	
	Email:	mtucker@leegov.com	

With a copy to:

Name: Lisa Silva,
Esq.

Address: 1800 N.
Military Trail, Suite
201, Boca Raton,
Florida 33431

Name: Lee County Solid Waste

Address: Department 10500
Buckingham Road
Suite 200
Fort Myers, Florida
33905

Any change in the County's or the Company's Representative will be promptly communicated by the party making the change.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed and delivered by their duly authorized officers or representatives as of the date first above written. Each individual signing this Agreement directly and expressly warrants that he/she has been given and has received and accepted authority to sign and execute the Agreement on behalf of the party for whom it is indicated he/she has signed, and further has been expressly given and received and accepted authority to enter into a binding amendment on behalf of such party with respect to the matters contained herein and as stated herein.

COUNTY OF LEE, FLORIDA

Signed by:
By: Melissa Butler
B72C163D219C464
Clerk of the Board of County
Commissioners

DocuSigned by:
By: Kevin Ruane
22FDD5F15C7E43A
Chair

6/26/2025 | 1:53 PM EDT

Kevin Ruane

WITNESS/ATTEST:
Coleen Anthon

By: David M. Myhan
Name: David M. Myhan
Title: President

DS



APPROVED as to Form for the Reliance of
Lee County Only

DocuSigned by:
BY: Amanda L. Swindle
EC08B5A5684DD473...
County Attorney's Office

APPENDIX 1
COUNTY FACILITY OPERATION AND MAINTENANCE PLAN(S)
SOLID WASTE PERMITS



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

NOTICE OF PERMIT MODIFICATION

June 2, 2022

E-mail
dwhitehead@leegov.com

In the Matter of an
Application for Permit by:
Mr. Douglas Whitehead
Lee County Solid Waste Department
10500 Buckingham Road
Fort Meyers, Florida, 33905

Lee/Hendry
WACS # 74766
Lee Hendry Regional Solid Waste Disposal
Facility

Attention: Mr. Douglas Whitehead

DEP File Nos: 0130719-023-SO-MM

Pursuant to Sections 403.061(14) and 403.707, Florida Statutes, the Department hereby issues modification number 0130719-023-SO-MM. The following conditions of permit number 0130719-018-SO-01 are modified as follows:

SPECIFIC CONDITION	FROM	TO	TYPE OF MODIFICATION
Page 1		New	Updated contact information and added Permit Modification No. 0130719-023-SO-MM
1.C Facility Description	Existing	Amended	Updated to include Phases 13-18 and revise disposal area. Updated Class I facility life
2.C.1	Existing	Amended	Updated reference to Approved Operation Plan document number
2.C.3.(a) (4)	Existing	Amended	Updated reference to include reference to applicable Florida Statute
2.C.3.(b) (1)(c)	Existing	Amended	Deleted treated biomedical waste as an authorized waste.
2.C.4(c)	Existing	Amended	Updated reference to include reference to applicable Florida Statute
2.C.6	Existing	Amended	Updated final landfill elevation
2.C.8(a)	Existing	Amended	Updated reference to Approved Operation Plan document number
2.E.1(a)	Existing	Amended	Updated reference to figure showing gas monitoring points

Douglas Whitehead
 June 2, 2022
 Page 2 of 3

2.E.1(b)	Existing	Amended	Updated reference to Landfill Gas Monitoring and Management Plan
2.G.2	Existing	Amended	Updated reference to updated Closure and Long-Term Care Plan
Appendix 2	Existing	Amended	Addition of Documents 4 and 5 related to Permit Modification No. 0130719-023-SO-MM
Appendix 3.II.1	Existing	Amended	Updated number of monitor wells
Appendix 3.II.3	Existing	Amended	Update number of shallow monitor wells
Appendix 3.II.4	Existing	Amended	Update number of deep monitor wells
Appendix 3 Table 1	Existing	Amended	Updated to reflect wells to be abandoned and installed. Added scheduling notes
Appendix 3 Figure 1	Existing	Amended	Updated to include revised ground water monitoring network
Attachment 1			Addition of Permit Modification No. 0130719-023-SO-MM

Attached is Permit Number 0130719-018-SO-01 as modified by this Order. The attached permit replaces all previous permits and permit modifications for this facility.

NOTICE OF RIGHTS

Judicial Review

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68, F.S. by the filing of a notice of appeal under Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department of Environmental Protection in the 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 must be filed within 30 days after this order is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker
Digitally signed by Kimberly A. Walker
 Date: 2022.06.02 13:22:46 -0400

Kimberly A. Walker, Program Administrator
 Permitting and Compliance Assistance Program

Attachment(s):

1. Permit No. 0130719-018-SO-01 as modified by 0130719-023-SO-MM

Douglas Whitehead
June 2, 2022
Page 3 of 3

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Rebecca Rodriguez, P.E., Lee County	RRodriguez2@leegov.com
Linda Braam, Lee County	L.Braam@leegov.com
Keith Howard, P.E., HDR	Keith.Howard@hdrinc.com
El Kromhout, P.G., FDEP	Elizabeth.Kromhout@FloridaDEP.gov
Renee Kwiat, FDEP	Renee.Kwiat@FloridaDEP.gov
Peter Latham, Latham, Luna, Eden and Beaudine	platham@lathamluna.com

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.

Tamela Starling
Clerk

6/2/2022
Date



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

Permit Issued to:

Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905
239-533-8000

WACS Facility ID No.: 74766
Lee/Hendry County Regional Solid Waste Disposal Facility
5500 Church Road
Felda, Hendry County, Florida

Contact Person:

Rebecca Rodriguez, P.E., ~~Laura Gray, P.E.~~, Engineering Manager
10500 Buckingham Road
Fort Myers, Florida 33905
Rrodriguez2@leegov.com, ~~lgray@leegov.com~~
239-533-89148000

Solid Waste Operations Renewal Permit – Class I Landfill

Permit No.: 0130719-018-SO-01
Replaces Permit No.: 0130719-010-SO/00
Includes Modification No. 0130719-022-SO-MM
Includes Modification No. 0130719-023-SO-MM

Permit Issued: January 14, 2015
Permit Renewal Application Due Date: November 13, 2034
Permit Expires: January 14, 2035

Permitting Authority
Florida Department of Environmental Protection
Tallahassee Office
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400
850-245-8707
Fax: 850-245-8803

Updated June 2, 2022

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FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-018-SO-01
WACS Facility ID: 74766

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The Permittee is hereby authorized to operate the facilities 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.

This Solid Waste Operation Permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-701.

This permit does not relieve the Permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permits from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other Sections within the Department or of the Water Management District.

B. Facility Location

Facility Location (main entrance): 5500 Church Road, Felda, Hendry County, Florida.
Location Coordinates: Section: 04, 09 & 16, Township: 45 S, Range: 28 E
Latitude: 26 33'27.0", Longitude 81 31'51.0"

C. Facility Description

To continue to operate a Class I disposal facility, Phase 1 (1A and 1B), having approximately 13.9 acres, ~~and~~ Phase II having 25.59 acres, Phase III (Cells 11 and 12 consisting of 14.7 acres) and future Cells 13 through 18 consisting of 36.4 acres. for a combined total disposal area of 90.59 ~~38~~ acres. The currently permitted Class I facility has an expected life of 246 years. Additional phases will be built in the future and will be incorporated by permit modification. The ash monofill and Class III landfill are authorized under separate permit.

D. Appendices Made Part of This Permit

APPENDIX 1 – General Conditions

APPENDIX 2 – Approved Application Documents

APPENDIX 3 – Water Quality Monitoring Plan

E. Attachments for Informational Purposes Only

ATTACHMENT 1 – Facility Permit History

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SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application as revised in final form replaced or amended in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation, monitoring, or closure requirements of this permit may require a modification to this permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., and Rule 62-4.120, F.A.C., the Department must be notified by submitting Form 62-701.900(8) within 30 days: (a) of any sale or conveyance of the facility; (b) if a new or different person takes ownership or control of the facility; or (c) if the facility name or Permittee's legal name is changed.
5. Air Permit Requirements. This facility is authorized to operate under Title V permit No. 0510030-007-AV, which expires on March 6, 2024. For information regarding the Title V permit, contact the Division of Air Resource Management, Office of Permitting and Compliance, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400, (850) 717-9000.
6. Submittals Required Every Five Years. No later than January 13, 2025, and January 13, 2030, the Permittee shall submit a report to the Department that contains the following:
 - a. An updated closure plan to reflect changes in closure design, long-term care requirements, and financial assurance requirements.
 - b. A revised closure cost estimate, made by recalculating the total cost of closure or long-term care, in current dollars.
 - c. A demonstration that the leachate collection system has been water pressure cleaned or inspected by video recording.
 - d. An updated operation plan, if operational procedures have changed.
7. Permit Fee Payments. The total permit fee required for this permit is \$40,000 for a 20-year permit. The applicant has elected to pay this fee in installments in accordance with Rule 62-701.315(13), F.A.C., and submitted \$10,000 with the permit application. A \$10,000 installment fee was received by the Department by January 13, 2020. No later than January 13, 2025, and January 13, 2030, the Permittee shall submit the remaining installment payments of \$10,000 each to the Department. This fee is due the State regardless of whether the Permittee closes the facility, surrenders the permit, has the permit revoked, or

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transfers the permit before it expires. If the Permittee elects to transfer the permit, it must either pay the entirety of the fee due before submitting the application for transfer, or it must include with the transfer application a signed agreement from the proposed transferee to accept responsibility for the remainder of the permit fee due.

B. Construction Requirements

1. Construction authorized. This permit does not authorize any construction activities.

C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the landfill in accordance with the approved Operation Plan (Appendix 2, Document 5). ~~A revised Operation Plan dated January 2020, was included as Attachment 4.2 in the Five Year Submittal Report dated January 13, 2020 and is incorporated by reference as the approved Operation Plan.~~ The Department shall be notified before any changes, other than minor deviations, to the approved Operation Plan are implemented in order to determine whether a permit modification is required.
2. Operation Plan. A copy of the approved Operation Plan, including the operating record as defined in Rule 62-701.500(3), F.A.C., shall be kept at or near the landfill facility", located at 5500 Church Road, Felda Florida, 33930, and/or the Lee County Solid Waste Department, 10500 Buckingham Road, Fort Myers, Florida 33905 or the County's computer network, and shall be accessible to landfill operators.
3. Authorized Waste Types. The facility is authorized to manage only the following waste types:
 - a. Waste types defined in Rule 62-701.200, F.A.C.:
 - 1) Class I waste.
 - a) Household
 - b) Commercial
 - 2) Class III waste.
 - 3) Construction and demolition debris.
 - 4) Yard trash as allowed pursuant to Section 403.708(12)(c), F.S.
 - 5) Waste tires (shredded/cut tires).
 - 6) Agricultural.
 - 7) Sludge (domestic, industrial).
 - 8) Industrial.
 - 9) Ash residue.
 - 10) CCA treated wood.
 - b. Other Wastes Specifically Authorized:
 - 1) Biological Wastes.
 - a) Bodies of domestic animals upon death by disease shall be disposed of pursuant to Section 823.041(1), F.S.
 - b) Bodies of captive wildlife, as well as bodies of domestic animals that have not died due to disease.
 - ~~c) Treated biomedical waste may only be accepted in accordance with Rule 62-701.300(6), F.A.C.~~

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- 2) Asbestos. Asbestos may be accepted and managed in accordance with the requirements of 62-701.520(3), F.A.C.
 - 3) Contaminated Soil. Soil that has been contaminated with petroleum products or any other materials that are not hazardous wastes may be accepted and managed or disposed in the Class I landfill in accordance with Rule 62-701.520(4), F.A.C.
 - 4) Other non-hazardous Class I waste that is not otherwise prohibited in a Class I landfill.
- c. Special Wastes: The disposal or control of special wastes shall be in accordance with the approved Operation Plan, Rules 62-701.300(8) and 62-701.520, F.A.C., and any other Department rules, to protect the public safety, health and welfare. The special wastes shall be handled on a first-in, first-out basis.
4. Unauthorized Waste Types. The facility is not authorized to process or dispose any waste types not listed in C.3. above. In addition, the facility is not authorized to process or dispose the following wastes in the Class I Landfill in accordance with Rule 62-701.300(8), F.A.C.
- a. Lead-acid batteries;
 - b. Used oil and oily waste, except as provided in Chapter 62-710, F.A.C., and subsection 62-701.300(11), F.A.C.;
 - c. Yard trash, unless mulched and mixed with cover or as allowed pursuant to Section 403.708(12)(c), F.S.
 - d. White goods and lawn mowers;
 - e. Whole waste tires, except as provided in Chapter 72-711, F.A.C.
 - f. Liquids, except as provided in subsection 62-701.300(10), F.A.C.
- Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan.
5. Waste Management and Handling.
- a. Solid waste shall be formed into cells to construct horizontal lifts. The working face of the cell, and side grades above land surface, shall be at a slope no greater than three feet horizontal to one-foot vertical rise or as authorized by this permit in accordance with the approved operation plan.
 - b. No solid waste shall be disposed of outside of the permitted footprint of the solid waste disposal units.
 - c. The sequence of waste filling shall be as specified in the approved operation plan.
6. Landfill Elevation. The permitted height of the Class I landfill is currently 165 ft, 434.5 NGVD.
7. 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.
8. Cover Requirements: All solid waste disposed of in the Class I landfill shall be covered as required by Rule 62-701.500(7), F.A.C.

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- a. Initial Cover: 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), F.A.C., so as to protect the public health and welfare. Approved initial cover materials include those listed in Rule 62-701.500(7)(e), F.A.C., provided they meet the criteria of Rule 62-701.200(53), F.A.C. As indicated in the approved Operation Plan (Appendix 2, Document 5) ~~dated January 2020~~, other alternate daily initial cover materials may include:
 - 1) Soil that has been contaminated with petroleum products or any other materials that are not hazardous wastes if the material meets the criteria of Rule 62-701.200(53) or (55) F.A.C., as appropriate. Contaminated soil as defined by Rule 62-713.200(3) F.A.C. that has the potential to leach constituents in excess of Department ground water standards or criteria may be used only on the interior, non-permanent slopes where runoff or infiltration is captured by the leachate collection system.
 - 2) Cleaned soil that meets the requirements of Rule 62-713.520(2), F.A.C. may be used as initial cover material on interior and exterior landfill slopes.
 - 3) Combustion ash from the Resource Recovery Facility (RRF) may be used as an initial cover material as specified on page 14 of the approved Operation Plan.
 - b. Alternate initial cover material not identified herein shall be approved by the Department prior to use at the facility. For those areas where solid waste will be deposited on the working face within 18 hours, initial cover may consist of a temporary cover or tarpaulin. Crushed glass from the Lee County Recovered Materials Processing Facility is an approved alternative initial cover material.
 - c. Intermediate Cover: Intermediate cover shall be applied and maintained in accordance with F.A.C. 62-701.500(7)(g). An intermediate cover of one (1) foot of compacted earth or other approved intermediate cover material, in addition to the six (6) inch layer of initial cover shall be applied within seven (7) days of cell completion at all landfills if final cover or an additional lift is not to be applied within 180 days of cell completion. Approved intermediate cover materials include those listed in Rule 62-701.500(7)(g), F.A.C., provided they meet the criteria of Rule 62-701.200(55), F.A.C.
 - d. Materials that have been used for intermediate cover may be removed and reused only if the materials are substantially free of waste.
9. Erosion Control. Erosion control measures shall be employed to correct any erosion which exposes waste or causes malfunction of the storm water management system. Such measures shall be implemented within three days of occurrence. If the erosion cannot be corrected within seven days of occurrence, the landfill operator shall notify the Department and propose a correction schedule.
10. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan. Notification shall be made to the Solid Waste Section of DEP's South District Office at 239 344-5600.

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11. Housekeeping. The facility shall be operated to control dust, vectors, litter and objectionable odors. If objectionable odors are confirmed beyond the landfill property boundary, the owner or operator shall comply with the gas management requirement in Section 2, Part E.
12. Leachate Management.
 - a. The Permittee shall operate the leachate management system (including the collection, removal, storage, and on-site disposal system), and maintain the system as designed, so that leachate is not discharged from the system except as provided for in the Operation Plan.
 - b. Routine inspections and maintenance of the leachate management system shall be conducted in accordance with the schedule established in the Operation Plan.
 - c. The leachate collection pipes shall be cleaned or video inspected at least once every five years.
 - d. The Permittee shall record quantities of leachate collected by the leachate collection and removal system in gallons per day and precipitation at the facility, and shall compare these measurements.
13. Spotters and Operators. This facility shall have the minimum number of spotters present when waste is accepted as specified in the Operation Plan, to be located as specified in the Operation Plan. A trained operator shall be on duty at the landfill at all times when the landfill receives waste. There may be times when ash from the County's waste to energy plant must be delivered during times when a trained operator is not on duty, in order to address ash storage limitations of the waste to energy plant. The delivery driver shall be familiar with the landfill and its operation. Approved training courses can be found at the following web site: <http://www.treco.ufl.edu/sw>.
14. Record Keeping Requirements.
 - a. Waste Quantity Records. Waste records shall be compiled monthly, and copies shall be provided to the Department no less than annually by January 31. This information shall be reported to the Department through the DEP Business Portal located at: <http://www.fldepportal.com/go>.
 - b. Estimate of Remaining Life. The Permittee shall submit the annual estimate of the remaining life and capacity by January 31. The report is required by Rule 62-701.500(13)(c), F.A.C. and should be sent to:

Florida Department of Environmental Protection
 Solid Waste Program & Permitting
 2600 Blair Stone Road, MS 4565
 Tallahassee, Florida 32399-2400

and to:

Florida Department of Environmental Protection
 South District Office
 2295 Victoria Ave, Suite 364
 Fort Myers, Florida 33901

In lieu of submitting hard copies, reports may be submitted electronically (Adobe pdf format) by email to appropriate Department personnel or by placing files on the Department's file transfer protocol (ftp) website. An email must be sent to the

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appropriate Department personnel informing them of the location (folder name) of files that have been placed on the ftp site. The ftp website location is: <ftp://ftp.dep.state.fl.us/pub/incoming>. The document "received date" is the date the email is received by Department personnel or the file is placed on the ftp site.

15. Hazardous Waste. If any regulated hazardous wastes are discovered to be deposited at the facility, the facility operator shall promptly notify the Department, the person responsible for shipping the wastes to the facility, and the generator of the wastes, if known. The area where the wastes are deposited shall immediately be cordoned off from public access. If the generator or hauler cannot be identified, the facility operator shall assure the cleanup, transportation, and disposal of the waste at a permitted hazardous waste management facility. In the event that hazardous wastes are discovered they shall be managed in accordance with the procedures provided in facility Operation Plan.
16. Storm Water. Leachate shall not be discharged into the storm water management system. Storm water or other surface water which comes into contact with or mixes with the solid waste or leachate shall be considered leachate and is subject to the requirements of Rule 62-701.500(8), F.A.C. The facility currently has a South Florida Water Management District Surface Water (ERP) Permit No. 26-00541-S.

D. Water Quality Monitoring Requirements

1. Zone of Discharge. The boundary of the zone of discharge shall be no more than one hundred (100) feet from the solid waste disposal unit and the previously existing leachate percolation ponds, or to the facility's property boundary, whichever is less. The boundary of the zone of discharge shall also not extend beyond the base of the water-table (unconfined) aquifer identified in the geotechnical/ hydrogeological study of the construction permit application. The Permittee shall ensure that Class G-II water quality standards will not be exceeded at the boundary of the zone of discharge, per Rule 62-520.420, F.A.C., and that ground water minimum criteria will not be exceeded outside the boundary of the zone of discharge, per Rule 62-701.320(17), F.A.C.
2. Water Quality Monitoring Plan. The Water Quality Monitoring Plan for this permit is included in APPENDIX 3.

E. Gas Management System Requirements

1. Construction Requirement. All construction shall be done in accordance with the approved gas management system design, drawings, and specifications. The Department shall be notified before any changes, other than minor deviations, to the approved design are implemented in order to determine whether a permit modification is required.
 - a. Locations of gas monitoring points are specified in ~~the Appendix 3 Figure 1 Operations Site Plan II-1 Site Plan submitted with the October 2014 application.~~
 - b. ~~The Landfill Gas Monitoring and Management Plan for the entire facility (including the Class I Landfill) is presented in Attachment 2 to the Ash Monofill and Class III Landfill Operation Plan dated April 8, 2018 September 17, 2017. Locations of gas extraction or venting wells proposed to be installed at landfill closure are specified in Drawing C-51 of the February 2004 Application for Phase 2 Expansion.~~

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2. Operational Requirements. Gas controls shall be operated and maintained so that they function as designed.
3. Monitoring Requirements. Monitoring for methane gas at the property boundary and within structures on the property shall be performed quarterly to determine the effectiveness of the gas migration controls. The gas monitoring results shall be reported as a percent of the lower explosive limit (LEL), calibrated to methane. The report shall be submitted to the Department under separate cover no later than 15 days after the end of the period in which the monitoring occurred.
4. Gas Remediation Plan. The facility shall be operated to prevent the concentration of combustible gases from exceeding 25% of the lower explosive limit in structures, excluding gas control or recovery components, and from exceeding the lower explosive limit at or beyond the property boundary. If either of these limits is exceeded then a gas remediation plan shall be designed and implemented in accordance with Rule 62-701.530(3)(a), F.A.C.
5. Odor Remediation Plan. The facility shall be operated to control objectionable odors. If objectionable odors are confirmed beyond the property boundary then upon notification by the Department the Permittee shall develop and implement an odor remediation plan in accordance with the requirements of Rule 62-701.530(3)(b), F.A.C.

F. Financial Assurance and Cost Estimates

1. Financial Assurance Mechanism. The Permittee may not receive waste for disposal or storage in any disposal unit for which financial assurance has not been approved. Proof that the financial mechanisms are established and funded in accordance with Rule 62-701.630, F.A.C. shall be submitted to the Department at least sixty (60) days prior to the planned acceptance of solid waste in any disposal unit. When established, the Permittee shall maintain, in good standing, the financial assurance mechanisms. Supporting documentation and evidence of increases associated with cost estimate 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:

Solid Waste Financial Coordinator
Florida Department of Environmental Protection
2600 Blair Stone Road MS 4548
Tallahassee, Florida 32399-2400

and to:

Florida Department of Environmental Protection
South District Office
2295 Victoria Ave, Suite 364
Fort Myers, Florida 33901

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2. Cost Estimates.

- a. The Permittee shall submit closure cost estimates, including annual adjustments for inflation, in accordance with the requirements of Rule 62-701.630(3) and (4), F.A.C., and 40 CFR Part 264.142(a) using Form 62-701.900(28).
- b. An owner or operator using an escrow account shall submit the annual inflation adjusted estimate(s) between July 1 and September 1. An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the inflation adjusted cost estimate(s) between January 1 and March 1.
- c. All submittals in response to this specific condition shall be sent to the District Office and a copy to the address identified in Specific Condition F.1. or to the following email address: Solid.Waste.Financial.Coordinator@dep.state.fl.us.

G. Closure Requirements

1. Closure Permit Requirements. Prior to initiating closure of a solid waste disposal unit, or part of a solid waste disposal unit, the Permittee shall receive authorization from the Department in one of the following ways.

- a. If the landfill is operating under a Department permit that includes a Closure Plan with sufficient detail to provide reasonable assurance of compliance with the closing requirements of Rule 62-701.600, F.A.C., then the Permittee shall notify the Department at least 30 days prior to initiating the closure activities and receive written approval from the Department prior to beginning the work.
- b. If the landfill is operating under a Department permit that requires substantive changes to the closing activities in the permitted Closure Plan, then the Permittee shall request a modification of the permit to include sufficient design detail to ensure compliance with the closing requirements of Rule 62-701.600, F.A.C., and shall initiate closing only after the permit has been modified.
- c. The Permittee shall submit an application to the Department for a closure permit on Form 62-701.900(1) and shall initiate closure activities only after the permit is issued. The application shall include a Closure Plan made up of the following:
 - 1) A closure design plan;
 - 2) A closure operation plan;
 - 3) A plan for long-term care; and,
 - 4) A demonstration that proof of financial assurance for long-term care will be provided.

2. Closure Design. All closure construction shall be done in accordance with the approved closure design plan. A revised Closure and Long-Term Care Plan dated January ~~2022~~ ~~2020~~, was included as Attachment ~~Q 1 in the Five Year Submittal Report to the~~ Application for Substantial Modification of Operation permit No. 0130719-018-SO-01 dated January 21 43, 2022 2020 (Appendix 2, Document 4) and is incorporated by reference as the approved Closure Design Plan. The Department shall be notified before any changes, other than minor deviations, to the approved closure design are implemented in order to determine whether a permit modification is required.

3. Closure Operation Plan. All closure shall be done in accordance with the approved closure operation plan.

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4. Certification of Closure Construction Completion. After closure construction has been completed, the engineer of record shall certify to the Department on Form 62-701.900(2) that the closure is complete and that it was done in accordance with the plans submitted to the Department except where minor deviation was necessary. All deviations shall be described in detail and the reasons therefore enumerated.
5. List of Closed Units Not in Long-Term Care. There are currently no closed units at this facility.

H. Long Term Care Requirements

There are currently no long term care requirements for this facility.

Operation Permit No. 0130719-018-SO-01 was originally executed in Leon County, Florida, by Tim Bahr, P.G., Program Administrator, Permitting and Compliance Assistance Program, State of Florida Department of Environmental Protection on January 14, 2015.

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APPENDIX 1

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, 403.161, 403.727, or 403.861, Florida Statutes. 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 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 or 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:

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- (a) Have access to and copy any records that must be kept under conditions of the 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.
 Reasonable time may depend on the nature of the concern being investigated.
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 Sections 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 or a copy thereof shall be kept at the work site of the permitted activity.
12. 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 instrumentation) 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.

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(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.
13. 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.

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PERMIT NO.: 0130719-018-SO-01
WACS Facility ID: 74766

APPENDIX 2

List of approved documents incorporated into the Permit:

Document 1 - Operation Permit Renewal Application for Permit No. 0130719-010-SO/01, prepared by Lee County SWD, dated October 17, 2014 and received on October 17, 2014. A copy can be found at:
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.216864.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.216864.1]&[profile=Permitting_Authorization])

Document 2 – “Approved Operation Plan”, dated January 2020, prepared by Jones Edmunds & Associates, Inc., submitted on January 13, 2020, as part of a 5 Year Submittal. A copy can be found at:
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.307578.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.307578.1]&[profile=Permitting_Authorization])

Document 3 – “Approved Closure Design Plan”, dated January 2020, prepared by Jones Edmunds & Associates, Inc., submitted as part of a 5 Year Submittal. A copy can be found at:
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.307577.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.307577.1]&[profile=Permitting_Authorization])

Document 4 - Application for Substantial Modification of Permit Number 0130719-018-SO-01 and New Construction Permit. Prepared by HDR Engineering Inc., dated January 21, 2022 and received January 24, 2022. A copy can be found at:
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.334961.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.334961.1]&[profile=Permitting_Authorization])

Document 5 – “Approved Operation Plan”, dated April 2022, prepared by Jones Edmunds & Associates, Inc., and revised by HDR. Received on April 15, 2022. A copy can be found at:
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.338515.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.338515.1]&[profile=Permitting_Authorization])

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Appendix 3

WATER QUALITY MONITORING PLAN

Lee Hendry County Regional Solid Waste Disposal Facility

PERMIT NO: 0130719-018-SO-01
WACS FACILITY ID: 00074766
PERMIT DATE: January 13, 2015

I. GENERAL

1. The field testing, sample collection and preservation and laboratory testing, including quality control procedures, shall be in accordance with Chapter 62-160, F.A.C. Approved methods as published by the Department or as published in Standard Methods, ASTM, or EPA Methods shall be used. **[62-701.510(2)(b), F.A.C.]**
2. The organization collecting samples at this site must use the Field and Laboratory Standard Operating Procedures (DEP-SOP-001/01) referenced in Chapter 62-160, F.A.C. The laboratory designated to conduct the chemical analyses must be certified by the Florida Department of Health Environmental Laboratory Certification Program (DOH ELCP). This Certification must be for the test method and analyte(s) that are reported. **[62-160.210(1), 62-160.300(1), 62-701.510(2)(b), F.A.C. and DEP SOP FS 1008.]**

NOTE: DEP-SOP-001/01 can be accessed at:
<http://www.dep.state.fl.us/water/sas/sop/sops.htm>

3. The Permittee must ensure that the analytical laboratory conducting the analyses uses analytical methods capable of achieving detection limits at or below the Groundwater Cleanup Target Levels (GCTLs) or the Freshwater Surface Water Cleanup Target Levels (SWCTLs) in Table I, Chapter 62-777, F.A.C. except those listed in Table C of the "FDEP Guidance for the Selection of Analytical Methods and for the Evaluation of Practical Quantitation Limits dated 10/12/2004". GCTLs and SWCTLs that are not water quality standards are used as screening tools and interim guidelines for ground water minimum criteria until standards are promulgated. **[DEP SOP FM 1000]**
4. If, at any time, analyses detect parameters which are significantly above background water quality, or which are at levels above the Department's water quality standards or criteria specified in Chapter 62-520, F.A.C., in the detection wells or at the edge of the Zone of Discharge, the Permittee may confirm the data by resampling the affected wells within thirty (30) days of receipt of the sampling data. Should the Permittee choose not to resample, the Department will consider the water quality analysis as representative of current ground water conditions at the facility. If the data is confirmed, or if the Permittee chooses not to resample, the Permittee shall notify the Department within 14 days of this finding. **[62-701.510(6)(a), F.A.C.]**

If the resampling event detects parameters which are significantly above background water quality, or which are at levels above the Department's water quality standards or criteria specified in Chapter 62-520, F.A.C., the Permittee shall notify the Department in writing

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within 14 days of receipt of the sampling data. Confirmed data must be submitted to the Department within 60 days from completion of lab analyses, unless a different due date is approved. [62-701.510(8)(a), F.A.C.]

Note: For confirmation samples, the ADaPT field Electronic Data Deliverable (EDD) should include "CONF" (for confirmation data) in the report type column.

Upon notification by the Department, the Permittee shall initiate evaluation monitoring in accordance with Rule 62-701.510(6)(a), F.A.C.

II. GROUND WATER QUALITY MONITORING

- The ~~18~~ ~~23~~ ground water monitoring wells included in this monitoring plan are listed in Table 1 and shown on Figure 1. [62-701.510(3)(d)2 & 3, F.A.C.]
- Any initial sample collected from a new ground water monitoring well, unless the new monitoring well is installed to replace an existing well within the monitoring network, shall be analyzed for the following Initial Ground Water Monitoring Parameters. [62-701.510(5)(b), F.A.C.]

Initial Well Installation Sampling Parameters

Field Parameters	Laboratory Parameters
Static water level in wells before purging	Ammonia - N, Total
Dissolved oxygen	Chlorides
pH	Iron
Specific conductivity	Nitrate
Temperature	Sodium
Turbidity	Total dissolved solids (TDS)
Color and sheen (by observation)	Those parameters listed in 40 CFR Part 258, Appendix II.*

* Mercury not listed because it is included in Appendix II.

* Appendix I is not listed because it is a subset of Appendix II

- The ~~7~~ ~~44~~ active shallow monitoring wells for the landfill shall be routinely sampled and analyzed semi-annually in March and September for the following ground water monitoring parameters. [62-701.510(5)(c) & (7)(a), F.A.C.]

Semi-Annual Sampling Parameters

Field Parameters	Laboratory Parameters
Static water level in wells before purging	Ammonia - N, Total
Dissolved oxygen	Chlorides
pH	Iron
Specific conductivity	Mercury
Temperature	Nitrate
Turbidity	Sodium
Color and sheen (by observation)	Total dissolved solids (TDS)
	Those parameters listed in 40 CFR Part 258, Appendix I

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4. The ~~11~~ ~~42~~ deep surficial (Sandstone Aquifer) wells shall be measured for water levels during the semiannual sampling events (designated as piezometers in Table 1).
5. All water quality analyses will be performed on unfiltered samples unless approved by the Department.

III. SURFACE WATER MONITORING

1. No surface water monitoring is required by this permit. Surface water monitoring is implemented in accordance with an environmental resource permit (ERP) issued by the South Florida Water Management District (Permit No. 26-00541-S).

IV. MONITORING WELL REQUIREMENTS

1. If a monitoring well or piezometer becomes damaged or inoperable, the Permittee shall notify the Department within two (2) days of discovery with a written report within ten (10) days of notice. The written report shall describe what problem has occurred and the remedial measures that have been taken to prevent a recurrence. The Department can require the replacement of inoperable monitoring wells or piezometers. **[62-520.600(6)(1), F.A.C.]**
2. New or replacement monitoring well design or placement must be approved by the Department. The design and construction of these wells must be based on site-specific borings with appropriate supporting data such as grain size distribution analyses, in-situ hydraulic conductivity testing, and depth to water. Wells shall be installed using standard, accepted practices for well construction. **[62-701.510(3), F.A.C. and 62-520.600(3) and (6), F.A.C.]**
3. All wells and piezometers shall be clearly and permanently labeled and the well site maintained so that the well is visible at all times. Unless otherwise authorized in a Department permit, new monitoring wells, and existing monitoring wells at the time of permit renewal, shall have protective bollards or other devices installed around them if they are located in areas of high traffic flow to prevent damage from passing vehicles. **[62-701.510(3)(d)5, F.A.C.]**
4. The Department shall be notified in writing before any monitoring wells are abandoned or plugged. Wells shall be abandoned using standard, accepted practices for well abandonment. **[62-701.510(3)(d)6, F.A.C.]**

V. REPORTING REQUIREMENTS

A. FIELD ACTIVITIES

1. The Department must be notified in writing, hard copy or e-mail, at least fourteen (14) days prior to sampling of any monitoring well(s) so that the Department may collect split samples. **[62-701.510(8)(a), F.A.C.]**

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B. MONITORING WELL COMPLETION REPORT

2. One (1) electronic copy (Adobe pdf format) of the Monitoring Well Completion Report, Form 62-701.900(30), along with well construction diagrams and soil boring logs that cover the entire depth of the monitoring well(s), must be submitted to the Department within thirty (30) days after installation of any new or replacement monitoring well(s). [62-701.510(3)(d)1 and 62-520.600(6)(j), F.A.C.]

NOTE: The top of casing elevation of each well, to the nearest 0.01 feet, and the latitude and longitude of each well in degrees, minutes and seconds, to two (2) decimal places, must be determined and certified by a Florida Licensed Surveyor and Mapper and provided on the form. [62-701.510(3)(d)1 & 62-520.600(6)(i), F.A.C.]

C. SURVEYING

3. One (1) electronic copy (Adobe pdf format) of a site map depicting all newly installed and existing monitoring wells must be submitted to the Department within sixty (60) days following monitoring well installation, and at permit renewal. A table of all wells that includes the WACS identification number, well status (active, inactive, abandoned), latitude/longitude location, top of casing elevation (NGVD), well screen interval, and total depth, should be included with the site map. [62-701.510(1)(c) & (3)(d)1, and 62-520.600(6)(i), F.A.C.]
4. If a monitoring well is being replaced or new wells are being added to an existing ground water monitoring plan, only the new wells need to be surveyed as long as all other monitoring wells in the monitoring plan have been surveyed and certified by a Florida Licensed Surveyor and Mapper and there is no reason to believe that the elevations have changed. The location and elevation determinations and the certification must be provided with the Monitoring Well Completion Report upon completion of each new well. [62-701.510(3)(d)1, F.A.C.]

D. DEPTH MEASUREMENTS

5. A total depth measurement must be made on each well at time of the Technical Report or every five years. This measurement is to be reported as total apparent depth below ground surface and should be compared to the original total depth of the well.

E. INITIAL AND SEMI-ANNUAL SAMPLING AND SUBMITTING ELECTRONIC DATA

6. Required monitoring reports must be submitted to the Department within sixty (60) days from completion of laboratory analyses and shall follow the Department's electronic reporting requirements using the ADaPT software. [Rule 62-701.510(8)(a), F.A.C.]
7. Required water quality monitoring reports and analytical results shall be submitted electronically. Water quality monitoring reports shall be submitted in Adobe pdf format. The water quality data Electronic Data Deliverable (EDD) shall be provided to the Department in a comma separated text file electronic format consistent with requirements for importing the data into the Department's databases as summarized at:

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<http://www.dep.state.fl.us/waste/categories/shw/pages/ADaPT.htm>. Water quality monitoring reports shall be signed and sealed by a Florida registered professional geologist or professional engineer with experience in hydrogeological investigations and shall include the following:

- a) Cover letter;
- b) Summary of exceedances and recommendations;
- c) Ground water contour maps;
- d) Chain of custody forms;
- e) Water levels, water elevation table;
- f) Water Quality Monitoring Certification using Form Rule 62-701.900(31), F.A.C.;
- g) Appropriate information using the Groundwater Sampling Log, Form FD 9000-24 (DEP-SOP-001/01); and,
- h) Laboratory and Field EDDs and error logs, as applicable.

All submittals in response to this specific condition shall be sent both to:

Florida Department of Environmental Protection South District Office 2295 Victoria Ave, Suite 364 Fort Myers, Florida 33901	Florida Department of Environmental Protection Solid Waste Program & Permitting 2600 Blair Stone Road, MS 4565 Tallahassee, Florida, 32399-2400
--	--

Reports may be submitted electronically (Adobe pdf format) by email to appropriate Department personnel or by placing files on the Department's file transfer protocol (ftp) website. An email must be sent to the appropriate Department personnel informing them of the location (folder name) of files that have been placed on the ftp site. The ftp website location is: <ftp://ftp.dep.state.fl.us/pub/incoming>. The document "received date" is the date the email is received by Department personnel or the file is placed on the ftp site.

F. WATER ELEVATIONS

8. Water elevations in all monitoring wells, whether sampled or not, and all piezometers must be measured to the nearest 0.01 foot and reported semi-annually. These measurements should be reported in a table that includes the well name, date of measurement, measuring point elevation referenced to a nationally recognized datum (such as NGVD 1929 or NAVD 1988), depth to water and calculated water level elevation referenced to the same nationally recognized datum. Water elevation measurements associated with sampling events shall be reported in the ADaPT data files for the upload into WACS. [62-701.510(8)(a)8, F.A.C.]

G. GROUND WATER CONTOUR MAPS

9. Ground water elevation contour maps for each monitored aquifer zone must be submitted semi-annually to the Department. The contours intervals should be no greater than one foot unless site specific conditions dictate otherwise. Water elevation contour map(s) must be developed from water elevation measurements made within the same 24-hour period and should include monitoring well and piezometer locations, ground water elevation at each monitoring well or piezometer location referenced to a nationally recognized vertical datum (such as NGVD 1929 or NAVD 1988), a bar scale, north arrow, ground water contour interval, date of measurement and ground water flow direction. These maps shall be signed

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and sealed pursuant to Florida Statutes (F.S.) Chapters 471 and 492 which require that documents requiring the practice of professional engineering or professional geology, as described in Chapter 471 or 492, F.S., be signed and sealed by the professional(s) who prepared or approved them. **[62-701.510(8)(a)9, F.A.C.]**

H. TECHNICAL REPORT

10. A technical report, signed and sealed by a professional geologist or professional engineer with experience in hydrogeologic investigations, shall be submitted to the Department approximately every two and one-half years during the active life of the facility, and every five years during the long-term care period. The report shall summarize and interpret the water quality monitoring results and water level measurements collected since the last Technical Report. The report shall contain, at a minimum, the following **[62-701.510(8)(b), F.A.C.]**:
 - a) Tabular displays of any data which shows that a monitoring parameter has been detected, and graphical displays of any leachate key indicator parameters detected (such as pH, specific conductance, TDS, TOC, sulfate, chloride, sodium and iron), including hydrographs for all monitor wells;
 - b) Trend analyses of any monitoring parameters consistently detected;
 - c) Comparisons among shallow, middle, and deep zone wells;
 - d) Comparisons between background water quality and the water quality in detection and compliance wells;
 - e) Correlations between related parameters such as total dissolved solids and specific conductance;
 - f) Discussion of erratic and/or poorly correlated data;
 - g) An interpretation of the ground water contour maps, including an evaluation of ground water flow rates; and
 - h) An evaluation of the adequacy of the water quality monitoring frequency and sampling locations based upon site conditions.
11. One electronic copy (Adobe pdf format) of the Technical Report shall be submitted to the Department on the following schedule: **[62-701.510(8)(b), F.A.C.]**

Report	Sampling Periods Covered	Number Of Semi-Annual Sampling Events in Report	Date Technical Report Due
1	Second Semi-Annual 2013 through Second Semi-Annual 2015	5	2/1/2016
2	First Semi-Annual 2016 through First Semi-Annual 2018	5	8/1/2018
3	Second Semi-Annual 2018 through Second Semi-Annual 2020	5	2/1/2021
4	First Semi-Annual 2021 through First Semi-Annual 2023	5	8/1/2023
5	Second Semi-Annual 2023 through Second Semi-Annual 2025	5	2/1/2026
6	First Semi-Annual 2026 through First Semi-Annual 2028	5	8/1/2028
7	Second Semi-Annual 2028 through Second Semi-Annual 2030	5	2/1/2031
8	First Semi-Annual 2031 through First Semi-Annual 2033	5	8/1/2033

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List of Attachments

Table 1 – Water Quality Sampling Testsite Information

Figure 1 – Ground Water Monitoring Locations Map

Table 1 – Water Quality Sampling Testsite Information

Testsite Name	Testsite WACS No.	Designation		Aquifer
Ground Water Sampling Sites				
MW-2S	20920	Background		Shallow Surficial
MW-3S	20922	Background		Shallow Surficial
MW-37S	20924	Background (Leachate Pond)*		Shallow Surficial
MW-38S	20936	Detection (Leachate Pond)*		Shallow Surficial
MW-39S	20938	Compliance (Leachate Pond)*		Shallow Surficial
MW-43S	20941	Detection (O&M Facility)		Shallow Surficial
MW-52SR ^a	23718	Detection		Shallow Surficial
MW-53SR ^b	23720	Detection		Shallow Surficial
MW-54SR	23721	Detection		Shallow Surficial
MW-59SR2 ^c	23716	Detection		Shallow Surficial
MW-60SR ^a	23717	Detection		Shallow Surficial
MW-61S^d	31085	Detection		Shallow Surficial
MW-62S^d	31086	Detection		Shallow Surficial
MW-63S^e	31087	Detection		Shallow Surficial
MW-64S^{e,a}	31088	Detection		Shallow Surficial
MW-65S^f	31089	Detection		Shallow Surficial
MW-66S^{f,g}	31090	Detection		Shallow Surficial
MW-67S^{h,i}	31091	Detection		Shallow Surficial
MW-68S^{j,c}	31092	Detection		Shallow Surficial

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<u>MW-69S^j</u>	<u>31093</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-70S^{l,k}</u>	<u>31094</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-71S^{m,l}</u>	<u>31095</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-72S^m</u>	<u>31096</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-73Sⁿ</u>	<u>31097</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-74Sⁿ</u>	<u>31098</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-75S^{n,l}</u>	<u>31099</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-76S^o</u>	<u>31100</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
<u>MW-77S^o</u>	<u>31101</u>	<u>Detection</u>		<u>Shallow</u> <u>Surficial</u>
MW-2D	20921	Piezometer		Deeper Surficial
MW-3D	20923	Piezometer		Deeper Surficial
MW-4DR2	23715	Piezometer		Deeper Surficial
MW-5D	20927	Piezometer		Deeper Surficial
MW-6D	20928	Piezometer		Deeper Surficial
MW-7D	20929	Piezometer		Deeper Surficial
MW-37D	20925	Piezometer		Deeper Surficial
MW-40D	20937	Piezometer		Deeper Surficial
MW-42D	20940	Piezometer		Deeper Surficial
MW-41D	20939	Piezometer		Deeper Surficial
MW-52DR^a	23719	Piezometer		Deeper Surficial
MW-59D^c	20933	Piezometer		Deeper Surficial

Scheduling Notes:

a = to be abandoned at least 30 days prior to the construction of Cell 13
b = to be abandoned at least 30 days prior to the construction of Cell 12
c = to be abandoned at least 30 days prior to the construction of Cell 16
d = to be installed at least 30 days prior to disposal of waste in Cell 11
e = to be installed at least 30 days prior to disposal of waste in Cell 12
f = to be installed at least 30 days prior to disposal of waste in Cell 13
g = to be abandoned at least 30 days prior to the construction of Cell 14
h = to be installed at least 30 days prior to disposal of waste in Cell 14
i = to be abandoned at least 30 days prior to the construction of Cell 15
j = to be installed at least 30 days prior to disposal of waste in Cell 15
k = to be abandoned at least 30 days prior to the construction of Cell 17
l = to be abandoned at least 30 days prior to the construction of Cell 18
m = to be installed at least 30 days prior to disposal of waste in Cell 16
n = to be installed at least 30 days prior to disposal of waste in Cell 17
o = to be installed at least 30 days prior to disposal of waste in Cell 18

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ATTACHMENT 1 – Facility Permit History

DATE	DESCRIPTION
December 17, 2009	0130719-010-SO; operation permit renewal
January 14, 2011	0130719-011-IM; Intermediate Mod for revised leachate collection and storage system
December 6, 2012	0130719-012-MM; Minor Mod for revised Operations Plan and Ground Water Monitoring Plan
February 13, 2013	0130719-015-MM; Minor Mod for revised Operations Plan and Ground Water Monitoring Plan
January 14, 2015	0130719-018-SO-01; operation permit renewal
January 23, 2020	0130719-022-SO-MM; minor modification for changes identified in the 5-Year Submittal dated January 13, 2020.
<u>June 2, 2022</u>	<u>0130719-023-SO-MM: Minor Modification for revised Operations Plan and Ground Water Monitoring Plan</u>

Updated June 2, 2022



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

NOTICE OF PERMIT

June 2, 2022

E-mail
dwhitehead@leegov.com

In the Matter of an
Application for Permit by:
Mr. Douglas Whitehead
Lee County Solid Waste Department
10500 Buckingham Road
Fort Meyers, Florida, 33905

Lee/Hendry
WACS # 74766
Lee Hendry Regional Solid Waste Disposal
Facility

Attention: Mr. Douglas Whitehead

DEP File Nos: 0130719-024-SC-01

Enclosed is Permit Number 0130719-024-SC-01 to construct Phase III (Cells 11 and 12) and future Cells 13 through 18 at the Lee Hendry Regional Solid Waste Disposal Facility, issued pursuant to Section 403.061(14) and 403.707, Florida Statutes.

NOTICE OF RIGHTS

Judicial Review

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68, F.S. by the filing of a notice of appeal under Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department of Environmental Protection in the 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 must be filed within 30 days after this order is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A.
Walker

Digitally signed by Kimberly A.
Walker
Date: 2022.06.02 13:18:11 -04'00'

Kimberly A. Walker, Program Administrator
Permitting and Compliance Assistance Program

Douglas Whitehead
June 2, 2022
Page 2 of 3

Attachment(s):

1. Permit No. 0130719-024-SC-01

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Rebecca Rodriguez, P.E., Lee County	RRodriguez2@leegov.com
Linda Braam, Lee County	LBraam@leegov.com
Keith Howard, P.E., HDR	Keith.Howard@hdrinc.com
El Kromhout, P.G., FDEP	Elizabeth.Kromhout@FloridaDEP.gov
Renee Kwiat, FDEP	Renee.Kwiat@FloridaDEP.gov
Peter Latham, Latham, Luna, Eden and Beaudine	platham@lathamluna.com

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.

Tamela Starling
Clerk

6/2/2022
Date



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Permit Issued to:

Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905
239-533-8000

WACS Facility ID No.: 74766
Lee/Hendry County Regional Solid Waste Disposal Facility
5500 Church Road
Felda, Hendry County, Florida

Contact Person:
Rebecca Rodriguez, P.E., Engineering Manager
10500 Buckingham Road
Fort Myers, Florida 33905
Rrodriguez2@leegov.com
239-533-8914

Solid Waste Construction Permit – Class I Landfill
Permit No.: 0130719-024-SC-01

Permit Issued: June 2, 2022
Permit Renewal Application Due Date: November 13, 2034
Permit Expires: January 14, 2035

Permitting Authority
Florida Department of Environmental Protection
Permitting and Compliance Assistance Program
2600 Blair Stone Road, MS 4565
Tallahassee, Florida 32399-2400
850-245-8707 (voice)
850-245-8803 (fax)

PERMITTEE NAME: Lee County Solid Waste Division
FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
WACS Facility ID: 74766

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The permittee is hereby authorized to construct 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.

This solid waste construction permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-701.

This permit does not relieve the permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permits from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other Sections within the Department or of the Water Management District.

B. Facility Location

Facility Location (main entrance): 5500 Church Road, Felda, Hendry County, Florida.
Location Coordinates: Section: 04, 09 & 16, Township: 45 S, Range: 28 E.
Latitude: 26 33'27.0", Longitude 81 31'51.0"

C. Facility Description

The Lee/Hendry County Regional Solid Waste Disposal Facility is a Class I disposal facility consisting of Phase I (1A and 1B), having approximately 13.9 acres, Phase II having 25.59 acres, Phase III (Cells 11 and 12 consisting of 14.7 acres) and future Cells 13 through 18 consisting of 36.4 acres, for a combined total disposal area of 90.59 acres. The currently permitted Class I facility has an expected life of 24 years. Additional phases will be built in the future and will be incorporated by permit modification. The ash monofill and Class III landfill are authorized under separate permit.

D. Appendices Made Part of This Permit

APPENDIX 1 - General Conditions

APPENDIX 2 - Approved Application Documents

E. Attachments for Informational Purposes Only

ATTACHMENT 1 - Time Sensitive Action Chart

If any of the time deadlines in the Time Sensitive Action Chart are inconsistent with the time deadlines in the permit conditions, the time deadline in the permit condition shall be followed.

PERMITTEE NAME: Lee County Solid Waste Division
FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
WACS Facility ID: 74766

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application **as revised in final form replaced or amended** in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation, monitoring, or closure requirements of this permit may require a modification to this permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified by submitting Form 62-701.900(8) within 30 days: (a) of any sale or conveyance of the facility; (b) if a new or different person takes ownership or control of the facility; or (c) if the facility name or permittee's legal name is changed.
5. Air Construction Permit Requirements. This facility is authorized to operate under Title V permit No. 0510030-007-AV, which expires on March 6, 2024. For information regarding the Title V permit, contact the Division of Air Resource Management, Office of Permitting and Compliance, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400, (850) 717-9000.
6. Permit Fee Payments. The total permit fee required for this permit is \$26,000 for a 13-year permit. The applicant has elected to pay this fee in installments in accordance with Rule 62-701.315(13), F.A.C., and submitted \$10,000 with the permit application. No later than June 2, 2027 the Permittee shall submit an installment payment of \$10,000 to the Department and later than June 2, 2032 the Permittee shall submit an installment payment of \$6,000 to the Department. This fee is due the State regardless of whether the Permittee closes the facility, surrenders the permit, has the permit revoked, or transfers the permit before it expires. If the Permittee elects to transfer the permit, it must either pay the entirety of the fee due before submitting the application for transfer, or it must include with the transfer application a signed agreement from the proposed transferee to accept responsibility for the remainder of the permit fee due.

B. Construction Requirements

1. Construction authorized. This permit authorizes construction of Phase III (Cells 11 and 12 consisting of 14.7 acres) and future Cells 13 through 18 consisting of 36.4 acres as detailed in the approved application documents. APPENDIX 2, Document 1.

PERMITTEE NAME: Lee County Solid Waste Division
FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
WACS Facility ID: 74766

2. General Construction Requirements. All construction shall be done in accordance with the approved design, drawings, CQA plan, and specifications. The Department shall be notified before any changes, other than minor deviations, to the approved design are implemented in order to determine whether a permit modification is required.
3. Notifications. The Permittee shall notify the Department at least 10 days prior to the commencement of construction of the liner system.
4. Leachate System Flushing. The leachate system main corridor pipeline shall be water pressure cleaned or inspected by video recording after construction and prior to disposal of waste per Rule 62-701.500(8)(h), F.A.C.
5. Certification of Construction Completion. Upon completion of construction, the engineer of record shall certify to the Department in accordance with Rule 62-701.320(9)(b), F.A.C., that the permitted construction is complete and was done in substantial conformance with the approved construction plans except where minor deviations were necessary. All deviations shall be described in detail and the reasons therefore enumerated. The following documents shall be submitted along with the Certification:
 - a. The final report and record drawings showing that the liner system has been installed in substantial conformance with the plans and specifications for the liner system. The record drawings must include the results of the surveys of the liner, base grade and collection pipe slopes.
 - b. The final report showing the results of the geomembrane liner leak location survey, if applicable.
 - c. Results of testing of geosynthetics and soil components of the liner system.
 - d. Proof of flushing or video recording of the leachate collection system.
6. Construction Quality Assurance. The Construction Quality Assurance (CQA) Plan submitted with the permit application shall be followed for preparing the subgrade and 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 preparation of the sub-base, placement of the liner components and leachate collection system, and placement of the drainage and protective layer over the primary liner.
7. Approval of Certification. The permittee shall not begin using each newly constructed Class I disposal cell until one of the following has occurred: (1) the Department has stated in writing that it has no objection to the certification of construction completion; or (2) at least 30 days have passed since the certification was submitted and the Department has not responded in writing to the certification.

C. Operation Requirements

1. General Operation Requirements. The Permittee shall operate the landfill in accordance with Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

PERMITTEE NAME: Lee County Solid Waste Division

PERMIT NO.: 0130719-024-SC-01

FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

WACS Facility ID: 74766

2. Leachate Management. Leachate shall be managed in accordance with Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

D. Water Quality Monitoring Requirements

Water quality monitoring requirements are included in Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

E. Gas Management System Requirements

Landfill gas requirements are included in Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

F. Financial Assurance and Cost Estimates

Financial Assurance requirements for the Cells 11-18 are included in Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

G. Closure Requirements

Closure requirements for the Cells 11-18 are included in Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

H. Post Closure Care Requirements

Post Closure Care requirements for the Cells 11-18 are included in Operation Permit Number 0130719-018-SO-01 as modified by Permit Modification Number 0130719-023-SO-MM and its successors.

PERMITTEE NAME: Lee County Solid Waste Division
FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
WACS Facility ID: 74766

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A.
Walker

Digitally signed by Kimberly
A. Walker
Date: 2022.06.02 13:20:10
-04'00'

Kimberly A. Walker, Program Administrator
Permitting and Compliance Assistance Program

FILED, on this date, pursuant to Section 120.52, F.S. with the designated Department Clerk,
receipt of which is hereby acknowledged.

Tamela Starling
Clerk

6/2/2022
Date

PERMITTEE NAME: Lee County Solid Waste Division
FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
WACS Facility ID: 74766

APPENDIX 1 – 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, 403.161, 403.727, or 403.861, Florida Statutes. 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 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 or 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 the 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.

Reasonable time may depend on the nature of the concern being investigated.
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.

PERMITTEE NAME: Lee County Solid Waste Division
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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 Sections 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 or a copy thereof shall be kept at the work site of the permitted activity.

12. 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 instrumentation) 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.

13. 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 NAME: Lee County Solid Waste Division
FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
WACS Facility ID: 74766

APPENDIX 2 – Approved Application Documents

1. Application for Substantial Modification of Permit Number 0130719-018-SO-01 and New Construction Permit. Prepared by HDR Engineering Inc., dated January 21, 2022 and received January 24, 2022.
Oculus Link
[https://depeds.deps.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.334961.1\]&\[profile=Permitting_Authorization\]](https://depeds.deps.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.334961.1]&[profile=Permitting_Authorization])
2. Approved Operation Plan, dated April 2022, prepared by Jones Edmunds & Associates, Inc., and revised by HDR. Received on April 15, 2022.
Oculus Link:
[https://depeds.deps.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.338515.1\]&\[profile=Permitting_Authorization\]](https://depeds.deps.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.338515.1]&[profile=Permitting_Authorization])

PERMITTEE NAME: Lee County Solid Waste Division
 FACILITY NAME: Lee/Hendry County Regional Solid Waste Disposal Facility

PERMIT NO.: 0130719-024-SC-01
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ATTACHMENT 1 – Time Sensitive Action Chart		
Specific Condition	Submittal Due Date	Required Item
A.3	No later than November 13, 2034	Submit permit renewal application
A.4	Within 30 days of transfer of permit or name change	Form 62-701.900 (8)
B.3	At least 10 days prior to start of construction of the liner system	Notify the Department
B.5	Upon completion of construction	Submit the Certification of Construction Completion to the Department



OPERATIONS PLAN

For the

CLASS I LANDFILL

**Permit No. 0130719-018-SO-01 WACS
ID No. 000074766**

Located at:

LEE/HENDRY COUNTY REGIONAL SOLID WASTE DISPOSAL FACILITY

5500 Church Road
Felda, Hendry County, Florida 33930

Operated by:

Lee County Solid Waste Department
10500 Buckingham Road
Fort Myers, Florida 33905

Existing Operations Plan Prepared by:

Jones Edmunds & Associates, Inc.
730 NE Waldo Road
Gainesville, Florida 32641

Current Revisions by:

HDR Engineering, Inc.
315 E Robinson St Suite 400
Orlando, FL 32801

For the Purpose of:

Application to Construct, Operate, Modify, or Close a Solid Waste Management Facility

January 2022

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ATTACHMENTS

- Attachment 1 Site Plan
- Attachment 2 Contingency Plan

1 GENERAL INFORMATION

This Operations Plan (Plan) provides written, detailed instructions for the daily operation of the Class I Landfill at the Lee/Hendry County Regional Solid Waste Disposal Facility (Facility). This Operations Plan will be kept at the Facility and will be accessible to landfill personnel. This Operations Plan will be substantially complied with at all times and will be revised if operational procedures change.

The Facility is a Class I Landfill as defined by Florida Administrative Code (FAC) 62-701. The Florida Department of Environmental Protection (FDEP) WACS Number is 00074766. The Class I (Municipal Solid Waste [MSW]/Ash) Landfill is comprised of approximately 90 acres footprint, out of which:

- ✦ Existing Phases 1 and 2 are approximately 39 acres. Phase 1 (Cells 1 to 4) was constructed in 1994/1995 and began operation in September 2002, and Phase 2 (Cells 5, 7 to 10) was constructed in 2004/2005 and began operation in January 2005.
- ✦ Phase 3 (Cells 11 and 12) is approximately 14.7-acres. Phase 3 is anticipated to be constructed in next few years and is assumed developed for purposes of this Operation Plan.
- ✦ Future Phases (Cells 13 to 18) are approximately 36.4-acres, and these will be constructed in the future in a sequential manner (one or more cells at a time).

The Class I Landfill is currently authorized for operation by Permit No. 0130719-018-SO-01, issued by FDEP on January 14, 2015 and expiring on January 14, 2035. The currently permitted Facility includes an approximately 36-acre Ash Monofill and 25-acre Class III Landfill, which are operating under separate FDEP Permit. This Operations Plan may reference the Ash Monofill and/or Class III Landfill for completeness but pertains to the Class I Landfill only.

Support facilities for the Class I Landfill include a leachate storage impoundment with two segments and a Class I deep injection well (IW-1) with an associated double-lined injectate (leachate) storage pond that serves as the Facility's primary leachate disposal method. Separate double-lined leachate storage ponds that serve the Ash Monofill and the Class III Landfill are adjacent to the Class I Landfill leachate storage ponds. The Facility will include a Yard Trash Processing Facility when and/or as needed; operation will depend on the quantity of yard trash received at the Lee County Resource Recovery Facility (RRF) and will be conducted in accordance with Chapter 62-709, F.A.C. Site Plan included as Attachment 1 shows existing and future Class I Landfill footprint and other supporting features (leachate management infrastructure, scalehouse and buildings, environmental monitoring locations (current and future proposed), etc.

The Facility is owned by the Lee County and was developed pursuant to an Interlocal Agreement with Hendry County for solid waste management and disposal. The Facility is on South Church Road, approximately 3.2 miles north of State Road (SR) 82, in Hendry County, Florida, Sections 4, 9, and 16 of Township 45S, Range 28E. The Facility's address is 5500 Church Road, Felda, Florida, 33930. The Facility entrance is at the intersection of South Church and Church Roads. To enter the Facility, turn north off SR 82 onto South

Church Road and proceed approximately 3.2 miles. The Facility may also be accessed from SR 29 by turning west off SR 29 onto Church Road and proceeding approximately 6 miles.

Facility operations are governed by permits issued by FDEP and the South Florida Water Management District (SFWMD) and the applicable laws and regulations, including (but not limited to) 62-204, Air Pollution Control – General Provisions; 62-210, Stationary Sources – General Requirements; 62-296, Stationary Sources – Emission Standards; 62-528, Underground Injection Control; Chapter 62-701, Solid Waste Management Facilities; 62-702, Ash Rules; 62-709, Criteria for Organics Processing and Recycling Facilities; 62-710, Used Oil Management; 62-711, Waste Tires; 62-713, Soil Treatment Facilities; 62-730, Hazardous Waste; and the regulations of the US Environmental Protection Agency (EPA). A current copy of Chapter 62-701, F.A.C., is maintained at the Facility office. The Operations Plan will be available for inspection at reasonable times by FDEP personnel.

1.1 Revisions

This Plan includes procedures and information as outlined in Rule 62-701.500(2), F.A.C., as it pertains to the Class I Landfill. As required, this Operations Plan will be periodically updated and submitted to the FDEP for approval. The recent revision history of this Plan is as follows:

- ✦ Operations Plan dated October 2014 prepared by Lee County Solid Waste Department (LCSWD), provided in Appendix I of the October 17, 2014 Operation Permit Renewal Application for Permit No. 0130729-010-SO/01.
- ✦ Operations Plan dated January 2020 prepared by Jones Edmunds & Associates, Inc., submitted on January 13, 2020 as part of the 5 Year Submittal for Permit No. 0130719-018-SO-01.
- ✦ Operations Plan dated January 2022: This current version is developed for the construction and operation permit substantial modification application to construct and operate Class I Landfill Cells 11 through 18 in a phased manner.

2 PERSONNEL

2.1 STAFFING AND ORGANIZATION

The LCSWD is responsible for the operation of the Facility. The Facility is operated in conjunction with the Lee County RRF and other LCSWD operations in Lee and Hendry Counties. The LCSWD Director is responsible for overseeing the coordination of solid waste management and/or disposal operations and maintenance (O&M) at and/or between its operating facilities. Waste Management, Inc. of Florida (WMIF), under contract with Lee County, operates the landfill portion only. The Facility's personnel, who are responsible for the proper operation and maintenance of the Facility, are listed below along with their affiliation. The number of personnel may vary with the quantity and types of materials being disposed at the Facility.

- ✦ Landfill Superintendent (WMIF)
- ✦ Landfill Operator (WMIF)

- + Leachate Management System Operator/Mechanic (LCSWD)
- + Landfill Crew Supervisor (LCSWD)
- + Solid Waste Operations Technician (LCSWD)
- + Public Works Superintendent (LCSWD)
- + Scale Operator (LCSWD)

2.2 TRAINING

The Facility will have a minimum of one trained operator at the landfill during all times when the landfill receives waste as required by Rule 62-701.500(1), F.A.C. The Facility will also have at least one trained spotter at each working face at all times when waste is received to detect unauthorized wastes. To be considered a trained operator and trained spotter, the individual must complete the training outlined in Rule 62-701.320(15)(b), F.A.C., and Rule 62-701.320(15)(c), F.A.C., respectively. The following paragraphs describe the Facility's training plan for operators and spotters as outlined in Rule 62-701.320(15), F.A.C.

The Landfill Superintendent or their designee will conduct training at least annually. All Facility personnel will be trained in the Operations Plan, so that they are familiar with the regulatory and permit requirements of the Facility. Other training topics will include safety practices, operating procedures, public health, environmental protection, and emergency preparedness, which include a review of Attachment 2, Contingency Plan. Landfill operators will be trained to operate the appropriate type of facility and equipment for which they are responsible.

The Facility uses FDEP-approved training classes offered by various entities for the operator and spotter training required by Rule 62-701.320(15), F.A.C. Such entities include the Florida Chapter of the Solid Waste Association of North America (SWANA), the University of Florida- Training, Research, and Education for Environmental Occupations (UF-TREEO), the State of Florida Solid Waste Management Training Committee (SWMTC), and FDEP. Only training courses approved by FDEP, in accordance with Section 403.716 of the Florida Statutes (FS) will be used for the required operator/spotter training.

Operators typically complete the Solid Waste Landfill Operators Training Course given jointly by the Florida Chapter of SWANA, UF-TREEO, and FDEP to meet the training requirements. This course provides 24 hours of initial training including an FDEP-approved examination that the attendee must pass. Other 24-hour initial operator training courses may be completed if they meet the criteria in Chapter 62-701, F.A.C. Within 3 years after passing the examination, and every 3 years thereafter, operators must complete an additional 16 hours of continued training.

Spotters will complete 8 hours of initial training through courses provided by SWANA, UF-TREEO, FDEP, SWMTC, and/or other FDEP-approved courses. Within 3 years after attending the initial training, and every 3 years thereafter, spotters must complete an additional 4 hours of continued training. Documentation and proof of training, including continual training education, tests, or courses, will be maintained at the Facility at all times and will be available for inspection by FDEP.

2.3 HEALTH AND SAFETY

Landfills may contain health hazards that personnel should be aware of. When handling solid waste or leachate, proper attire and methods as delineated in the applicable Occupational Safety and Health Administration (OSHA) requirements should be used for protection against ingestion, contamination, hearing loss, sight loss, or other mishaps. The Landfill Superintendent will conduct safety meetings to ensure landfill personnel are familiar with safety procedures for avoiding and/or mitigating potential hazards at landfills. The scale house and/or O&M building will be used as a personnel shelter and for sanitary facilities.

First-aid equipment will be maintained on site at the scale house and in the O&M building.

3 WASTE CONTROL AND INFORMATION

The Class I Landfill will only accept wastes that are permitted for Class I landfills as provided in Chapter 62-701, F.A.C. Types of wastes permitted for disposal include residential, commercial, incinerator/waste-to-energy ash, water treatment sludge, agricultural waste, asbestos, construction and demolition (C&D) debris and/or residuals remaining after recycling of C&D debris, shredded/cut tires, contaminated soil, industrial and domestic wastewater treatment sludge, oil/petroleum contaminated soils, absorbents and similar materials as described in Rule 62-701.300(11)(b), F.A.C., and other non-hazardous wastes that are not otherwise prohibited in a Class I Landfill.

Asbestos is not currently accepted by the County for disposal in the Class I Landfill but may be accepted in the future. If/When asbestos is accepted for disposal in the Class I Landfill, disposal will be conducted in accordance with the Code of Federal Regulations Chapter 40 (40 CFR) Part 61 and applicable rules of FDEP. Hazardous waste, as defined in Chapter 62-701, F.A.C., and regulated under Chapter 62-730, F.A.C., and other prohibited wastes will not be accepted for disposal at the Facility.

3.1 DISPOSAL PROHIBITIONS

Other wastes prohibited from disposal in the Class I Landfill include those materials outlined in the following paragraphs.

3.1.1 BURNING OF SOLID WASTE

Open burning of solid waste is prohibited at the Facility. If a "hot load" is identified in a refuse-hauling vehicle, it will be isolated in an area away from the active face. The Landfill Superintendent will determine the proper treatment and handling of the load before the load is placed in the disposal area. If a hot load is observed after unloading at the active face, the 'hot' material will be kept at the lift surface and extinguished using soil, ash, or other methods as directed by the Landfill Superintendent. The material in question will not be covered with additional solid waste until it has been confirmed that it has been extinguished and poses no additional fire risk.

3.1.2 HAZARDOUS WASTES

Disposal of hazardous wastes is prohibited at the Facility. If any regulated hazardous waste is identified before or after unloading, the operator will promptly notify FDEP before moving/redirecting/rejecting/reloading the waste and follow FDEP's instructions to manage the waste in accordance with the provisions of Chapter 62-730, F.A.C. The operator, whenever possible, will record the name of the person responsible for shipping the waste to the facility, the generator of the waste, and the particulars of the transport vehicle. The operator will immediately cordon off the area where the waste was unloaded to prevent public access. If the generator or hauler cannot be identified, the facility operator will ensure the cleanup, transportation, and disposal of the waste at a permitted hazardous waste management facility. The record of the incident, along with the final disposition of the waste, will be placed in the Facility's Operating Record.

3.1.3 POLYCHLORINATED BIPHENYLS (PCBs)

Disposal of liquids or non-liquids contaminated with PCB compounds (e.g., PCB contaminated soil, rags, or other debris) is prohibited at the Facility. If PCBs are identified by random load checking or are otherwise discovered at the Facility, personnel will manage them like hazardous wastes as outlined above.

3.1.4 MOTOR VEHICLE AND SHREDDED WASTES

Motor vehicles and shredded wastes are not currently accepted for disposal at the Facility, with the exception of shredded tires. Waste is not shredded at the Facility.

3.1.5 BIOMEDICAL WASTES

Biomedical waste is not accepted at any of the three landfills at the Facility, including the Class I Landfill.

3.1.6 SPECIAL WASTES FOR LANDFILLS

In accordance with Rule 62-701.300(8), FAC, the following items are prohibited from disposal in the Class I Landfill:

- ✦ Lead-Acid Batteries.
- ✦ Used Oil, except as provided in Chapter 62-710, F.A.C., and as noted below.
- ✦ Yard Trash, except as may be allowed pursuant to Section 403.708(12)(c), F.S., and as noted below.
- ✦ White Goods.
- ✦ Whole Waste Tires, except as provided in Chapter 62-711, F.A.C.

In accordance with Rule 62-701.300(11)(b), F.A.C., oily wastes, sorbents, or other materials used for maintenance or to clean up or contain leaks, spills, or accidental releases of used oil, and soils contaminated with used oil are not subject to the referenced prohibition and may be disposed of in the Class I Landfill. Yard trash will not be disposed in the Class I Landfill, except as may be allowed pursuant to Section 403.708(12)(c), F.S. Yard trash may be disposed of in the Class III Landfill or processed as allowed by Chapter 62-709, F.A.C.

Loads containing such materials, if encountered, will be rejected or separated as directed by the Landfill Superintendent. The driver will be directed to deliver the prohibited waste to the proper facilities for management of such materials. Special wastes may be accepted and stored in designated areas at the site. Special wastes will be accepted only with prior approval and inspection by the Landfill Superintendent.

3.1.7 LIQUIDS RESTRICTIONS

Non-containerized liquids are prohibited from disposal at all of the disposal areas at the Facility. The Facility may accept certain containerized and non-containerized liquids that meet the criteria outlined in Rule 62-701.300(10), F.A.C., and are not otherwise prohibited from disposal in the landfill. The Facility will not knowingly accept prohibited containerized or non-containerized liquids.

3.2 METHODS FOR WASTE CONTROL

Five methods of waste control will be implemented at the Class I Landfill for all loads of solid waste received:

1. Signage – Informational signs indicating the name of the operating authority, traffic flow, hours of operation and restrictions or conditions of disposal will be permanently posted at the entrance of the Facility in accordance with Rule 62-701.500(11)(g), F.A.C.
2. Random Inspection – The Facility has implemented a random load checking program to detect and discourage attempts to dispose of unauthorized wastes at the landfill. The Landfill Superintendent will direct a trained operator or trained spotter to inspect at least three random loads of solid waste delivered to the landfill each week in accordance with Rule 62-701.500(6), F.A.C. The inspector will select the waste collection vehicle drivers and will direct them to discharge their loads at a designated location in the landfill. A detailed inspection of the discharged material will be made for any unauthorized wastes. If unauthorized wastes are found, the Facility will contact the generator, hauler, or other party responsible for shipping the waste to the landfill to determine the identity of the waste source.

Information and observations resulting from each random inspection shall be recorded in writing and retained at the landfill for at least 3 years. The recorded information will include, at a minimum, the date and time of the inspection, the names of the hauling firm and the driver of the vehicle, the vehicle license plate number, the source of the waste as stated by the driver, and observations made by the inspector during the detailed inspection. The written record will be signed by the inspector.

3. Spotters – A trained spotter will visually inspect all waste deposited at the working face(s). If suspicious or unauthorized waste is identified as it is being unloaded, the spotter will require that the hauler reload the unauthorized waste at their expense and remove the unauthorized waste from the site. In accordance with Rule 62-701.320(15)(d), F.A.C., spotters will be stationed where they can inspect each load for unauthorized waste. The designated spotter may be on the ground or in heavy equipment spreading waste at the active face. A heavy equipment operator may serve as the designated spotter if they are a trained operator or trained spotter as outlined in Rule 62-701.320(15), F.A.C., and if they visually inspect each load for unauthorized waste before compacting or loading it into a transfer vehicle. Additionally, when

unauthorized waste is discovered, the operator will move the unauthorized waste away from the active area for later removal and proper management or will stop operation and notify another person on the ground or on other equipment who will come to the active area and remove the unauthorized waste before operations are resumed.

4. Spreading and Compaction – The equipment operator will visually inspect the waste when spreading and compacting lifts. Unauthorized waste will be removed from the working face and taken to a temporary storage area until the material can be removed or redirected to a proper disposal location.
5. Waste Inspection – All solid waste entering the site will be visually inspected by Facility personnel before disposal in the landfill. This requirement may be waived for loads generated at another Lee County facility (e.g., the RRF or the Lee County-operated transfer facilities) if the refuse was monitored as it was loaded. The Class I Landfill will only accept wastes authorized for disposal in a Class I Landfill. The trained spotters, or equipment operators who are serving as trained spotters, will examine all solid waste unloaded at the working face to screen for hazardous or other unauthorized wastes. If prohibited wastes are observed, the hauler or generator will be informed that the prohibited waste is not acceptable. If prohibited waste is observed after it has been unloaded, the unauthorized waste will be isolated for removal or special treatment as directed by the Landfill Superintendent. If practical, the prohibited material will be reloaded onto the vehicle that brought it to the Facility.
6. The Facility will arrange for or will have equipment for temporary storage, handling, and transport to an authorized disposal or recycling facility unauthorized waste that is inadvertently accepted. Putrescible waste will not be stored for longer than 48 hours and non-putrescible waste will not be stored for longer than 30 days, in accordance with Rule 62-701.500(6)(d), F.A.C.

The following exceptions are allowed under Chapter 62-701, F.A.C., and/or the Facility's Operations Plan and Permit:

1. If the landfill owner or operator also owns or operates a transfer station, the random inspection may be carried out at that transfer station before delivery of the waste to the landfill. During periods when only ash is being disposed of in the Class I Landfill, the requirement to perform detailed random load inspections may be waived due to the known nature and source of the ash.
2. During emergencies and/or at times when all waste received is from a permitted LCSWD facility, the requirement to have a trained spotter at the working face at all times waste is received may be waived due to the known source of the waste, if the waste was inspected at the LCSWD source facility by a trained operator/spotter and will be inspected by a trained operator before being compacted.

3.3 OPERATING HOURS, ACCESS, AND TRAFFIC CONTROL

The Facility's hours of operation may be from 6:00 a.m. to 8:00 p.m., Monday through Saturday, except the facility may be closed on designated holidays (e.g., Christmas, New Year's Day, July 4th, and Thanksgiving). The LCSWD Director may establish alternate or additional hours as needed. The Director may extend operating hours to accept ash up to 24 hours per day, 7 days per week due to unforeseen circumstances and will notify FDEP of

these situations as they arise. Sufficient lighting will be provided as necessary for traffic and safety of personnel at the disposal units and at the accesses during the hours of operation.

Site access is restricted by a 6-foot-high chain-link fence and/or barbed-wire fence and gates to prevent unauthorized access, theft of property, vandalism, and unauthorized scavenging at the Facility. The Landfill Superintendent is responsible for ensuring that the entrance gate is open during hours of operation and locked during non-operational times. Facility personnel and customers are prohibited from scavenging; however, the Landfill Superintendent may allow controlled salvaging for recyclable materials by facility personnel.

Signage, signals, and markings throughout the Facility provide traffic control for haulers, facility personnel, visitors, and inspectors. Directional signs are in place to safely direct vehicles to the designated unloading area and to keep unauthorized vehicles from entering restricted areas. These signs have large legible letters and are cleaned when necessary. Signs are placed so that they are visible, and the designated route is clear to drivers. Speed limits, safety, and prohibitive practice signs are in place to encourage a safe, clean operating area.

3.4 VEHICLE WEIGHING AND UNLOADING

All incoming solid waste will be weighed at the scale house upon entering the Facility with the possible exception of loads weighed at another Lee County Solid Waste Facility. Incoming waste hauling vehicles will follow the traffic signals and signs to access the scale. The scale attendant will survey the type of waste to give it a general classification for record and billing purposes and then direct vehicles to the appropriate disposal location. The Facility is equipped with an automated scale system that may be used by trained drivers only. Currently, only Lee County drivers/employees use the automated system, although franchised haulers if properly trained may use the system in the future. If the automated system is used, a scale attendant is not mandatory, although a scale attendant will likely be on duty during landfill operating hours. The waste-hauling vehicle will be weighed to determine the gross weight. If the vehicle/truck has a recorded tare weight, the driver will be given a trip ticket showing the weight of the solid waste and, in this case, does not need to weigh out. If the vehicle does not have a recorded tare weight, the driver must return to the scale to weigh out. Signage and/or traffic signals will direct vehicles to weigh out after unloading if needed and, in this case, the driver will receive a ticket showing the weight of the solid waste and associated charge.

The equipment operator and/or spotter will direct haulers to the designated location at the working face. Unloading will be permitted only at the designated working face of the active area. Haulers will be responsible for unloading their own vehicles. Wastes requiring special handling will be coordinated with and unloaded under the direct supervision of landfill personnel.

3.5 DATA MANAGEMENT

Records documenting the type and quantity of solid waste received, in tons per day, will be maintained for the Class I Landfill. The records will be stored in the scale house computer and are electronically transmitted at night to the LCSWD office. LCSWD staff determine the amount of waste received under each category listed in Rule 62-701.500(4)(b), F.A.C.,

and disposed of in the Class I Landfill and compiles monthly reports containing this information. The LCSWD submits copies of these reports to FDEP annually in accordance with Rule 62-701.500(4)(a), F.A.C.

The Operating Record for the Class I Landfill – considered part of the Operations Plan and consisting of records, reports, inspections, analytical results, demonstrations, construction, operation, and closure permits along with engineering drawings and supporting information; required notifications; and training records required by Rule 62-701.320(15), F.A.C. – is kept in part at the Facility and at the LCSWD offices depending on the volume and format of the documents. Some documents will be in electronic form and some will be in paper form. The Operating Record will be available for inspection by FDEP personnel at reasonable times.

All information used to develop or support the permit applications and pertaining to construction and operation of each of the disposal areas, including background water quality records, will be maintained throughout the design period of the disposal areas and will be maintained as noted above. All records of monitoring information, including calibration and maintenance records and copies of all records required by permit, will be maintained for a minimum of 10 years from the time disposal operations cease unless the Rules dictate longer. Records that are more than 5 years old may be archived off site (from the landfill and the LCSWD offices) at a Lee County storage facility. These records are retrievable as needed within 7 days of being requested.

Readings will be taken from rain gauges at the Facility to record precipitation daily when the landfill is operating. Quantities of leachate collected by the leachate collection and removal system (LCRS) will be recorded in gallons per day before treatment or disposal on site or transport off site and will be included in the Facility's Operating Record.

Inventories estimating the remaining life and capacity in cubic yards of the Class I Landfill will be developed and reported annually to the FDEP. The annual estimates will be maintained at the Facility and/or at the LCSWD offices.

4 LANDFILL EQUIPMENT AND OPERATION FEATURES

4.1 UTILIZATION

Landfill equipment is operated only by qualified employees of LCSWD or WMIF. Landfill equipment is categorized into five areas as listed below:

1. Personnel Transport Equipment – used for moving staff, tools, and supplies from place to place on the site.
 - + Examples: Car, pickup truck, panel van, all-terrain vehicle (ATV), etc.
2. Waste Hauling Equipment – used for spreading, compacting, and transporting of waste.
 - + Examples: Compactor, bulldozer, front-end loader, tanker, etc.
3. Landfill Cover Equipment – used for excavating, transporting, spreading, and compacting of cover material from borrow areas.

- ✦ Examples: Dredge, dragline, bulldozer, earth-mover, dump truck, etc.
- 4. Support Equipment – used in every aspect that supports operations.
 - ✦ Examples: Tools, maintenance equipment, spray vehicles, lighting, pumps, welders, clerical equipment, cleaning equipment, security equipment, mowing equipment, road maintenance equipment, etc.
- 5. Communications Equipment – used for coordination between facility personnel during normal and emergency operations.
 - ✦ Examples: Two-way radio, cellular phone, pagers, etc.

Equipment required for Facility operations will be provided by the landfill operation contractor (WMIF) or LCSWD, based on area of operational responsibility. Equipment will be properly equipped for use on a landfill and will have suitable undercarriage protection and necessary safety equipment. Equipment operators will wear safety glasses, hearing protection devices, safety harnesses, and other personal protective equipment (PPE), as required. The typical heavy equipment used during daily operations at the Facility includes the following:

Compactors	Water Truck with Spray Boom
Bull Dozer	Pickup Truck
Loader/Backhoe	Tractor – Tanker
Motor Grader	Roll-off Containers
Tractor with Bush Hog	Miscellaneous Trucks
Fuel and Maintenance Truck	Vacuum Truck

The equipment used at the site is sufficient to properly operate the Class I Landfill and includes equipment for excavating, spreading, compacting, and covering waste. Backup equipment is available from local suppliers within 24 hours in the event of equipment breakdown. Attachment 2, Contingency Plan, contains additional information regarding availability of backup equipment.

4.2 MAINTENANCE

All equipment will be maintained at the frequency specified by the manufacturer and by WMIF or LCSWD, as applicable. Some repairs or maintenance may require the services of a third-party contractor. WMIF has the authority to use outside contractors for common or emergency services. WMIF will keep an inventory and records of maintenance of all landfill equipment.

4.3 COMMUNICATIONS EQUIPMENT

Communication between Facility staff is of vital importance in the daily operation of the landfill. Therefore, communication equipment capable of functioning under conditions of

power, phone, or utility outages is required. All supervisors will have access to communication devices that function on battery power. Backup communications equipment will be maintained at the Facility for emergency situations.

4.4 DUST CONTROL

The Facility takes reasonable precautions to prevent the emissions of unconfined particulate matter, i.e., dust. Portions of the Facility's access roads are paved, and water is applied to roadways to control dust emissions especially during dry and windy weather. All roads are maintained as needed to minimize wear and tear on vehicles and to minimize dust emissions. A water-tanker truck with a discharge attachment will be used to apply water to the all-weather-access roads for dust control. The surface water withdrawals for dust control are authorized by the South Florida Water Management District (SFWMD) Permit No. 26-00710-W; a copy of this Permit is maintained at the Facility. Landfill slopes that are covered with intermediate or final cover should be vegetated and/or provided with mulch as soon as practical to control dust on the landfill surfaces.

5 SOLID WASTE DISPOSAL PROCEDURES

5.1 DISPOSAL UNITS

The Facility includes a Class I Landfill, an Ash Monofill, and a Class III Landfill. This Operations Plan is specifically for the Class I Landfill.

5.1.1 PLACEMENT, COMPACTION, AND SEQUENCE OF FILLING

The establishment of an "active face" will depend on the quantity of waste expected to be received for disposal on a given day. Control of surface water run-off/run-on, wind-blown litter, and vehicle access must be considered when establishing the location, size, and geometry of the active face. In general, the Landfill Superintendent will direct the landfill operators to operate with the minimum practical size active face. The Class I Landfill uses the "Area Method" of waste placement and follows the general filling sequence shown on the Phasing Plans 00C-05 to 00C-10 submitted with the Permit Application for the Development of Cells 11 through 18 (dated 2021).

Generally, waste materials will be placed at the bottom of the working face and spread up toward the top in approximately 2-foot layers. The solid waste will be compacted with a minimum of three to five passes of a compactor to approximately one foot in thickness or as thin a layer as practical before the next layer is applied to obtain the maximum practical density. The spreading of waste is a continuous operation. In some cases, it may be more efficient to place waste material at the top of the lift and compact the material down the slope. The operator may adjust this placement technique to allow for flexibility in the waste volume received for each lift.

Lifts will be constructed from the bottom of the active working face unless operational conditions (i.e., edge of disposal unit) preclude this method. Solid waste will be placed in rows. The first row will be placed against the internal side slope of the cell's perimeter. The second row will be placed against the side slope of the previous day's refuse. Each row will act as a berm to provide a guide for the placement of refuse for the remaining rows. In each

row, cells will be constructed with a minimum practical length of working face to control the operation and minimize leachate quantities, yet the cells will be of sufficient length to provide adequate dumping areas and room for the landfill equipment to operate. A maximum slope of 3 to 1 will be maintained on the face. Depending on the quantity and type of refuse disposed of, the active face shall be wide enough to provide for centralization of operations while providing maneuvering area for large vehicles unloaded each day.

The working face of the Class I Landfill will be maintained in an accessible condition up to 100 feet wide to accommodate vehicles discharging waste and to minimize the exposed area and the use of cover material. Waste shall be deposited as close as possible to the adjacent lift to minimize spreading and compacting distances. The working face will be maintained for the expected traffic maneuvering during waste fill operations. Typical lifts will be 8 to 10 feet high, but may be greater than 10 feet, if necessary, to accommodate specific operations, the daily volume of waste, the width of the working face, and good safety practices.

To protect the integrity of the liner and LCRS, waste hauling equipment, soil cover hauling equipment, and compaction equipment are prohibited from driving directly on the 24-inch protective cover soil over the liner and the LCRS. A minimum of 4 feet of select waste and cover must be in place before unrestricted access is allowed in a newly operating landfill cell. Traffic will maneuver on compacted and covered waste, on the access roads constructed of ash or shell rock, or on a minimum of 12 inches of tire chips placed in addition to the 24-inch protective cover.

To minimize the risk of damage to the liner and leachate collection system, the first layer of solid waste will be placed over the prepared 24-inch protective cover as follows. The first loads of solid waste to be placed on the protective cover will be brought into the lined landfill cells via access ramps and haul roads at the locations shown on the fill sequence plans (Sheets 00C-5 to 00C-10 of 2021 Solid Waste Application for Cells 11-18 Development) and/or as designated by the Landfill Superintendent. The first loads of solid waste shall be back-dumped at the base of the haul road and spread outward and compacted from the top of the lift. The first layer of waste placed on the protective layer will be a minimum of 4 feet in compacted thickness and consist of selected wastes containing no rigid or large objects that may damage the liner or leachate collection system. Materials that could damage the liner shall be removed from this layer before compaction. Solid waste shall continue to be deposited and spread outward until a working face large enough for equipment turn-around is established. Spreading of the solid waste shall result in no less than a compacted 4-foot-thick initial lift.

5.1.1.1 Special Provisions for Cells 10 and 11A Operations

A small portion of Cell 10 in Phase 2, and almost entire Cell 11A is within a 10,000-foot Airport Setback and requires special operations during waste placement. Cell 10 area within the setback limit is approximately 0.8 acre and is in the northeast corner of the Class I Landfill (refer to the Site Plan in Attachment 1). Approximately 3 acres of Cell 11A on the western side falls within the setback limit. *No MSW can be disposed in these areas, only non-putrescible wastes, such as ash, crushed glass, etc.* The MSW-exclusion area will be marked in the field by a series of markers installed before waste placement begins in Cells 10 and 11A. An additional 18 inches of processed tires may be placed over the Operational Cover layer in this area to provide protection to the LCRS and liner. During landfilling of

these special provision areas, Landfill Superintendent to adopt additional signage as appropriate and practical to ensure that no MSW is accidentally disposed in these areas of Cells 10 and 11A. Traffic restrictions are identical to the remaining disposal areas.

The first layer of *non-putrescible waste* will be ash and/or crushed glass back-dumped and carefully placed in a minimum 2-foot-thick layer and not compacted. Ash and crushed glass in the initial lift should be visually inspected to remove any oversize materials or material that is potentially damaging to the liner. Ash is first placed in the south edge of the exclusion area. Lifts are then spread to the north to the Intermediate Berm. The second layer should also be at least 2 feet thick and should consist of ash and/or crushed glass. This second layer is also not compacted. Once two full layers of ash are placed in the exclusion area, disposal operations for the non-putrescible waste are the same as for the remaining disposal cells.

5.1.2 COVER

Cover material will be obtained from on-site borrow pits, stockpiles, the composting operation, or off-site pits, if necessary. Any Alternate Daily Cover (ADC) will have FDEP approval before being used as Initial Cover. Ash, which is an approved ADC for the Class I Landfill, may be used as initial cover as outlined below. Sufficient suitable cover material will be stockpiled near the working face to provide an adequate supply for operation. A mixture of 50-percent mulch (not composted) and 50-percent soil may be used as the 6-inch initial cover, the 12-inch intermediate cover, and the 24-inch protective cover or vegetative support layer component of the final cover. In addition, the Facility may use the Class AA compost generated from the Composting Facility co-located at the landfill for cover.

Up to 100 percent of sufficiently composted mulch may be used as an alternative soil layer for the 6-inch initial cover, the 12-inch intermediate cover, and the 24-inch protective cover or vegetative support layer component of the final cover if the composted mulch meets the criteria outlined herein and in Rule 62-709.550(3), F.A.C. The level of maturity of sufficiently composted mulch is based on the Reduction of Organic Matter (ROM), tested as outlined in Rule 62-709.530, F.A.C.

Percent Composted Mulch	Percent Soil	Full Classification and Citation
100	0	Mature Stage; 62-709.550(3)(a), F.A.C.
75	25	Semi-Mature Stage; 62-709.550(3)(b), F.A.C.

5.1.2.1 Initial Cover

Initial cover is applied and maintained at landfills to minimize any adverse environmental, safety, or health effects such as those resulting from birds, unauthorized wastes, blowing litter, odors, vectors, or fires as required by Rule 62-701.500(7)(e), F.A.C. Initial cover may include those materials identified in Rule 62-701.500(7)(e), F.A.C., provided they meet the requirements specified therein. Six inches of initial cover will be applied to the working face containing MSW at the end of each working day. However, if additional MSW is expected to be placed on the working face within 18 hours, a tarpauln or other FDEP-approved ADC

may be used to temporarily cover the exposed MSW on the active face as a replacement to soil. Other ADCs that may be used as initial cover include:

- ✦ Soil that has been contaminated with petroleum products or any other materials that are not hazardous wastes, if the material meets the criteria of Rule 62-701.200(53) F.A.C. Contaminated soil, as defined by Rule 62-713.200(3), F.A.C., that has the potential to leach constituents in excess of FDEP groundwater standards or criteria may be used only on the interior, non-permanent slopes.
- ✦ Cleaned soil that meets the requirements of Rule 62-713.520(2), F.A.C., may be used on interior and exterior landfill slopes.

Chapter 62-702, F.A.C., allows co-disposal and use of combustion ash as initial cover material. Combustion ash from the RRF is an approved ADC at the Class I Landfill. Surface-water runoff resulting from ash used as initial cover is not allowed to exit the disposal cells. For permanent exterior landfill slopes, soil or other non-contaminated soil alternatives, e.g., compost, soil, mulch, etc., is used for initial cover. No ash is used as initial cover on exterior slopes unless measures are implemented to ensure that ash does not migrate off the lined disposal area. For temporary exterior slopes (e.g., where future lateral expansion will occur), where the surface is not graded to drain off the landfill, ash may be used as initial cover provided excessive erosion or dusting does not occur. Initial cover will be applied to ash as necessary to prevent excessive dust.

5.1.2.2 Intermediate Cover

Intermediate cover will be placed on the landfill surface within 7 days of cell completion in all areas that will not receive final cover or an additional lift of refuse within 180 days. Intermediate cover may include those materials identified in Rule 62-701.500(7)(g), F.A.C., provided they meet the requirements specified therein. Intermediate cover should be placed to a minimum compacted thickness of 12 inches on top of the 6 inches of compacted initial cover. To conserve cover material and landfill space, the intermediate cover may be removed immediately before placement of additional solid waste on top of the previous lift. The removed material can be reused as future cover material. Any intermediate cover areas that will not receive additional waste or final cover within 180 days should be seeded, sodded, or provided with other means to control erosion.

5.1.2.3 Final Cover

Final cover is defined in Chapter 62-701, F.A.C., as the material used to cover the top and sides of a landfill when fill operations cease. Final cover shall be placed over the entire surface of the completed landfill within 180 days after the final waste deposit once the final grades are reached and/or in accordance with the closure plan. The final slope on top of the landfill will not exceed 5 percent. The perimeter sides of all completed cells will have a maximum slope of 3:1 to minimize erosion. Areas with final cover will be seeded or planted with grass or suitable cover vegetation.

Final cover will consist of a geomembrane as the primary barrier overlain by drainage layer and cover soil or approved alternative covers to support vegetation. The total thickness of the final cover will be in accordance with the final cover design shown on the permitted final Cover Drawings. The upper 6 inches of the final cover will be uncompacted soil, such as

compost from the Composting Facility, and vegetated to control erosion and provide a moisture infiltration seal. The vegetation will be native grass and/or other drought resistant vegetative species selected to ensure the final cover will function with minimum maintenance and the roots will not penetrate the final cover..

5.1.3 LITTER CONTROL

Proper application of the ADC and/or initial cover material will help control windblown litter to a great extent. Portable litter fencing should be placed downwind of the landfill working area to confine any windblown material if necessary. In addition to windblown litter from the working areas, litter may also be blown from vehicles during their movement around the site. The Landfill Superintendent should form weekly litter patrols to collect and dispose of site litter. The Landfill Operator shall have primary responsibility for litter control. However, all landfill operations staff should endeavor to keep the site free of litter.

5.1.4 SPECIAL WASTES HANDLING

LCSWD employs a special waste screening program to ensure that special wastes are not hazardous or otherwise prohibited before accepting these materials for disposal. The LCSWD and/or its contract Operator, WMIF, reviews non-MSW wastes proposed for disposal (e.g., wastewater treatment plant sludge and contaminated soils from petroleum spill cleanups) individually through the generator to ensure that the waste is not hazardous or otherwise prohibited. Approved Special wastes will be accepted only with prior approval of the Landfill Superintendent or their designee.

White goods, waste tires and waste off-road or extra-large tires are not currently accepted at the Facility; however, they may be accepted if and when facilities to manage these special wastes are constructed at the site. Motor vehicles and shredded wastes are not proposed for disposal at the Lee/Hendry County Landfill. Biological wastes, such as domestic animal carcasses, are accepted for disposal in the Class I Landfill, provided the carcasses are covered with soil or ash to prevent odors and/or attraction of disease-breeding vectors. Biomedical wastes are not accepted for disposal at the Facility. Soil contaminated with petroleum or other products that are not hazardous may be disposed of in the Class I Landfill. Petroleum-contaminated soils may be used for cover material in accordance with the criteria of Chapter 62-713, F.A.C., as discussed in Section 5.1.2.

Asbestos has not been accepted in the Class I Landfill. Asbestos is accepted in the Class III Landfill in accordance with EPA regulations, 40 CFR Part 61. If asbestos is accepted into the Class I Landfill in the future, it will be handled in accordance with 40 CFR Part 61 and the applicable rules of FDEP.

5.2 ACCESS ROADS

Construction and maintenance of access roads to and within the Facility are important for traffic safety and for keeping good relations with neighbors of the site and users of the Facility. Church Road from SR 29, South Church Road from SR 82 to the site entrance, as well as on-site access roads from the entrance to the northwest corner of Cell 11B are paved with asphalt. All-weather access roads with crushed aggregate pavement route traffic beyond the northwest corner of Cell 11B to the Class I Landfill. An all-weather access ramp

into the Class I Landfill and the landfill access roads will be maintained to provide access to the active face of each disposal area.

Routine maintenance on access roads includes prompt repair of potholes, removal of debris, and watering of non-permanent roads during dry weather to control dust. Litter around the site and the entrance roadways will be collected regularly and picked up within 24 hours in accordance with Rule 62-701.500(7)(j), F.A.C. Landfill staff will notify the Landfill Superintendent of conditions needing immediate attention.

5.3 WET WEATHER OPERATIONS

Perimeter and intermediate berms protect the waste within each disposal area from exposure to flood waters, so access to the disposal areas during severe flooding may be more critical than operating within the disposal areas themselves. Steps to be taken for accommodating wet-weather solid waste disposal may include the following: 1) set aside elevated areas with all-weather access roads (e.g., limestone) as needed to allow vehicle or equipment staging adjacent to access roads, 2) set aside elevated sandy cover materials, 3) monitor swale discharges, 4) inspect sites to confirm proper surface drainage routing, and 5) operate the disposal areas' leachate management systems properly to minimize impact on operations.

6 LEACHATE MANAGEMENT

6.1 LEACHATE MANAGEMENT SYSTEM

Leachate produced from the noted Class I Landfill cells is routed as follows:

- ✦ Cells 1 to 5 and 7 to 10, and Cell 11A: leachate from the noted cells' leachate collection systems is pumped via pipelines to the existing Master Pump Station (MPS) 1 (located North of the Class I Landfill).
- ✦ Cells 11B through 18: As constructed, leachate from the noted cells' leachate collection systems is pumped to MPS 2 located along north interface of future Cells 13 and 14 and ultimately to the existing MPS 1.

From MPS 1 leachate is pumped to the double-sided, double-lined leachate storage pond where it is stored before disposal. Leachate is pumped with self-priming centrifugal pumps from the leachate pond to the injectate/leachate pond before disposal in the Facility's deep IW-1. The deep IW-1 is the primary disposal method for leachate generated in the Class I Landfill. Leachate may also be hauled off site to a permitted Wastewater Treatment Plant (WWTP) or recirculated into the Class I Landfill. The following sections describe each component of the leachate management system.

6.2 LEACHATE COLLECTION AND REMOVAL SYSTEM (LCRS)

The landfill is designed with an LCRS as required by Chapter 62-701, F.A.C. The LCRS is composed of high-density polyethylene (HDPE) piping, geotextile, drainage sand, synthetic drainage media (i.e., geonet and geocomposite), and drainage rock.

6.2.1 LCRS DESCRIPTION (CELLS 1 THROUGH 5)

Leachate generated in Cells 1 through 5 drains by gravity to the landfill's leachate collection system piping to the landfill cells' sumps. Riser pipes are situated over each cell sump to house permanent electric pumps. Leachate is pumped from each cell sump riser to the existing HDPE header pipe within the south berm. This leachate header pipe routes leachate through Manhole RL-12 to existing MPS 1 before transferring leachate to the leachate ponds¹.

The sump pumps in Cells 1 to 5 are interlocked with MSP-1. Flow instrumentation is included to automatically shut off the active submersible pumps in Cells 1 through 5 if MPS 1 experiences a malfunction. Flow meters installed on the discharge line from each cell sump riser measures the cumulative quantity in gallons of leachate pumped from each of the cells. Level indicators installed in the cell sump risers monitor the leachate levels in the cell sumps and control the pumps' operation based on programmed set points or levels. Control panels at each cell display the leachate level in each cell sump and the pump run time or pump hours for each cell. High-level alarms are activated if the leachate reaches a preprogrammed level in each cell sump to alert staff of a possible pump malfunction. The LCRS for Cells 1 through 5 allows each cell to be operated independently.

6.2.2 LCRS DESCRIPTION (CELLS 7 THROUGH 11A)

Leachate generated in Cells 7 through 11A drains by gravity to the landfill's leachate system piping to the landfill cells' sumps along the east perimeter berm. Dual 18-inch HDPE (except for Cell 11A with dual 24-inch HDPE) riser pipes extend from the base of the sump to the top of the perimeter berm. The risers are perforated at the base of the sump to allow leachate to flow into the riser pipe. Leachate is removed from the sumps via two submersible pumps, one in each of the perforated dual riser pipes in each sump. The pumps are designed to operate in a horizontal position and can be removed for inspection, maintenance, and/or replacement as needed through the riser pipes.

A HDPE leachate discharge line extends from each pump up the riser and is exposed at the top of the perimeter berm to provide access to valves, air-release valves, and pressure gauges. Valves and piping can be set for single- or dual-pump operation at each cell and can be visually inspected. A concrete access pad provides stabilization for the HDPE risers and discharge piping at the top of the slope. The pad is sloped to contain and drain liquids back into the cell to ensure that spillage is properly managed during operations or routine maintenance.

¹ Phase 1 Landfill was initially designed such that the sumps of Cells 1 to 4 gravity drained primary leachate to RL-12 and secondary leachate to RL-11. RL-11 gravity drained leachate to RL-12 through interconnect pipe, and RL-12 drained all collected leachate to MPS-1. After Phase 2 Landfill development, the County retrofitted Cells 1 to 4 sumps with pumps and converted this gravity drained primary leachate conveyance system to a pump/forcemain system. RL-12 was retrofitted such that the incoming primary leachate pipe (dual walled HDPE pipe sized 10" & 14") was hard piped to the outgoing leachate pipe (dual walled HDPE pipe sized 10" & 14"). Furthermore, this hard piped junction in RL-12 was set up as a "Y" such that the interconnect pipe draining leachate from RL-11 to RL-12 was connected to the aforementioned dual walled leachate pipe (sized 10" and 14"). Secondary leachate from Cells 1 to 4 still drains to RL-11 under gravity, and when RL-11 leachate achieves desirable head, collected leachate is bled to the dual walled forcemain through the "Y junction". Leachate drainage from RL-11 to RL-12 is controlled with a valve installed in the interconnect pipe.

The leachate discharge line from each sump connects to a common 6-inch-diameter dual walled (with 10-inch containment) HDPE force main that runs along the east perimeter berm and extends to MPS 1. Valves provided at each cell allow each cells' leachate to be isolated from the force main during maintenance or before active disposal operations begin in the cell.

The LCRS for Cells 7 through 11A is designed to allow each cell to operate independently. The combination of pump capacity and the number of pumps operating in each cell is selected to allow leachate removal from any combination of cells with the pumps operating at or near capacity. Since leachate is pumped directly to MPS 1, operation of the submersible pumps in Cells 7 through 11A is interlocked with the pumps at MPS 1. Flow instrumentation is included to automatically shut off the active submersible pumps in Cells 7 through 11A if MPS 1 experiences a malfunction.

Flow meters installed on the discharge line from each cell measures the cumulative quantity in gallons of leachate pumped from each of the cells. Control panels at each cell display the leachate level in each cell sump and the pump run time or pump hours for each cell. High-level alarms are activated if the leachate reaches a preprogrammed level in each cell sump to alert staff of a possible pump malfunction.

6.2.3 LCRS DESCRIPTION (CELLS 11B to 18)

As cells 11B to 18 are sequentially constructed (one or more at a time), generated leachate will be gravity drained to the leachate collection system piping and routed to the landfill cell sumps along the perimeter berm. Dual 24-inch HDPE riser pipes extend from the base of the sump to the top of the perimeter berm. The risers are perforated at the base of the sump to allow leachate to flow into and be stored in the riser pipe. Leachate is removed from the sumps via two submersible pumps in the perforated riser pipes in each sump. The pumps are designed to operate in a horizontal position and can be removed for inspection, maintenance, and/or replacement as needed.

A HDPE leachate discharge line extends from each pump up the riser and is exposed at the top of the perimeter berm to provide access to valves, air-release valves, and pressure gauges. Valves and piping can be set for single- or dual-pump operation at each cell and can be visually inspected. A concrete access pad provides stabilization for the HDPE risers and discharge piping at the top of the slope. The pad is sloped to contain and drain liquids back into the cell to ensure that spillage is properly managed during operations or routine maintenance. The leachate discharge line connects to a common 6-inch-diameter single walled HDPE force main that runs along the perimeter berm and extends to the MPS 2. Valves provided at each cell allow each cells' leachate to be isolated from the force main during maintenance or before active disposal operations begin in the cell.

The LCRS for Cells 11B through 18 is designed to allow each cell to operate independently. The combination of pump capacity and the number of pumps operating in each cell is selected to allow leachate removal from any combination of cells with the pumps operating at or near capacity. Since leachate is pumped directly to the MPS 2, operation of the submersible pumps is interlocked with the pumps at the MPS 2. Flow instrumentation is included to automatically shut off the active submersible pumps in the cells if the MPS 2 experiences a malfunction.

Flow meters installed on the discharge line from each cell measures the cumulative quantity in gallons of leachate pumped from each of the cells. Control panels at each cell display the leachate level in each cell sump and the pump run time or pump hours for each cell. High-level alarms are activated if the leachate reaches a preprogrammed level in each cell sump to alert staff of a possible pump malfunction.

6.3 LCRS OPERATION AND MAINTENANCE

The LCRS piping extends up the perimeter berm slope (alongside the HDPE riser pipes referenced above) to allow clean out. These clean-outs allow for inspection by video recording as well as maintenance of the collection pipes by jet-cleaning, chemical cleaning, or other approved cleaning methods. Cells 11A through 18 are designed to include a 2-Inch solid HDPE pipe connecting to the leachate collection pipe at the high point of the cell, a design feature intended for cleaning the leachate collection line via chemical cleaning using gravity flow.

The leachate collection systems will be inspected by video-recording or cleaned after construction but before the initial placement of waste and after that as needed but at a minimum at least once every 5 years. Results of the collection system cleanings or inspections will be available to FDEP upon request and/or submitted with the 20 Year Permit 5 Year Reports.

Leachate is removed from the leachate collection sumps via pumps set in the cell sump riser pipes (Cells 1 through 5) and the side slope riser pipes (Cells 7 through 18) that extend into the landfill sump(s). The LCRS performance is monitored by reviewing the pump run times, leachate head (liquid levels), leachate generation and rainfall comparison and the leachate flow data. The sumps provide sufficient storage volume to maximize pump cycle times, allowing the pumps to operate efficiently. Control panels at each sump display the sump (leachate) levels and certain pump operating data.

The pumps are activated based on the leachate levels in the sumps and are equipped with high-level alarms to alert staff of pump malfunctions. Landfill staff will investigate the cause of high-level alarms and remedy any problems to ensure that leachate pumping continues. Continued leachate pumping is necessary for landfill compliance as it helps avoid elevated leachate levels in landfill cells. The leachate pumps are set to pump at a specified leachate level and, unless the pump is malfunctioning, level measurements will not be necessary. Pump operation is monitored on a daily basis when the landfill is open. The control panels are examined periodically for indication of high-level or malfunction alarms and for pump run times. In addition to the pumps, the exposed discharge piping is periodically examined for signs of leakage or damage. Spare pumps are kept at the site for use if a pump is pulled for repair or replacement.

As Section 3.5 outlines, readings are taken from on-site rain gauges to record precipitation daily when the landfill is operating. The quantity of leachate collected by the LCRS is recorded in gallons per day before disposal on site or transport off site and included in the operating record along with the precipitation records. The Landfill Superintendent or Engineer compare the rainfall amount to the volume of leachate generation as required. Reports of leachate generation to rainfall are submitted quarterly to the FDEP South District office as required by Permit.

6.4 MASTER PUMP STATIONS

Leachate collected from active landfill cells is transferred through a double-contained HDPE pipe from Cells 1 through 5 (via Manhole RL-12) and Cells 7 through 11A (via Manhole RL-28) to MPS 1 located north of Cell 11B. Leachate from Cells 1 through 5 is transferred to the central chamber of the three-chamber MPS 1. Leachate from Cells 7 through 11A is pumped to the south chamber of MPS 1. A V-notch weir allows for flow measurement as leachate enters the wet well, if desired, and allows flow isolation from each chamber.

As cells 11B to 18 are sequentially constructed (one or more at a time), generated leachate from the sumps is transferred through a single walled HDPE pipe to the centrally located MPS 2. Leachate is then pumped from MPS 2 to MPS 1 via a single walled HDPE forcemain².

From MPS 1, the combined leachate streams are pumped to the leachate storage ponds by two submersible pumps. An additional submersible pump may be installed as required to manage future expansion of disposal facilities. Float switches control the pumps' operation (on/off) based on preset levels and also activate a high-level alarm.

6.5 LANDFILL LEAK DETECTION SYSTEM (LDS)

6.5.1 CELLS 1 THROUGH 5

Leakage from the LDS of Cells 1 through 5 is discharged via gravity to the Leak-Detection Manhole, RL-11. Leachate collected in RL-11 discharges to the leachate collection manhole, RL-12, via the interconnect pipe between the two manholes. The leachate level in RL-11 is measured daily on landfill operating days, and the level data is used to determine the average leakage rate from Cells 1 through 5. If the average leakage rate exceeds the Action Leakage Rate (ALR), notification to FDEP will be made and steps to determine the source of the leakage will be proposed. The ALR for Cells 1 through 5 is 100 gallons per acre per day.

6.5.2 CELLS 7 THROUGH 10

Liquid is removed from the LDS in Cells 7 through 10 by pumping. Operation of the pump is monitored as described for the LCRS pumps. The run times and flow volume for each submersible LDS pump are recorded. An LDS flow meter is provided for each cell to allow each cell to be monitored independently. The ALR for Cells 7 through 10 is 500 gallons per acre per day.

6.5.3 CELLS 11A THROUGH 18

Liquid is removed from the LDS in Cells 11A through 18 by pumping. Operation of the pump is monitored as described for the LCRS pumps. Leachate from LDS is pumped to the primary collection system of LCRS sump. The run times and flow volume for each submersible LDS pump are recorded. An LDS flow meter is provided for each cell to allow

² The current leachate routing from MPS 2 to MPS 1 is intended to utilize MPS 1's available capacity. When this temporary alignment is not feasible in the future, alternate options may be considered, such as pumping leachate from the MPS 2 directly to the leachate storage ponds and reconfiguring leachate conveyance system for Cells 1 to 11A.

each cell to be monitored independently. The ALR for Cells 11A through 18 is determined 275 gallons per acre per day.

6.6 LEACHATE STORAGE

6.6.1 LEACHATE STORAGE PONDS

Leachate from the Class I Landfill is stored in adjacent double-lined surface impoundments. The South Pond has a storage capacity of 1.6 million gallons (MG) excluding a 2-foot freeboard. The North Pond shares a common divider berm with the South Pond. The North Pond also has a storage capacity of 1.6 MG (excluding freeboard). The design and operation of the North and South Ponds are identical. During construction of the injectate storage pond, piping was installed so that the Class I ponds can receive leachate from the Ash or Class III leachate ponds. Either the North pond or South pond can be taken out of service for maintenance without affecting operation of the remaining pond. The pond levels are monitored daily when the landfill is operating to ensure that 2 feet of freeboard above the depth that would occur in the event of a 25-year, 24-hour storm is maintained.

The leachate ponds have not been a source of odors or vectors, but should they be in the future, odor and vector control products may be used. Leachate is removed from the ponds by self-priming centrifugal pumps at the Leachate Pond Pump Station. Leachate is pumped from the leachate ponds to the injectate storage pond where it is stored before disposal via the deep injection well. Leachate may also be pumped from leachate ponds directly into a tanker truck to be hauled to an off-site WWTP.

Leachate is pumped from MPS 1 to either of the two leachate storage ponds (North and South Ponds). Leachate is also pumped from leachate storage ponds to the injectate storage pond as needed for disposal via IW-1. Each storage pond has an Independent LDS consisting of synthetic drainage media installed between the two geomembranes and a leak-detection manhole that will provide evidence of any primary liner leakage. Any fluid entering the LDS flows by gravity to the leak-detection manhole. Visual inspection and measurement are used to monitor the LDS of each pond. The LDS of each storage pond is inspected each landfill operating day. Accumulated fluid is removed from the leak-detection manholes as needed with a portable submersible pump. The leakage rate is determined by the volume of leachate accumulated in the leak-detection manholes over the time period between inspections.

The maximum leakage rate, which is the maximum flow rate the detection system can accommodate without flooding, for the Class I Landfill leachate ponds is 403 gallons per acre per day as approved by Permit No. SC26-240338 issued in May 1994. The ALR, which is the predicted leakage through the upper liner for the Class I ponds, is approximately one-half of the maximum. Therefore, the ALR is approximately 200 gallons per acre per day. The calculations performed for the injectate storage pond predicted the maximum leakage through the upper liner would be 800 gallons per acre per day. The ALR for the injectate storage pond was calculated to be 364 gallons per acre per day.

If the ALR is exceeded, FDEP will be notified and steps will be taken to determine the source of the leakage. These may include varying the pond level and tracking the leakage rate as a function of the pond level to determine the location (elevation) of the leak. If the actual leakage rate exceeds the maximum leakage rate, the pond will be emptied and the liner

repaired as outlined above. The pond will remain out of service until the liner is repaired and the repairs are tested.

If the injectate pond must be emptied or otherwise taken out of service, the leachate will be pumped to IW-1. Leachate may also be pumped from the injectate pond directly into a tanker truck and hauled to a permitted WWTP. Leachate removed from the injectate pond may also be recirculated into the Class I Landfill or discharged to any of the six existing leachate storage ponds provided sufficient capacity exists in these ponds.

The injectate pond is equipped with an overflow-prevention mechanism consisting of float activated level switches for transfer pump start and stop control. The float level may be adjusted as needed and is normally set just below the maximum pond level, which provides 2 feet of freeboard above the depth that would occur in the event of a 25-year, 24-hour storm. If the injectate ponds' high-level switch is activated, the Class I pond pump will shut down and pumping to the injectate pond will cease. A high-high level switch activates visible and audible alarms to alert the operator and provides a secondary stop command to the Class I pond pump should the high-level switch fail although highly unlikely. Once activated, the alarms must be manually reset by the operator. It is unlikely that the injectate pond level will activate the high-level alarms because the IW-1 disposal rate is significantly greater than the rate at which leachate can be transferred to the injectate pond. Float-activated level switches control the transfer of leachate from the injectate pond to the IW-1.

6.6.2 LEACHATE STORAGE TANK

Leachate may be stored in the 80,000-gallon double-walled leachate storage tank, which is constructed of glass-coated bolted steel. Detailed construction and operating information for this tank was provided previously to FDEP. This tank was previously used for leachate storage when the leachate treatment system was operational. However, the piping to the tank was disconnected when the injectate pond was installed, and leachate can no longer be transferred to the tank for storage. If the tank is reconnected and used to store leachate in the future, it will be maintained in accordance with Rule 62-701.400(6)(c), F.A.C.

6.7 LEACHATE DISPOSAL

Lee County is authorized by FDEP Permit No. 299459-004-UO/1I issued on December 3, 2019, to operate a Class I Injection Well for the primary means of disposal of nonhazardous leachate from the Lee/Hendry Facility, Labelle Transfer Station and Clewiston Transfer Station. The maximum volume of disposal for IW-1 is 1,320,000 gallons per day or 1.32 million gallons per day (MGD). Before operation of IW-1, Lee County disposed of leachate via hauling to a permitted WWTP, which is now the back-up means of leachate disposal. Lee County is authorized to discharge leachate to the City of Ft. Myers (CFM) South WWTP under Industrial Wastewater Discharge Permit No. CFMS-07/09, effective February 23, 2021, and expiring on February 23, 2024.

Lee County is also authorized to discharge leachate to Lee County Utilities' Three Oaks WWTP under Industrial Wastewater Discharge Permit No. LCU-TO-2009-001. This permit became effective most recently on March 9, 2021, and will expire on September 30, 2023.

Copies of the above-noted permits are maintained at the landfill and/or LCSWD offices and can be provided to FDEP upon request.

6.8 LEACHATE MANAGEMENT CONTINGENCY PLAN

In the event of power loss, the leachate will be stored in the leachate storage ponds. If any of the leachate storage ponds must be emptied or otherwise taken out of service or if pond levels must be reduced expeditiously (e.g., in preparation for a storm), the leachate will be pumped or transferred directly to the deep IW-1. If leachate disposal via the deep IW-1 is not available, leachate will be pumped to any of the other six leachate ponds on site as needed or into a tanker truck and hauled to one or both of the permitted WWTPs described above. Leachate may also be recirculated into the Class I Landfill in accordance with the procedures described in Section 6.9. The leachate generated at the landfill is non-hazardous based on analytical test results. However, in the unlikely event that the leachate must be managed as a hazardous waste, the leachate will be disposed of in accordance with Chapter 62-730, F.A.C., or recirculated on the landfill as discussed below.

6.9 LEACHATE RECIRCULATION

Leachate recirculation will be performed at the landfill with Solid Waste Director's approval and will comply with the requirements and prohibitions of Rule 62-701.400(5), F.A.C. Leachate recirculation will be performed in the Class I lined cells, which are constructed with a leachate collection system, in accordance with the methods outlined in this section. The Landfill Superintendent will designate when and where leachate recirculation will occur and under what conditions leachate recirculation must be discontinued.

Raw leachate from the landfill cells, storage ponds, or from any point in the LCRS may be recirculated into the solid waste cells. Leachate may be hauled to the landfill using a tanker truck and applied in the predetermined recirculation area(s) using the truck's discharge attachment. The quantity of leachate recirculated (i.e., application rate) in this manner should be based on the slope, material to which the liquid is applied, weather conditions, and operational conditions, such that recirculation will not impact the head of leachate on the liner, cause subsidence of waste, or contribute to gas production.

6.9.1 Active Face Recirculation

One method of leachate recirculation is discharge onto the active working face. The waste is highly adsorptive and, as such, recirculation at the active face will provide the most efficient location for run-off control. Leachate will only be recirculated in areas where leachate will percolate into the leachate collection system and will not run off the landfill cells or into the stormwater control system. In areas where the waste has been covered with ash initial cover (excluding permanent side slopes), portions of the cover can be removed during recirculation to allow more efficient percolation into the waste. Ash cover, or an approved Alternate Daily Cover, should be replaced in such areas at the end of each work day.

6.9.2 Initial/Intermediate Cover Area Recirculation

Leachate may also be recirculated on areas of the landfill that have been covered with initial or intermediate cover. If recirculation is conducted over areas where initial or intermediate cover have been applied, run-off controls such as containment berms, ditches, and/or surface grading will be installed to ensure leachate is conveyed to the leachate collection system and not mixed with stormwater. Initial and intermediate cover used at the landfill has sufficient permeability to prevent perched leachate conditions and/or gas build-up. In

the event that gas build-up occurs as a result of leachate recirculation, recirculation activities in the vicinity will be suspended and relocated to another area of the landfill. Landfill gas will be managed in accordance with the site Gas Management Plan. Leachate will not be applied to established access roads on the landfill or within 100 feet of permanent side slopes to avoid breakouts or stability issues.

6.9.3 Trench Recirculation

Leachate recirculation may also be conducted via horizontal trenches constructed in the landfill. Trenches will be installed approximately 4 to 5 feet wide and approximately 4 to 6 feet deep. The trench ends will be set back approximately 100 feet from the top of the landfill side slopes. Likewise, trenches will be placed no closer than 100 feet from the top of the refuse side slope. The trench will be backfilled with material as described below and will contain one length of corrugated, perforated, drainfield piping, approximately 6 inches in diameter, central to the trench and placed at a depth of approximately 1 foot below existing landfill surface within the trench and extending from the middle of the trench to each end. At approximately 100 feet from each trench end, the corrugated piping will transition to solid-walled polyvinyl chloride (PVC) pipe approximately 3 to 4 inches in diameter. The trench will be filled with ash under and over the solid-walled pipe, and tire chips, crushed glass, or other select materials to serve as drainage material will be used as bedding for and overlying the perforated pipe.

Construction of a trench will begin by excavating refuse from the proposed trench location at a width of approximately 4 to 5 feet to a depth of approximately 4 feet at the ends to approximately 5 to 6 feet in the middle to allow for a shallow slope (0.5 to 1.0 percent) toward the center of the trench. Excavated refuse will be disposed of at the active face. Trench backfill material, which will be ash, crushed glass, or tire chips depending on the location within the trench, will be placed in the trench at a depth of approximately 3 feet in preparation for installation of the pipe within the trench. After the pipe is placed in the trench and the connections are installed at either one or both ends of the trench to allow flexibility in the operation of the system, the trench will be backfilled with the appropriate material (ash, crushed glass, or tire chips). Crushed glass or tire chips will be mounded up slightly over the trench, and ash will be graded into the surrounding ash cover area. The edges of the trench will be marked as necessary so that landfill equipment will avoid these areas. Additional trenches will be constructed at approximately 100- to 200-foot intervals. As additional lifts are constructed, additional trenches will be installed at vertical intervals of approximately 20 to 40 feet, with each subsequent layer of trenches staggered or offset from the trenches constructed in a previous lift. These same intervals are likely to be used in future areas of the landfill.

Leachate recirculation via the constructed trenches will be conducted by hauling leachate to the landfill in the tanker truck and parking near the end of a recirculation trench where a pipe connection is located. As indicated previously, weather and operation conditions must be suitable to perform leachate recirculation, although the trench method does not typically result in ponding or wind-blown leachate. The operator will examine the trench to ensure no leachate remains close to the top from a previous recirculation event, and once satisfied that the trench is suitable to accept a load of leachate, he/she will commence leachate discharge to the trench pipe. The operator will ensure that leachate does not run off the landfill into the stormwater system.

If problems with leachate infiltration are discovered during discharge of the leachate into the recirculation trench, the operator will cease recirculating to the trench until the problem is identified and resolved. The operator will record the conditions observed on the leachate recirculation log, including the volume of leachate discharged, date, time, weather, name of operator, and other items indicated on the log. The records of leachate recirculated, including that recirculated through the horizontal trenches, are compiled monthly and submitted to FDEP quarterly in accordance with Chapter 62-701, F.A.C.

6.9.4 Leachate Recirculation Contingencies

If the applied leachate begins to run or pond during recirculation, the tanker truck will be moved to another location as directed by the Landfill Superintendent. Leachate recirculation will be suspended when operational or weather conditions would result in wind-borne leachate spray, leachate leaving the landfill cells via run off or surface seeps, during severe rain events, and at other times where control of leachate cannot be assured. Soil or ash containment berms may be constructed at the perimeter of the application area to prevent runoff of leachate. These berms should be at least 2 to 3 feet in height and clearly visible to equipment operators so that they remain intact during disposal operations. The containment berms may be used to outline the areas where leachate will be recirculated. Other items such as construction cones or barrels may be used to delineate leachate recirculation areas and to avoid conflicts with operations or waste-hauling equipment. Shallow ditches may be excavated into the waste to enhance percolation and minimize runoff. The base of such ditches must be relatively level to allow infiltration and prevent runoff. Ditches used for recirculation will not be within 100 feet of the permanent waste slope. Ditches may be used in conjunction with containment berms as necessary. Ditches excavated into the waste will be covered with approved initial cover daily at the end of each work day.

6.10 LEACHATE BREAKOUT/SEEP MANAGEMENT

Leachate seeps generally occur on the landfill surface when relatively impermeable layers or waste or cover materials impede the downward flow of leachate to the leachate collection and removal system. The intercepted leachate generally flows laterally along the relatively impermeable layer and can discharge at the landfill surface. Locations of leachate seeps can be recognized as flowing discharges of leachate, wet areas, discolored and/or foul-smelling soil, and areas with distressed vegetation.

Measures will be taken during normal landfill operations to limit the development of leachate seeps. These include:

- ✦ Removal of intermediate and daily cover (soils, ash or other alternate cover materials) prior to placing the next lift of waste.
- ✦ Interspersing more permeable waste with less permeable waste to allow vertical percolation of leachate.
- ✦ Promptly placing daily and intermediate cover during periods of precipitation to limit leachate generation.
- ✦ Establishing stormwater controls to collect precipitation and direct it off the landfill.

Seeps that do appear can be remediated by constructing vertical trenches, piped seep drainage systems, or toe drains as described below.

6.10.1 Vertical Trenches for Side Slope Seep Control

A side slope seep can be remediated by excavating a vertical trench immediately upslope of the seep and into the underlying waste and backfilling the trench with gravel, tire chips, stone, crushed glass, or other permeable material. The bottom of the trench should be at least 5 feet above the protective cover; therefore, this method is not preferable if seep is encountered near the toe of the slope in proximity to the perimeter berm. The purpose of the trench is to intercept the lateral flow of leachate before discharging to the surface and allowing it to percolate vertically into lower layers of more permeable waste. A plug of low permeability soil would be placed above the gravel or permeable material (such as tire chips, crushed glass etc.) to further limit the lateral seepage of leachate, limit the vertical seepage of rainwater into the trench, and to avoid the discharge of landfill gas that might be collected within the trench. Figure 1 illustrates a typical method for remediating landfill leachate seeps.

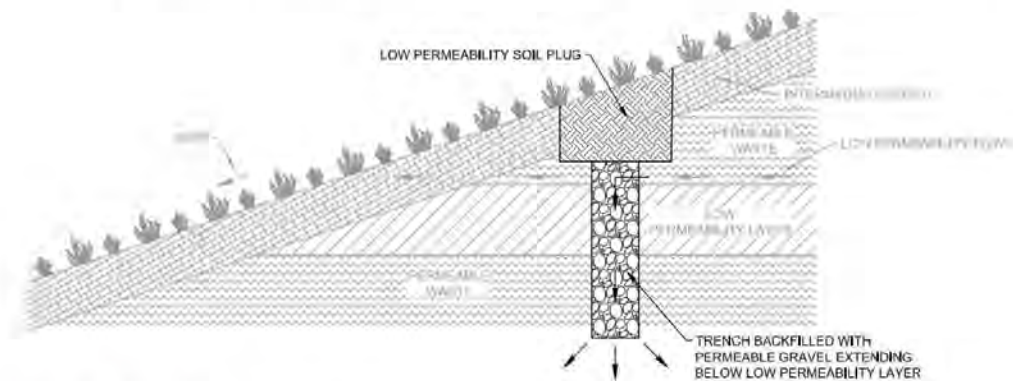


Figure 1. Seep Remediation Using Vertical Trenching

6.10.2 Piped Drainage System for Seep Control

If seep is observed in lower portions of the side slope or vertical trench cannot be employed or vertical trench is ineffective, an alternate method of seep remediation is to install shallow gravel-filled trenches with perforated pipe lateral at the seep location to collect the leachate. The perforated pipe would be sloped to drain to solid discharge pipe which would be installed beneath the intermediate cover to direct the leachate to the leachate collection and removal system by potentially tapping into a leachate cleanout riser, or a toe drain inside of

the perimeter berm. Figure 2 shows a typical example of a piped seep drainage system.

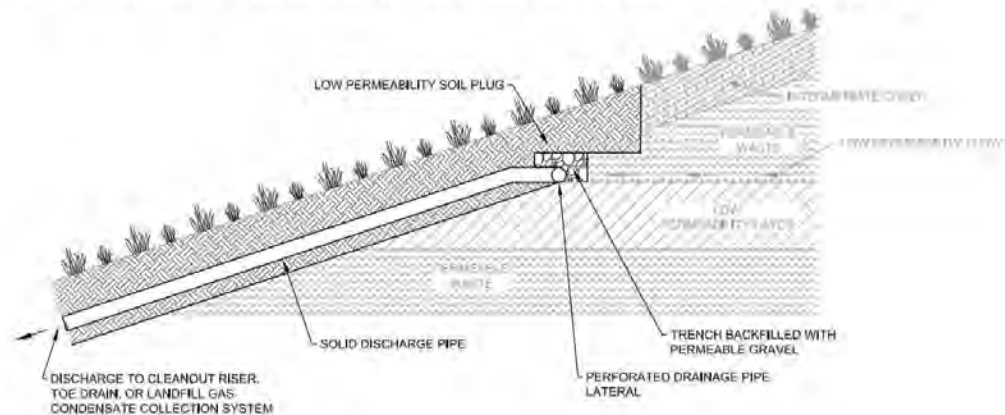


Figure 2. Pipe Drainage System for Seep Control

6.10.3 Toe Drain for Seep Control

Leachate seeps often on the lower slope of landfills due to the overlying area and waste volume contributing to leachate generation. Toe drains installed on the interior side of the perimeter berm anchor trench can be an effective means of collecting leachate seeps and discharging it to the landfill leachate collection and removal system.

Landfill staff will regularly monitor the lower landfill slopes for seeps near the toe. If excessive seeps are observed, toe drains will be installed as needed. A conceptual toe drain design includes a gravel or other permeable material (such as tire chips, crushed glass etc.) filled trench wrapped with geotextile with as needed perforated toe-drain pipe in the middle. The depth, sectional geometry and length of the shallow trench may vary in the field; however, during excavation/installation proper care must be taken to ensure protective cover remain intact (to ensure liner safety).

Landfill staff will follow below listed best practices as appropriate to address side slope seeps using toe drain approach:

- ✦ Once need for a toe drain is identified, conceptually plan for the toe drain sectional geometry, length, location etc. Toe drains shall be installed on top of or near the protective cover to promote drainage of collected liquids.
- ✦ The toe drain is recommended to have slope (0.5% min) to collection point(s). The Landfill staff to locate low points such that:
 - ☐ If and as practical, the low point to coincide with cleanout or sump riser locations so that collected liquids at the low point can be gravity drained into leachate collection system (i.e., toe-drain pipe connected to cleanout/riser pipe).
 - ☐ If a low point cannot coincide with cleanout/riser then the low point shall be located on top of protective cover or have chimney drains filled with gravel connecting to protective cover promote positive drainage into leachate collection system. If positive drainage is questionable, a 36-inch CPP sump is recommended at such low

points. Based on liquids buildup trends in the sump, a temporary pump or a permanent pump shall be installed in the temporary sump to pump out leachate into a nearby cleanout/riser pipe.

- ✦ If sloped toe drain is not feasible, then flat toe drain shall be located on top of protective cover or located with chimney drains filled with gravel at frequent interval to convey liquids into protective cover, and toe-drain pipe is recommended to be connected to cleanout/riser pipe where possible.

7 LANDFILL GAS MANAGEMENT

7.1 ROUTINE MONITORING PROGRAM

The decomposition of unprocessed solid waste in an anaerobic environment, such as occurs in sanitary landfills, results in the generation of carbon dioxide, methane, and trace amounts of other gases. The primary gas of concern in municipal landfills is methane, which can be explosive under certain conditions.

Odors emitted from the solid waste as it is deposited in the Landfill are normally limited to areas within a short distance of the working face. The control of odor near the landfill will best be accomplished by keeping the area of the active working face as small as practicable and by applying initial cover soil daily for the Class I Landfill. These practices will reduce odors caused by waste decomposition. Corrective actions that may be implemented to control odors include, but are not limited to, application of additional soil cover, use of odor neutralizers, and installing an active gas collection system to limit odor. However, these measures are not expected to be required based on historical experience at the site. A Final Cover constructed with a synthetic liner will prevent the release of landfill gas and odors to the atmosphere. A landfill gas collection system may be constructed in the Class I Landfill as required if the monitoring data and corresponding air regulations dictate.

Landfill gas monitoring wells are in place along the property boundaries to detect gas migration. Gas monitoring for methane is performed quarterly at all gas monitoring wells and structures on site, including the scale house and the O&M building. The quarterly monitoring results are submitted to FDEP as required. A combustible gas indicator meter calibrated to methane is used to determine methane concentration as a percent of the lower explosive limit (LEL). The LEL is defined as the lowest percent by volume of a mixture of explosive gases, which will propagate a flame in air at a temperature of 25° Celsius and atmospheric pressure. Methane concentrations must not exceed the LEL at the property boundary or 25 percent of the LEL within structures on the property as outlined in Paragraph 62-701.530, F.A.C. A Landfill Gas Management Plan describing detailed procedures that are performed at the landfill to ensure the proper management and monitoring of landfill gas in accordance with Rule 62-701.530, F.A.C., has been implemented at the landfill, and Landfill Gas Monitoring and Management Plan for the Facility (including Class I Landfill) can be located as Attachment to the Ash Monofill / Class III Landfill Operations Plan. Landfill gas monitoring records are kept at the Facility and/or the LCSWD offices.

7.2 CORRECTIVE PROCEDURES FOR MIGRATION OF LANDFILL GAS

Although unlikely, if methane gas monitoring detects concentrations of methane gases that exceed regulatory requirements, the horizontal extent of elevated gas concentrations can be established by the sampling of temporary gas monitoring stations created by hand auger, punch probes, or other methods as needed. Once established, the source of the gas migration or gas leakage will be determined and repaired, if possible. If the location of the leak cannot be found and repair is not possible, temporary gas monitoring stations shall be monitored monthly to determine the migration. If the migration approaches the Facility boundary, on site structure, or other location where a safety risk exists, a barrier/venting trench will be constructed into the groundwater table perpendicular to the direction of flow to prevent further migration and allow an escape route for the gas. Additional information pertaining to gas and odor remediation plans if needed are provided in the site's Gas Management Plan.

8 STORMWATER MANAGEMENT AND EROSION CONTROL

8.1 STORMWATER MANAGEMENT

The stormwater management system has been specifically designed for ease of operation and maintenance. The system will be operated and maintained by Facility personnel. SFWMD Permit No. 26-00541-S, a copy of which was previously provided to FDEP, authorized the construction and operation of the site's surface/stormwater management system. As evidenced by the SFWMD Permit, the stormwater management system was designed, constructed, and is maintained to prevent stormwater from the peak discharge of the 25-year 24-hour storm event from running onto those portions of the landfill areas that have not been closed and to isolate surface water from waste-filled areas. Sediment and vegetative obstructions in the swales shall be removed periodically to keep the stormwater management system at the designated grades and elevations. In addition, operational methods are implemented on the landfill to preclude excessive stormwater run-on to the active face and to control stormwater run-off (e.g., berms). Stormwater that has been in contact with waste or leachate is directed to the LCRS using berms and/or ditches. The stormwater management system for the entire Facility accounted for long-term development of the Class I Landfill; therefore, no major changes to the typical operations of the stormwater management system exist.

8.2 EROSION CONTROL

The landfill operator will inspect the earth berms, slopes, swales, and catch basins for signs of erosion as required by the Facility's Multi-Sector Generic Permit (MSGP) for Sector L, Landfills, under the National Pollutant Discharge Elimination System (NPDES) regulatory program. A visual inspection of erosion-control devices such as silt fences or mulch on recently graded slopes will be conducted, and such devices will be replaced or repaired as required.

Erosion-affected areas shall be reported to the Landfill Superintendent for repair as required. Repairs may include excavation and re-grading of ditches, removal of obstructions, construction of temporary silt checks, and establishment of vegetation.

9 WATER QUALITY MONITORING

9.1 GENERAL

The water quality monitoring program was designed based upon the information obtained through hydrogeological investigation reports previously prepared for the Facility and submitted to FDEP in accordance with Rule 62-701.510(2)(a), F.A.C. Laboratories used to perform environmental sampling and analysis required by FDEP permits or rules shall hold a valid certification from the Department of Health's Environmental Laboratory Certification Program as required by Chapter 62-160, F.A.C. All sampling and analyses are performed in accordance with Chapter 62-160, F.A.C. Field sampling is performed in accordance with FDEP's Standard Operating Procedures for Field Activities, DEP-SOP-001/01. All field and laboratory records will be made available to FDEP and will be retained for the design period of the Landfill.

Water quality monitoring results will be submitted to FDEP within 60 days of receipt of the laboratory analytical reports and corresponding electronic water quality data files from the laboratory. Water quality monitoring data will be provided to FDEP in an electronic format consistent with requirements for importing into FDEP databases, unless an alternate form of submittal is otherwise approved or specified by FDEP. The report will include the information listed in Rule 62-701.510 (8)(a), F.A.C., including FDEP Form 62-701.900(31), Water Quality Monitoring Certification.

A technical report, prepared and signed by a professional engineer or geologist with experience in hydrogeological investigations, will be submitted to FDEP every 2.5 years as required by Rule 62-701.510(8)(b), F.A.C. The report will summarize and interpret the water quality and water level measurements collected during the past 2.5 years plus, at a minimum, the information listed in Rule 62-701.510(8)(b), F.A.C.

As required based on the groundwater monitoring results, LCSWD will implement the evaluation monitoring, prevention measures, and corrective action procedures delineated in Rule 62-701.510(6), F.A.C., or as alternatively approved by the FDEP.

9.2 GROUNDWATER

The groundwater monitoring system for the Class I Landfill currently consists of 23 groundwater monitoring wells comprised of 11 shallow or water table aquifer monitoring wells and 12 sandstone aquifer monitoring wells, which were approved regarding their design and location by FDEP in the Facility's Operating Permit. Phase 3 development (Cells 11 and 12) will require addition of four (4) new wells and abandonment of one existing well. As Phase 4 (Cells 13 through 18) is developed sequentially (one or more cells at a time), new wells will be installed and some existing wells will be abandoned as detailed in the Attachment 1, Site Plan.

All shallow wells (existing and installed in future) are sampled semi-annually and analyzed for the groundwater indicator parameters (Rule 62-701.510(7)(a), F.A.C.). No sampling and analyses are required for the deep or sandstone monitoring wells. The Facility also measures groundwater elevations in all monitoring wells semi-annually and prepares the corresponding groundwater elevation contour maps for submittal to FDEP with the semi-annual water quality monitoring reports. The Facility also inspects all monitoring wells

during the semi-annual monitoring events and maintains the wells in proper working condition.

If compliance wells need to be installed, they will be sampled for groundwater indicator parameters (Chapter 62-701.510(7)(a), FAC) and for those parameters listed in 40 CFR Part 258, Appendix II (62-701.510(7)(c), FAC) or as alternatively approved by the FDEP. Any new parameter detected and confirmed will be added to the routine groundwater monitoring parameter list. Background water quality records will be maintained for the design period of the disposal facility.

9.3 SURFACE WATER

Discharge structures DS-2 and DS-3 were installed with the initial development of the Class I Landfill in accordance with SFWMD Permit No. 26-00541-S. DS-1 was installed for the Ash Monofill and Class III Landfill construction in 2007. Attachment 1, Site Plan, shows these structures. No surface water monitoring of DS-2 and DS-3 is required under Solid Waste Permit No. 0130719-010-SO/00, and no changes to the surface water monitoring program are proposed with this Permit renewal. DS-1 is sampled and analyzed in accordance with the Water Quality Monitoring Plan attached as Appendix 3 to Permit Nos. 0130719-013-SO/01 and 0130719-014-SO/T3 for the Ash Monofill and Class III Landfill, respectively. See the referenced Permits for more detail regarding the monitoring conducted at DS-1.

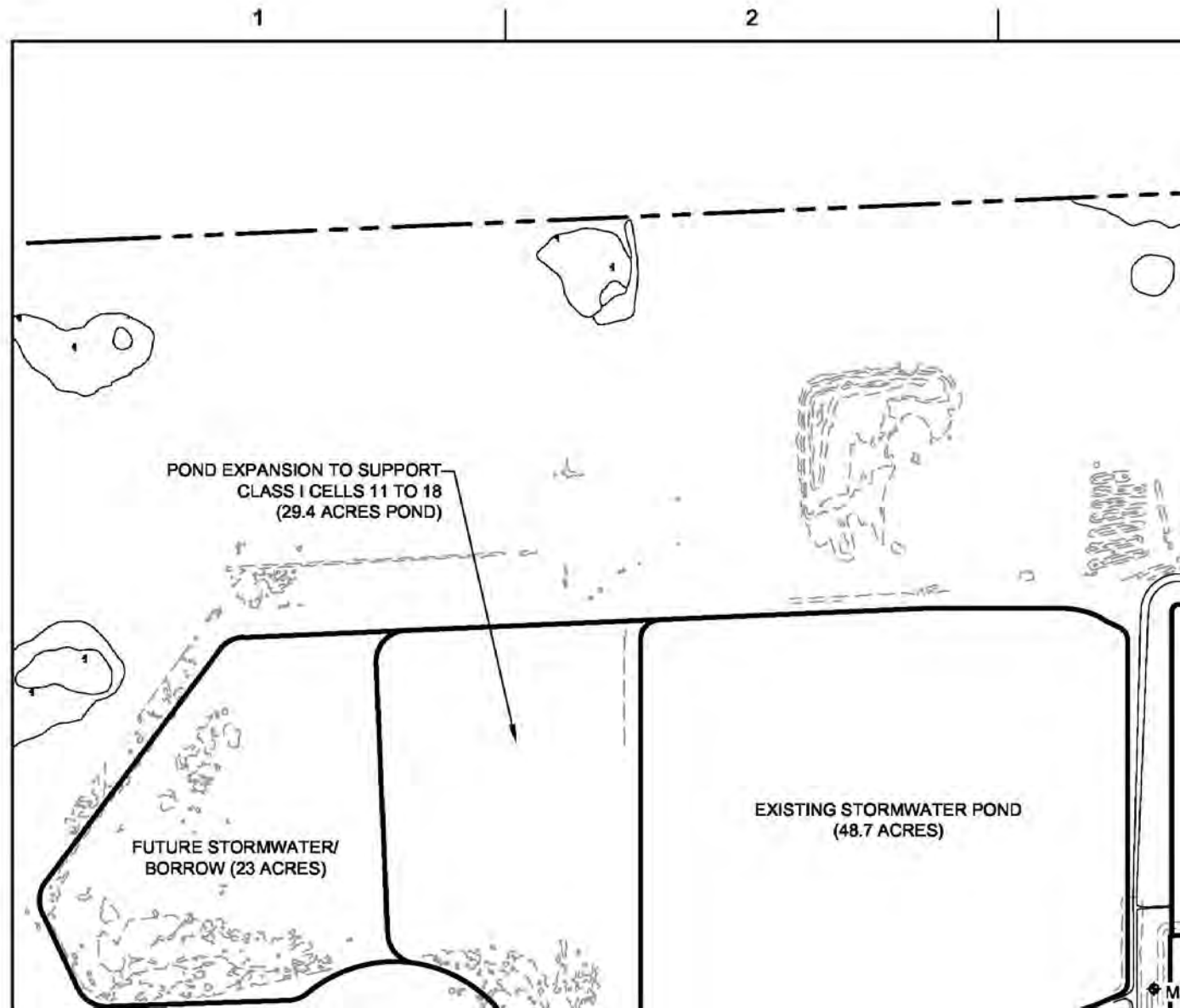
Surface water sampling is performed at DS-1, DS-2, and DS-3 in accordance with the Facility's Multi-Sector Generic Permit (MSGP) for Sector L, Landfills, under the National Pollutant Discharge Elimination System (NPDES) regulatory program during monitoring years and quarterly in accordance with the Adjacent Property Owners Agreement. Surface water quality data is submitted to FDEP and to the adjacent landowners pursuant to the NPDES program and the Agreement, respectively. These data are maintained by the LCSWD and are available to FDEP for review upon request.

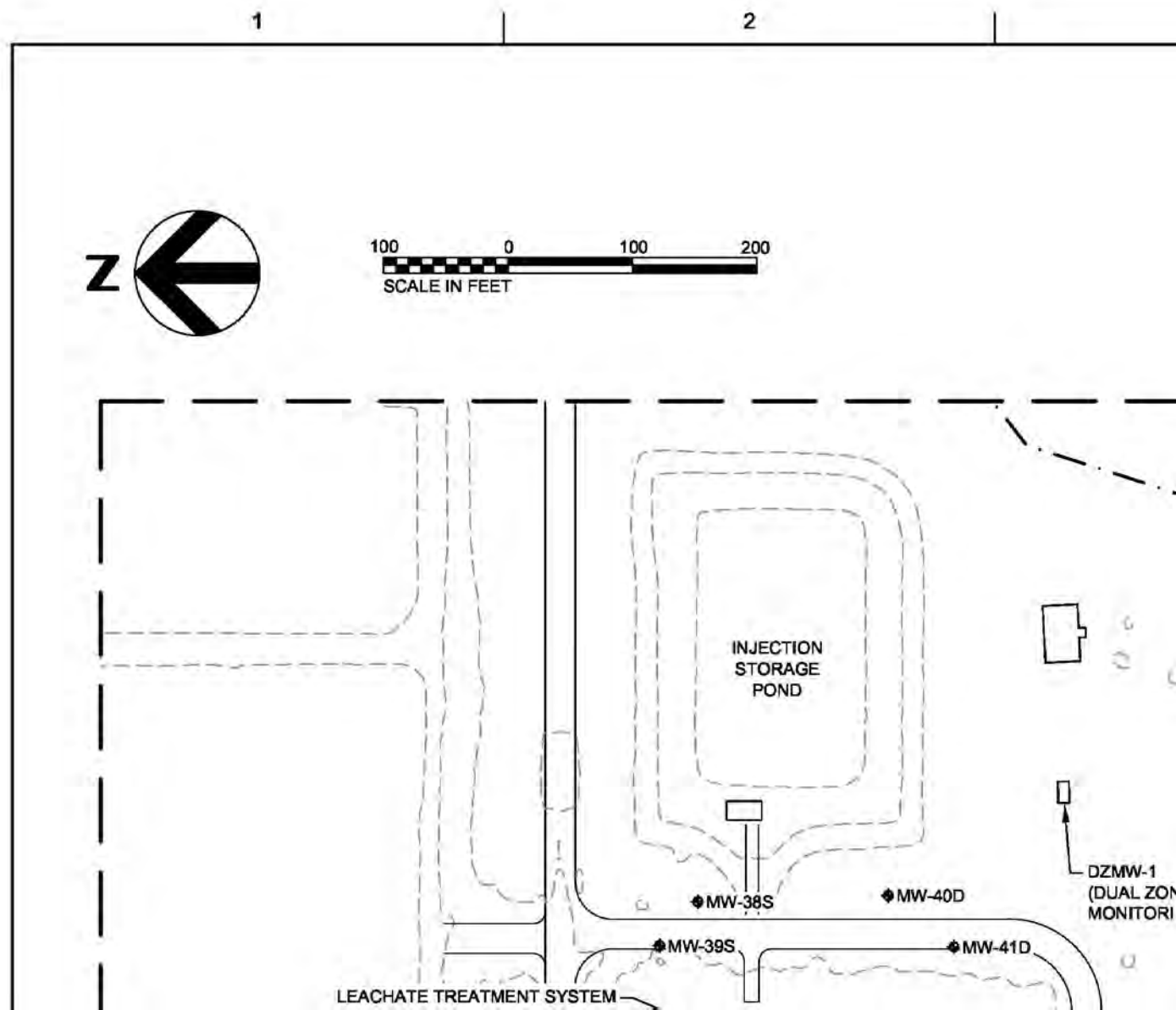
10 CONTINGENCY PLAN

As required by Rule 62-701.320(16), F.A.C., the Facility has developed a Contingency Plan to cover operational interruptions and emergencies such as fires, explosions, or natural disasters. The Contingency Plan is provided as Attachment 2 to this Operations Plan.

Attachment 1

Site Plan





Attachment 2

Contingency Plan

CONTINGENCY PLAN

LEE/HENDRY COUNTY REGIONAL SOLID WASTE DISPOSAL FACILITY

1 INTRODUCTION

This Contingency Plan was prepared by the Lee County Solid Waste Department for the Lee/Hendry County Regional Solid Waste Disposal Facility in Hendry County. This Contingency Plan was developed in accordance with Rule 62-701.320(16), of the Florida Administrative Code (FAC), which requires all permitted solid waste management facilities to have, as part of its Operation Plan, a Contingency Plan appropriate for the type of facility to cover operational interruptions and emergencies such as fires, explosions, or natural disasters. This Contingency Plan will assist Facility personnel responding to emergencies by providing detailed procedures designed to minimize adverse impacts that may result from such emergencies. This Contingency Plan will be kept at the Facility and accessible to the operators at all times and will be updated as operations change and/or at the time of Permit renewal. This Contingency Plan is incorporated as Attachment 2 of the Class I Landfill's Operation Plan.

The Facility encompasses approximately 1,800 acres within Sections 4, 9, and 16, Township 45 South, Range 28 East, in Hendry County, and is at 5500 Church Road in Felda, Florida. The Facility's entrance is at the intersection of South Church and Church Roads and can be accessed from State Road (SR) 82 via South Church Road or from SR 29 via Church Road. The Facility includes three separate disposal areas – Class I Landfill, Ash Monofill, and Class III Landfill – and various support facilities, e.g., weighing scales, operation and maintenance building, leachate storage ponds, and Class I Injection well for leachate disposal. A composting operation is also co-located at the Facility. The majority of the Facility's operations are in Section 16, and the Class III Landfill and future phases of the Ash Monofill are in Section 9. No solid waste disposal or support facilities are in Section 4, which is primarily wetlands and not planned for development. The Facility property is owned by the Lee County Board of County Commissioners (BOCC) and operated by the Lee County Solid Waste Department (LCSWD). Landfill operation, i.e., waste placement and compaction, is performed under contract by Waste Management of Florida, Inc.

As required by Rule 62-701.320(16), F.A.C., this Contingency Plan includes the following information and procedures:

- ✦ Person(s) responsible for Implementation of the Contingency Plan (Section 2).
- ✦ Procedures for notifying the appropriate emergency response persons or organizations, including the Florida Department of Environment Protection (FDEP) and the local government and fire protection agencies (Section 3).
- ✦ Emergency contact information (Section 4).
- ✦ Emergency response procedures, including the location of fire-fighting equipment with explanations of how to use the equipment as applicable (Sections 5 and 7).

- ✦ Procedures for immediately shutting down parts of the Facility affected by an emergency and notifying customers of the closure of the Facility as necessary (Section 6).
- ✦ Procedures for notifying the local government officials and neighbors of potential impacts of an emergency and provisions to minimize those impacts as appropriate (Section 3).

In addition, in accordance with Rule 62-701.320(16)(b), F.A.C., the Facility has the following equipment and/or capabilities, which are required at all solid waste disposal facilities:

- ✦ Sufficient equipment to implement the Contingency Plan, including equipment for excavating, spreading, compacting, and covering waste.
- ✦ Sufficient reserve equipment or arrangements to obtain additional equipment within 24 hours of equipment breakdown.
- ✦ Communication equipment for emergency and routine communications.
- ✦ Fire protection and fire-fighting capabilities adequate to control accidental burning of solid waste in the Facility. This includes procedures for notifying local fire protection agencies for assistance in emergencies.

Section 7 of this Contingency Plan provides information regarding the above items.

2 RESPONSIBLE PERSONS

The Director of the LCSWD is responsible for the Facility and, therefore, is ultimately responsible for implementing the Contingency Plan. The LCSWD Director is responsible for maintaining the resources necessary to implement the Plan when it is necessary to do so. The LCSWD Director is also responsible for coordinating and/or communicating with emergency response agencies, local governmental officials, and affected neighbors as necessary and as outlined in the Contingency Plan.

The Landfill Superintendent is responsible for the day-to-day operations of the Facility and, as such, is responsible for activating the Contingency Plan during an emergency and implementing the procedures appropriate for the emergency as outlined in the Plan. These procedures include notifying the appropriate emergency response agencies and performing emergency response activities commensurate with the Facility's resources and training, e.g., using heavy equipment to extinguish a landfill fire, as outlined in the Contingency Plan.

3 NOTIFICATION PROCEDURES

3.1 GENERAL NOTIFICATION PROCEDURES

The following notification procedures will be implemented in an emergency:

- ✦ Immediately call 911 for life-threatening emergencies, e.g., explosions or injuries requiring immediate medical attention, and for emergencies that require the assistance of outside emergency response agencies, e.g., fire department, ambulance, sheriff.

The notification procedures below will be implemented after calling 911 and/or, for emergencies that do not require outside assistance, after the emergency is under control and being managed by trained staff. The notification procedures outlined in this section will be performed in conjunction with emergency response procedures outlined in Section 5. Section 4 provides emergency contact information.

- ✦ The person discovering the emergency will immediately notify the Landfill Superintendent.
- ✦ The Landfill Superintendent will notify the LCSWD and/or the LCSWD Director of the emergency.
- ✦ If the Landfill Superintendent cannot be reached, the person discovering the emergency will immediately notify the LCSWD and/or the LCSWD Director of the emergency.
- ✦ The LCSWD Director will assess the situation and make the additional notifications outlined below as appropriate.

3.2 SPECIFIC NOTIFICATION PROCEDURES

The following additional notification procedures will be implemented as needed based on the type of emergency, the impacts to the Facility, the status of emergency response efforts, and the likelihood that persons and/or property outside the Facility will be impacted by the emergency.

3.2.1 FIRE

- ✦ If a fire that is outside the landfill or waste pile(s) cannot be extinguished or controlled within 48 hours, the LCSWD Director will notify the local fire department and seek its assistance. In this case, the LCSWD Director will also notify the local government, i.e., Hendry County, and any neighbors likely to be affected by the fire. Procedures for notifying local governments and neighbors are presented below.
- ✦ If a fire that is within the landfill or waste pile(s) cannot be extinguished or controlled within 1 hour, the LCSWD Director will notify FDEP and the local government having jurisdiction over the Facility, e.g., Hendry County, of the fire and of the Fire Control Plan being implemented.

3.2.2 PETROLEUM/HAZARDOUS MATERIAL SPILL

- ✦ In the event of a large spill of petroleum, other regulated substance, or hazardous material (hazmat) that requires the assistance of outside emergency responders, e.g., hazmat team, the LCSWD Director will notify the local fire department and/or appropriate emergency response agency, the State Warning Point, the National Response Center, and FDEP of the spill.
- ✦ If a petroleum (or other regulated substance) spill is determined to be 'reportable' as defined in Chapters 62-761 and 62-762, F.A.C., and discussed in Section 5, but no

outside assistance is needed, the LCSWD Director will notify FDEP of the reportable spill in accordance with the above-noted FDEP rules.

- ✦ If a petroleum (or other regulated substance) spill is not a 'reportable' spill, no additional notifications are required.

3.2.3 NATURAL DISASTERS

- ✦ Notifications to outside agencies or governments are not typically warranted for natural disasters, e.g., hurricanes or floods, since they will not be isolated to the Facility.
- ✦ If the Facility will close before the disaster, e.g., before hurricane landfall, and/or will remain closed after the disaster due to damages incurred, the LCSWD Director will notify its customers of the Facility's closure as outlined below.
- ✦ If a severe storm or tornado is in the vicinity of or approaching the Facility, the general emergency notification procedures will be implemented.

3.2.4 FACILITY SHUT-DOWN

- ✦ If the Facility must shut-down due to the emergency, the LCSWD Director will notify its customers of the closure as appropriate.
- ✦ The Facility's primary customers, which include other Solid Waste Department facilities, Hendry County Solid Waste Management, and the franchise haulers, will be notified of the Facility's closure via telephone and/or email.
- ✦ Signs providing information on the closure, including the expected duration, alternate facilities, and contact information will be posted at the scale house.
- ✦ If an extended closure period is expected, LCSWD may issue a press release containing pertinent information about the closure to the local news stations.
- ✦ Additional methods for notifying customers of the closure include advertising via newspaper or radio and/or posting an announcement on the County's website.

3.2.5 PROCEDURES FOR NOTIFYING NEIGHBORS AND/OR LOCAL GOVERNMENTS

- ✦ If the emergency warrants notification of local governments and neighbors, the LCSWD Director will notify Hendry County, i.e., Waste Management and Emergency Management Departments, and other Lee County and Hendry County officials, as appropriate, of the potential impacts of the emergency and provisions or procedures being implemented to minimize those impacts.
- ✦ Notifications to local governments will be made by telephone, email, or fax as appropriate. Notifications may also be made via press releases, radio announcements, and website postings.
- ✦ If evacuations are necessary, local law enforcement and/or county-wide emergency communication channels may be enlisted to assist with the evacuations.

3.2.6 ACCIDENTAL MSW LANDFILLING IN SPECIAL PROVISION AREAS OF CELLS 10 & 11A

The Landfill has implanted strict measures as part of landfill operations to ensure MSW is disposed only in the MSW designated disposal areas of the Landfill. Such measures include demarcating special provision areas through survey and staking, clear signage, and traffic routing/control of garbage vehicles, etc. If, in an extremely rare scenario MSW is accidentally disposed in the special provision areas of Cells 10 and 11A (refer to Section 5.1.1.1 of the Operations Plan), such MSW will be promptly removed from these areas to a designated MSW disposal area of the landfill. The LCSWD Director will send a curtsey notification to the FDEP briefly detailing the incident.

4 EMERGENCY CONTACTS

ALL EMERGENCIES – DIAL 911

Emergency Contact	Business Number	24-hour Number
LCSWD		
LCSWD Office	(239) 533-8000	NA
LCSWD Director	(239) 533-8544	(239) 634-9814
LCSWD Landfill Operations Manager	(239) 533-8920	(239) 229-5733
LCSWD Landfill Superintendent	(239) 369-2545	(239) 822-9779
LCSWD Crew Supervisor	(239) 369-7831	(239) 707-5134
LCSWD Fleet Maintenance Manager	(239) 533-8929	(239) 822-0280

STATE/FEDERAL GOVERNMENT AGENCIES

FDEP	(239) 344-5600	(800) 320-0519
State Warning Point	(850) 815-4001	(800) 320-0519
National Response Center:	(800) 424-8802	(800) 424-8802
Poison Control Center	(800) 222-1222	(800) 222-1222
EPA 'Federal RCRA Hotline'	(800) 424-9346	(800) 424-9346
Florida Fish and Wildlife Conservation Commission	(850) 488-4676	(888) 404-3922

LOCAL GOVERNMENT AND/OR EMERGENCY RESPONSE AGENCIES

Felda Volunteer Fire Department	(863) 674-4081	911
Hendry County Emergency Management	(863) 674-5400	911
Hendry County Sheriff	(863) 674-5600	911
Hendry County Waste Management Department	(863) 675-5252	NA
Hendry County Health Department (Clinic)	(863) 674-4041	NA
Hendry County Environmental Health Dept.	(863) 674-4047	NA
Hendry County Emergency Medical Services	(863) 674-5412	911
Labelle Fire Department	(863) 675-1537	911

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Labelle Sheriff Office (non-emergency)	(863) 674-5600	911
Labelle Public Works Department	(863) 675-0414	NA

EMERGENCY RESPONSE CONTRACTORS

Howco Environmental Services (oil/used oil/antifreeze collection/recycling/disposal)	(800) 435-8467	(800) 435-8467
Clean Earth of Alabama, Inc.	(313) 369-5584	(318) 557-7739

Lee County Natural Resources

Pollution Prevention Manager	(239) 533-8821	(239) 898-6255
Environmental Specialist, Sr.	(239) 533-8817	(239) 281-2236

State Hazardous Waste Cleanup Contract

American Compliance Technologies	(800) 226-0911	(800) 226-0911
Cliff Berry, Inc.	(800) 899-7745	(800) 899-7745

EMERGENCY CONTACTS WEBSITES (TO OBTAIN EMERGENCY INFORMATION)

Agency	Website	Comments
Hendry County	http://hendryfla.net/	Department Listings
Florida Division of Emergency Management	http://floridadisaster.org	
Lee County	www.lee-county.com	

5 EMERGENCY RESPONSE PROCEDURES

The following emergency response procedures will be implemented as appropriate in response to an emergency at the Facility.

5.1 FIRE

- ✦ The Landfill Superintendent should attempt to extinguish the fire using the appropriate Facility equipment, e.g., fire extinguisher for small fires or landfill equipment for large fires or fires within a waste pile or landfill. Section 7 provides a list of emergency response equipment.
- ✦ Procedures for extinguishing a fire using landfill or heavy equipment include applying water to the fire using the water truck and/or applying soil to the fire using earthmoving equipment.
- ✦ If a fire that is outside the landfill or a waste pile(s) cannot be extinguished or controlled within 48 hours, Section 3 outlines the notification procedures that the LCSWD Director will implement. Provided it is safe to do so, the Facility operators will continue efforts to extinguish and/or control the fire as outlined above.

- ✦ Once the local fire department arrives, the Facility will coordinate its fire-fighting efforts with the fire department until the fire is extinguished.
- ✦ If the fire is within the landfill or waste pile, the Facility will implement fire control techniques appropriate for landfill fires. These techniques include applying soil to the fire to reduce the amount of oxygen feeding the fire and/or excavating waste in and around the fire to expose the fire and allow the direct application of soil and/or water to the fire.
- ✦ If a fire that is within the landfill (buried waste) or waste pile(s) cannot be extinguished or controlled within 1 hour, the Facility will immediately:
 - ☐ Implement this Contingency Plan.
 - ☐ Cease accepting waste for disposal in those areas of the Facility impacted by the fire.
 - ☐ Notify FDEP and the local government having jurisdiction over the Facility of the fire and of the Fire Control Plan being implemented.
 - ☐ Within 2 weeks of the occurrence of a fire in the landfill or of any fire that required assistance from the local fire department, the LCSWD Director will submit a report to FDEP describing the origins of the fire, the actions that were taken in response to the fire and the results of those actions, and an analysis of the success or failure of the actions that were taken in response to the fire.

5.2 PETROLEUM SPILLS

- ✦ Minor spills (typically less than 25 gallons), will be removed by applying absorbent materials to the spill. Spill kits containing the appropriate absorbents are provided at the fuel station and in the maintenance shop. Alternatively, mulched yard trash or compost from the Composting Facility may also be used as absorbent. The absorbents should be applied to the spill until it is fully absorbed. Once the spill is completely absorbed, the used absorbents may be disposed of in the Class I Landfill or the Ash Monofill. The area around the spill should be examined to ensure no spilled material remains. If the spill occurred on a pervious surface, any soil contaminated by the spill will be removed and disposed of as noted above.
- ✦ Major and/or reportable spills as defined below should be contained to as small an area as possible through the use of soil berms and/or grading. Once the spill is contained to a specific area, absorbent materials including soil, mulched yard trash, and/or compost should be used to clean/remove the spilled material in the same manner as noted above.
- ✦ If deemed necessary based on the quantity and/or location of the spill, the LCSWD Director may hire an outside spill cleanup contractor to clean-up the spill, restore the site, and properly dispose of spill clean-up material including contaminated soil.
- ✦ Follow-up notifications and reports will be prepared and submitted to FDEP in accordance with the requirements of Chapters 62-761 and 62-762, F.A.C.

A reportable spill is defined as:

- ✦ Any quantity of petroleum, petroleum product, or other regulated substance that is visually observed in surface water.
- ✦ A spill or overflow of petroleum or regulated substance to soil, equal to or exceeding 25 gallons.
- ✦ A spill or overflow of petroleum or a regulated substance to an impervious surface exceeding 100 gallons.
- ✦ A spill or overflow of petroleum or a regulated substance to a secondary containment, e.g., for a tank, exceeding 500 gallons.

5.3 NATURAL DISASTERS

If an impending natural disaster is expected, such as a hurricane, flood, or severe storm, emergency response procedures include preparing for the event and, afterward, assessing damage, if any, and repairing damaged equipment. Hurricanes and tropical storms are the most common natural disasters in Florida; therefore, the following procedures specifically address these types of natural disasters. However, these procedures may be implemented for other types of natural disasters.

- ✦ The Landfill Superintendent will inspect landfill slopes for erosion that could become significant and/or allow leachate to escape the landfill during heavy rains and make any necessary repairs. Stormwater management structures will also be inspected and repaired as needed to ensure stormwater flows are not impeded during heavy rains.
- ✦ At least 24 hours before the hurricane making landfall, the Facility will begin collecting, removing, and/or tying down loose items, e.g., small equipment, trash.
- ✦ At the appropriate time before the hurricane makes landfall and as directed by the LCSWD Director, the Landfill Superintendent will close the Facility to prepare for the hurricane following the procedures outlined in Section 6.
- ✦ Landfill equipment and vehicles will be fueled and parked or staged in a manner to minimize damage from high winds and flying debris and enable immediate access and quick response after the hurricane passes. All other operating equipment will be secured at this time.
- ✦ Portions of designated future disposal areas at the Facility may be prepared in advance if such areas are planned to be used for contingency operations such as storage and processing of hurricane debris consisting primarily of construction and demolition debris and yard waste. Preparation of areas that may be used for contingency operations may include placing, compacting, and grading fill to raise the ground surface elevation, grading and/or constructing access roads to such areas, and installing stormwater- and/or erosion-control devices in these areas as needed. The LCSWD Director will select the areas that may be used for contingency operations, and FDEP will be notified of any planned contingency operations that will occur outside of the permitted solid waste disposal areas as necessary and appropriate. Once prepared and FDEP-approval obtained as needed, debris may be hauled to these areas for storage, sorting, and processing as necessary.

- ✦ After the hurricane passes and it is safe to do so, the Landfill Superintendent will return to the Facility and assess any damage that may have occurred. If conditions necessitate closing the Facility, the LCSWD Director will implement the procedures in Section 6.

5.4 PROCEDURES FOR FACILITY SHUT-DOWN

- ✦ If the Facility must be shut down, the LCSWD Director will implement the notification procedures outlined in Section 3.
- ✦ Solid waste not yet placed in the affected landfill(s) will be transferred to an appropriate solid waste management facility, e.g., the waste-to-energy plant in Fort Myers or another landfill at the Facility that is not affected by the emergency.
- ✦ Temporary or alternate transfer and/or disposal facilities will be selected by the LCSWD Director as needed. FDEP will be notified of the planned use of any previously approved facilities, i.e., hurricane debris staging/processing sites, and/or FDEP approval will be obtained for the use of other facilities or sites as needed based on the nature and extent of the disaster. Once temporary or alternate sites have been secured, FDEP approval obtained, and the sites are ready for operation, the necessary equipment will be dispatched to clear major thoroughfares to the site as needed and staff will be mobilized to the sites as needed and/or if required.
- ✦ The LCSWD Director will provide information about the temporary or alternate facilities to the public via radio or newspaper announcements or press releases, signage, and/or call-in information as needed and appropriate as outlined in the procedures for notifying customers of the Facility's closure in Section 3.

5.5 ACCIDENTAL MSW IN PARTS OF CELLS 10 & 11A

The Landfill has implanted strict measures as part of landfill operations to ensure MSW is disposed only in the designated MSW disposal areas of the Landfill. Such measures include demarcating special provision areas through survey and staking, clear signage, traffic routing and control of garbage vehicles, etc. If, in a rare scenario MSW is accidentally disposed in the special provision areas of Cells 10 and 11A, such MSW will be promptly removed from these areas to a designated MSW disposal area of the landfill.

6 EMERGENCY RESPONSE EQUIPMENT

The Facility has sufficient equipment to implement this Contingency Plan, including equipment for excavating, spreading, compacting, and covering waste, and has sufficient reserve equipment or arrangements to obtain additional equipment within 24 hours of equipment breakdown. Equipment typically used in the Facility's operations is listed in the following table along with the equipment's typical location at the Facility and general purpose. Equipment operators are familiar with the use of the listed equipment; therefore, no instructions are provided for the use of this equipment in this Contingency Plan. Only experienced or trained equipment operators are allowed to use the equipment listed in the following table.

Equipment	Location	Purpose
Compactors	Landfill(s)	Spreading and compacting waste or debris
Bull Dozer	Landfill(s)	Spreading and/or compacting waste, debris, and/or dirt
Loader/Backhoe	Landfill(s)	Excavating, transporting, and spreading dirt
Tractor-Tanker	Landfill(s)	Transporting water/leachate
Roll-off Containers	Landfill(s)	Storing and/or transporting
Tractor/Bush Hog	Landfill(s)	Mowing/cutting brush/vegetation
Water Truck	Landfill(s)	Moving/applying water
Fuel Truck	Maintenance Shop and/or Landfill	Fueling equipment and vehicles
Maintenance Truck	Maintenance Shop and/or Landfill	Maintaining equipment and vehicles
Vacuum Truck	Maintenance Shop and/or Landfill	Pumping water/leachate/sludge to clean or empty containers/leachate lines/pipes

In addition, heavy equipment can be rented on short notice in an emergency or in case of equipment failure from various vendors and contractors under a County-wide contract (B170516RJD) or purchase order, which may include the following:

Kelly Tractor Co. ; Ph. (239) 693-9233
9651 Kelly Tractor Drive, Ft. Myers, Florida

Alta Equipment Company LLC; Ph. (239) 291-0760
5151 Martin Luther King Jr Boulevard, Ft. Myers, Florida

Creel Tractor Rental LLC; Ph. (239) 694-2185
3771 Palm Beach Boulevard, Ft. Myers, Florida

Mobile generators will be obtained as needed to supply power to emergency equipment, e.g., pumps, portable light stands, that may be brought into the Facility after an emergency. All heavy equipment should have a minimum of two front headlights and one rear light. The front-line equipment will be equipped with or adequate lighting will be provided so that landfill and support operations can be performed safely at night.

The scale house, the Landfill Superintendent, and other Facility staff as needed, are equipped with communication devices that function on battery power. Additional and/or backup communication equipment can be obtained as needed. The Landfill Superintendent will report the status of emergency operations to the LCSWD Director frequently while emergency response activities are being performed at the Facility. Public communications and announcements will be provided through local radio stations and the LCSWD as needed.

The following additional emergency equipment is available at the Facility and may be used in response to an emergency. Facility personnel are trained to use this equipment; therefore, no instructions are provided herein.

Emergency Response Equipment	Location
Spill Clean-up Kit	Fuel Station, Maintenance Shop
First Aid Kit	Landfill office, some landfill equipment
Fire Extinguisher	Landfill Equipment and vehicles
Emergency Generators	Class I Landfill (2); Class 3 Landfill (1); Ash Monofill (4); and Compost Facility (1)



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

June 3, 2024

NOTICE OF PERMIT

By-Email
Rrodriguez2@leegov.com

In the Matter of an
Application for Permit by:
Rebecca Rodriguez, P.E., Engineering Manager
Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, FL 33905

Lee/Hendry
WACS #74766
Lee Hendry Regional Solid Waste
Disposal Facility

Attention: Ms. Rebecca Rodriguez

DEP File No: 0130719-025-SC-T3

Enclosed is Permit Number 0130719-025-SC-T3 to construct Cells 2 and 3 of the Class III Landfill, issued pursuant to Section 403.061(14) and 403.707, Florida Statutes.

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP's Limited English Proficiency Coordinator at 850-245-2118 or LEP@FloridaDEP.gov. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, 800-955-8771 (TDD) or 800-955-8770 (voice).

NOTICE OF RIGHTS

Judicial Review

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68, F.S. by the filing of a notice of appeal under Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department of Environmental Protection in the 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 must be filed within 30 days after this order is filed with the Clerk of the Department.

Lee County Solid Waste Division
June 3, 2024
Page 2

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker, Program Administrator
Permitting and Compliance Assistance Program

Attachment(s):

- I. Permit No. 0130719-025-SC-T3

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Angelina DuBois, Lee County, ADuBois@leegov.com

Linda Braam, Lee County, LBraam@leegov.com

Tobin McKnight, P.E., Jones Edmunds & Associates, TMcKnight@jonesedmunds.com

Matthew Morse, P.E., Jones Edmunds & Associates, MMorse@jonesedmunds.com

El Kromhout, P.G, FDEP PCAP Solid Waste Section, Elizabeth.Kromhout@FloridaDEP.gov

Alan Willett, P.G, FDEP PCAP Solid Waste Section, Alan.Willett@FloridaDEP.gov

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.

Clerk

Date



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Interim Secretary

Modified Permit Issued to:

Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905

WACS Facility ID No.: 74766
Lee/Hendry County Regional Solid Waste Disposal Facility
5500 Church Road
Felda, Hendry County, Florida

Contact Person:
Rebecca Rodriguez, P.E., Engineering Manager
Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905
RRodriguez2@leegov.com
239-533-8000

Solid Waste Construction Permit – Class III Landfill
Permit Nos.: 0130719-025-SC-T3

Permit Issued: June 3, 2024
Permit Renewal Application Due Date: April 3, 2044
Permit Expires: June 3, 2044

Permitting Authority
Florida Department of Environmental Protection
Tallahassee Office
2600 Blair Stone Road
Tallahassee, Florida 32399
850-245-8707
Fax 850-245-8811

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The Permittee is hereby authorized to construct the facilities 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.

This Solid Waste Construction Permit is issued under the provisions of Chapter 403, Florida Statutes, Florida Administrative Code Chapters 62-4 and 62-701.

This Permit does not relieve the Permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permits from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other Sections within the Department or of the Water Management District.

B. Facility Location

Facility Location (main entrance): 5500 Church Road, Felda, Hendry County, Florida.

Location Coordinates: Section: 04, 09 & 16, Township: 45 S, Range: 28 E
Latitude: 26° 34' 25.5", Longitude: 81° 31' 28.27"

C. Facility Description

The Class III Landfill will have approximately 62.3 acres of total disposal area. This permit authorizes the construction of Class III landfill Cells 2 and 3. Cell 2 will have approximately 19.0 acres and Cell 3 will have approximately 19.4 acres. The construction will be done in phases, with Cell 2A being constructed first, followed by Cells 2 B and 3 when needed.

D. Appendices Made Part of This Permit

APPENDIX 1 – General Conditions

APPENDIX 2 – Approved Application Documents

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application as revised in final form replaced or amended in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this Permit. Those documents that make up the complete permit application are listed in APPENDIX 2.

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
 FACILITY NAME: Lee/Hendry County Regional
 Solid Waste Disposal Facility WACS ID NO.: 74766

2. Permit Modification. Any change to construction, operation, monitoring, or closure requirements of this Permit may require a modification to this Permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified by submitting Form 62-701.900(8) within 30 days: (a) of any sale or conveyance of the facility; (b) if a new or different person takes ownership or control of the facility; or (c) if the facility name or Permittee's legal name is changed.
5. Permit Fee Payments. The total permit fee required for this permit is \$24,000 for a 20-year permit. The applicant has elected to pay this fee in installments in accordance with Rule 62-701.315(13), F.A.C., and submitted a fee of \$6,000 with this application. No later than April 30, 2029, April 30, 2034, and April 30, 2039, the permittee shall submit to the Department an installment payment of this fee in the amount of \$6,000. This fee is due the State regardless of whether the permittee closes the facility, surrenders the permit, has the permit revoked, or transfers the permit before it expires. If the permittee elects to transfer the permit, it must either pay the entirety of the fee due before submitting the application for transfer, or it must include with the transfer application a signed agreement from the proposed transferee to accept responsibility for the remainder of the permit fee due.

B. Construction Requirements

1. Construction Authorized. This permit authorizes the construction of two Class III cells, Cell 2 (19.0 acres) and Cell 3 (19.4 acres), east of the active Class III Cell 1. Cell 2 construction will be done in phases with Cell 2A to commence first and Cell 2B and Cell 3 to follow.
2. General Construction Requirements. All construction shall be done in accordance with the approved design (Appendix 2, Document 1), drawings (Appendix 2, Document 1), CQA plan (Appendix 2, Document 1 – Appendix B), and technical specifications (Appendix 2, Document 1 – Appendix B). The Department shall be notified before any changes, other than minor deviations, to the approved design are implemented in order to determine whether a permit modification is required.
3. Certification of Construction Completion. Upon completion of construction, the engineer of record shall certify to the Department in accordance with Rule 62-701.320(9)(b), F.A.C., that the permitted construction is complete and was done in substantial conformance with the approved construction plans except where minor deviations were necessary. All deviations shall be described in detail and the reasons therefore enumerated. The following documents shall be submitted along with the Certification:
 - a. The final report and record drawings showing that the liner system has been installed in substantial conformance with the plans and specifications for the liner system. The

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

record drawings must include the results of the surveys of the liner, base grade and collection pipe slopes.

- b. Results of testing of geosynthetic and soil components of the liner system.
4. Construction Quality Assurance. The Construction Quality Assurance (CQA) Plan submitted with the permit application shall be followed for preparing the subgrade and 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 preparation of the subbase, placement of the liner components and leachate collection system, and placement of the drainage and protective layer over the primary liner.
5. Approval of Certification. The permittee shall not begin using Cells 2 and 3 of the Class III Landfill until one of the following has occurred: (1) the Department has stated in writing that it has no objection to the certification of construction completion; or (2) at least 30 days have passed since the certification was submitted and the Department has not responded in writing to the certification.

C. Operation Requirements

The Operation Requirements are included in Operation Permit No. 0130719-014-SO-T3 and associated modifications.

D. Water Quality Monitoring Requirements

The Water Quality Monitoring Requirements are included in Operation Permit No. 0130719-014-SO-T3 and associated modifications.

E. Gas Management System Requirements

The Gas Management System Requirements are included in Operation Permit No. 0130719-014-SO-T3 and associated modifications.

F. Financial Assurance and Cost Estimates

1. Financial Assurance Mechanism. The Permittee may not receive waste for disposal or storage in any disposal unit for which financial assurance has not been approved. Proof that the financial mechanisms are established and funded in accordance with Rule 62-701.630, F.A.C. shall be submitted to the Department at least sixty (60) days prior to the planned acceptance of solid waste in any disposal unit. When established, the Permittee shall maintain, in good standing, the financial assurance mechanisms. Supporting documentation and evidence of increases associated with cost estimate increases shall be submitted within the time frames specified in Rule 62- 701.630, F.A.C.

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

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

And to:

Florida Department of Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

2. Cost Estimates.

- a. The Permittee shall submit closure cost estimates, including annual adjustments for inflation, in accordance with the requirements of Rule 62- 701.630(3) and (4), F.A.C., and 40 CFR Part 264.142(a) and .144(a) using Form 62-701.900(28).
- b. An owner or operator using an escrow account shall submit the annual inflation adjusted estimate(s) between July 1 and September 1. An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the inflation adjusted cost estimate(s) between January 1 and March 1.
- c. A cost estimate covering disposal units not previously covered by financial assurance mechanisms must be submitted prior to submitting financial assurance for such disposal units.
- d. All submittals in response to this specific condition shall be sent to the District Office and a copy to the address identified in Specific Condition 2.F.1. or to:
Financial.Assurance.Working.Group@floridadep.gov.

G. Closure Requirements

Not Applicable.

H. Long Term Care Requirements

Not Applicable.

PERMITTEE NAME:	Lee County Solid Waste Division	PERMIT NO.:	0130719-025-SC-T3
FACILITY NAME:	Lee/Hendry County Regional Solid Waste Disposal Facility	WACS ID NO.:	74766

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker, Program Administrator
Permitting and Compliance Assistance Program

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.

Clerk

Date

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

APPENDIX 1 - 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, 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 the Permit.
4. This Permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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 any order from the Department.
6. 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 or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the Permit and when required by Department rules.
7. Permittee, by accepting this Permit, specifically agrees to allow authorized Department personnel, upon presentation of credential 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 the conditions of the Permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

Permit; and

- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this Permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

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 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 Sections 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This Permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C, as applicable. The Permittee shall be liable for any noncompliance 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:
- (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) 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.

PERMITTEE NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

- (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 instrumentation) required by this Permit, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit.
- (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 NAME: Lee County Solid Waste Division PERMIT NO.: 0130719-025-SC-T3
FACILITY NAME: Lee/Hendry County Regional
Solid Waste Disposal Facility WACS ID NO.: 74766

APPENDIX 2 – Approved Application Documents

1. Application for Construction Substantial Permit Modification and Operation Permit Minor Modification, prepared by Jones Edmunds for Lee County Solid Waste, dated January 31, 2023, and received by the Department February 1, 2024.
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.367869.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.367869.1]&[profile=Permitting_Authorization])

(a) Appendix A1 – Permit Plans and Appendix A2 – Gas Collection and Control System Design
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.368771.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.368771.1]&[profile=Permitting_Authorization])
2. Approved Operation Plan, January 2024
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.372285.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.372285.1]&[profile=Permitting_Authorization])



FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

June 4, 2024

NOTICE OF PERMIT MODIFICATION

E-mail
Rrodriguez2@leegov.com

In the Matter of an
Application for Permit by:
Rebecca Rodriguez, P.E., Engineering Manager
Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, FL 33905

Lee/Hendry
WACS #74766
Lee Hendry Regional Solid Waste
Disposal Facility

Attention: Ms. Rebecca Rodriguez

DEP File No: 0130719-026-SO-MM

Pursuant to Sections 403.061(14) and 403.707, Florida Statutes, the Department hereby issues modification number 0130719-026-SO-MM. The following conditions of permit number 0130719-013-SO/01 and 0130719-014-SO/T3 are modified as follows:

SPECIFIC CONDITIONS	FROM	TO	TYPE OF MODIFICATION
Title Page	Existing	Amended	Addition of Permit Modification No. 0130719-026-SO-MM
1.C	Existing	Amended	Revised Facility Description
2.B.1	Existing	Amended	Updated to include Construction Permit No. 0130719-025-SC-T3.
2.B.5	Existing	Amended	Updated to include Cells 2 and 3 of the Class III Landfill
2.C.1	Existing	Amended	Updated to replace Operation Plan from September 2017 Document 5, to January 2024 Document 9
2.C.6.	Existing	Amended	Updated to reference Drawings FC1, FC2, and FC3 (Appendix 2, Document 8a) for final elevation
2.C.9.	Existing	Amended	Updated notification procedures.
2.C.11.f & g	Existing	Amended	Updated to reference intermediate permit modification (0130719-021-SO-IM)

Lee County Solid Waste Division

June 4, 2024

Page 2

2.E.1.	Existing	Amended	Revised Construction Requirements
2.E.2.	Existing	Amended	Revised Certification of Construction Completion requirements
2.G.2.	Existing	Amended	Updated to reference approved closure design plan (Appendix 2, Document 8 – Appendix D and Document 8a).
2.G.3.	Existing	Amended	Updated to reference approved closure design plan (Appendix 2, Document 8 – Appendix D).
Appendix 2	Existing	Amended	Addition of Document 8 - “Application for Construction Substantial Permit Modification and Operation Permit Minor Modification, prepared by Jones Edmunds for Lee County Solid Waste”, dated January 31, 2023
Appendix 2	Existing	Amended	Addition of Document 8(a) - “Appendix A1 – Permit Plans and Appendix A2 – Gas Collection and Control System Design”
Appendix 2	Existing	Amended	Addition of Document 9 - “9. Approved Operation Plan, January 2024”
Appendix 3	Existing	Amended	Updated Table 1. - Water Quality Monitoring Test Sites
Appendix 3	Existing	Amended	Updated Monitoring Well Location Map - Figure L.1.c(4)
Attachment 2	Existing	Amended	Addition of Permit Modification No. 0130719-026-SO-MM

Attached is Permit Number 0130719-013-SO/01 and 0130719-014-SO/T3 as modified by this Order. The attached permit replaces all previous permits and permit modifications for this facility.

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact DEP’s Limited English Proficiency Coordinator at 850-245-2118 or LEP@FloridaDEP.gov. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, 800-955-8771 (TDD) or 800-955-8770 (voice).

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

Lee County Solid Waste Division
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- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within **14** days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within **14** days of publication of the notice or within **14** days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

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Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (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 must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kimberly A. Walker, Program Administrator
Permitting and Compliance Assistance Program

Attachment(s):

1. Permit No. 0130719-013-SO/01 and 0130719-014-SO/T3 as modified by 0130719-026-SO-MM

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Angelina DuBois, Lee County, ADuBois@leegov.com

Linda Braam, Lee County, LBraam@leegov.com

Tobin McKnight, P.E., Jones Edmunds & Associates, TMcKnight@jonesedmunds.com

Matthew Morse, P.E., Jones Edmunds & Associates, MMorse@jonesedmunds.com

El Kromhout, P.G, FDEP PCAP Solid Waste Section, Elizabeth.Kromhout@FloridaDEP.gov

Alan Willett, P.G, FDEP PCAP Solid Waste Section, Alan.Willett@FloridaDEP.gov

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.

Clerk

Date



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Interim Secretary

Modified Permit Issued to:

Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905

WACS Facility ID No.: 74766
Lee/Hendry County Regional Solid Waste Disposal Facility
5500 Church Road
Felda, Hendry County, Florida

Contact Person:
Rebecca Rodriguez, P.E., Engineering Manager
Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905
RRodriguez2@lcegov.com
239-533-8000

Solid Waste Construction/Operation Permit – Landfill

Permit Nos.: 0130719-013-SO/01 and 0130719-014-SO/T3

Permit Modification No.: 0130719-019-SC-MM ~~and~~

Permit Modification No.: 0130719-020-SO-MM ~~as modified by~~

Permit Modification No.: 0130719-021-SO-IM

Permit Modification No.: 0130719-026-SO-MM

Permit Issued: April 03, 2013
Permit Renewal Application Due Date: January 03, 2033
Permit Expires: April 03, 2033

Permitting Authority

Florida Department of Environmental Protection
Tallahassee Office
2600 Blair Stone Road
Tallahassee, Florida 32399
850-245-8707
Fax 850-245-8811

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		WACS ID NO.:	74766

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The Permittee is hereby authorized to operate the facilities 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.

This Solid Waste Operation Permit is issued under the provisions of Chapter 403, Florida Statutes, Florida Administrative Code Chapters 62-4 and 62-701.

This Permit does not relieve the Permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permits from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other Sections within the Department or of the Water Management District.

B. Facility Location

Facility Location (main entrance): 5500 Church Road, Felda, Hendry County, Florida.

Location Coordinates: Section: 04, 09 & 16, Township: 45 S, Range: 28 E
Latitude: 26° 34' 25.5", Longitude: 81° 31' 28.27"

C. Facility Description

Operate a Class I Ash Monofill having approximately 36.8 acres of total disposal area, with an average daily load of 693 tons per day under normal operating conditions and a Class III Landfill having approximately ~~62.3~~ 25.0 acres of total disposal area in Cells 1, 2, and 3, with an average daily load of 105 tons per day under normal operating conditions. Class III Cell 2 (19.0 acres) and Cell 3 (19.4 acres) construction is authorized in Construction Permit No. 0130719-025-SC-T3. The appropriate sections of the construction quality assurance document for the Ash Monofill have been revised to include criteria and methods for the use of crushed glass within the upper 12" of the liner protective layer for Cells 3, 4, and 5. Modification of the Ash Monofill also includes a reconfiguration of the leak detection system discharge for Cells 1 and 2 to direct the discharged leachate to the nearest leachate collection sump instead of directly to the leachate force main.

D. Appendices Made Part of This Permit

APPENDIX 1 – General Conditions

APPENDIX 2 – Approved Application Documents

APPENDIX 3 – Water Quality Monitoring Plan

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E. Attachments for Informational Purposes Only

ATTACHMENT 1 – Time Sensitive Chart. If any of the time deadlines in the Time Sensitive Action Chart are inconsistent with the time deadlines in the permit conditions, the time deadline in the permit condition shall be followed.

ATTACHMENT 2 – Facility Permit History

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application **as revised in final form replaced or amended** in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this Permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation, monitoring, or closure requirements of this Permit may require a modification to this Permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified by submitting Form 62-701.900(8) within 30 days: (a) of any sale or conveyance of the facility; (b) if a new or different person takes ownership or control of the facility; or (c) if the facility name or Permittee's legal name is changed.
5. Air Construction Permit Requirements
 - a. The landfill owner or operator is not required to obtain an 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, Department of Environmental Protection, 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.
 - b. The landfill owner or operator is not required to obtain an 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 to or part of a larger facility) has the potential to emit 10 tons per year (TPY) or more of any hazardous air pollutant, 25 TPY or more of any combination of hazardous air pollutants, or 100 TPY or more 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 to or greater than 2.5 million

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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 South District Air Program Administrator.

- c. The Permittee is required to comply with the requirements of 40 CFR 60, Subpart WWW and CC as adopted by reference in Rule 62-204.800, F.A.C. The Permittee may have to submit to the Division of Air Resource 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 6-.757(a)(3) and (b).

B. Construction Requirements

1. Construction Authorized. Previous permit modifications contained revisions for the construction of expansion cells for the Ash Monofill in accordance with the revised Construction Quality Assurance Plan referenced in Appendix 2. Permit modification No. 0130719-019-SC authorizes modification of the leak detection system for Cells 1 and 2. Construction Permit No. 0130719-025-SC-T3 authorizes the construction of Class III cells, Cell 2 (19.0 acres) and Cell 3 (19.4 acres).
2. General Construction Requirements. All construction shall be done in accordance with the approved design, drawings, CQA plan, and specifications. The Department shall be notified before any changes, other than minor deviations, to the approved design are implemented in order to determine whether a permit modification is required.
3. Certification of Construction Completion. Upon completion of construction, the engineer of record shall certify to the Department in accordance with Rule 62-701.320(9)(b), F.A.C., that the permitted construction is complete and was done in substantial conformance with the approved construction plans except where minor deviations were necessary. All deviations shall be described in detail and the reasons therefore enumerated. The following documents shall be submitted along with the Certification:
 - a. The final report and record drawings showing that the liner system has been installed in substantial conformance with the plans and specifications for the liner system. The record drawings must include the results of the surveys of the liner, base grade and collection pipe slopes.
 - b. Results of testing of geosynthetic and soil components of the liner system.
4. Construction Quality Assurance. The Construction Quality Assurance (CQA) Plan submitted with the permit application shall be followed for preparing the subgrade and 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 preparation of the subbase, placement of the liner components and leachate collection system, and placement of the drainage and protective layer over the primary liner.
5. Approval of Certification. The permittee shall not begin using Cell 5 of the Ash Monofill and Cells 2 and 3 of the Class III Landfill until one of the following has occurred: (1) the

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Department has stated in writing that it has no objection to the certification of construction completion; or (2) at least 30 days have passed since the certification was submitted and the Department has not responded in writing to the certification.

C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the Ash Monofill and the Class III landfill in accordance with the approved Operation Plan January 2024 February 2019 (Appendix 2, Document 2 7). The Department shall be notified before any changes, other than minor deviations, to the approved Operation Plan are implemented in order to determine whether a permit modification is required.
2. Operation Plan. A copy of the approved Operation Plan, including the operating record as defined in Rule 62-701.500(3), F.A.C., shall be kept at Lee/Hendry Regional Solid Waste Facility office and shall be accessible to landfill operators. Operating record documents specified in Rule 62- 701.500(3), F.A.C., shall be kept at the Lee/Hendry Regional Solid Waste Disposal Facility or at the Lee County Solid Waste Division main office.
3. Authorized Waste Types. The facility is authorized to manage only the following waste types:
 - a. Waste types defined in Rule 62-701.200, F.A.C.:
 - 1) Class III Waste:
 - a) Construction and Demolition (C&D) Debris
 - b) Processed tires
 - c) Asbestos
 - d) Carpet
 - e) Cardboard
 - f) Paper
 - g) Glass
 - h) Plastic
 - i) Furniture other than appliances
 - j) Any other materials with the prior approval of the Department
 - 2) Class I Ash Monofill:
 - a) Lee County Solid Waste Resource Recovery Facility ash residue
 - b) Wastewater Treatment Plant Sludge (Biosolids) with a minimum of 12% solids
 - c) Non-hazardous contaminated soils from petroleum /other spills or contaminants
 - d) Other non-hazardous Class I wastes that are not otherwise prohibited in a Class I Landfill
4. Unauthorized Waste Types. The facility is not authorized to accept, process or dispose any waste types not listed in C.3. above. In addition, the facility is not authorized to accept, process or dispose:
 - a. Wastewater Treatment Plant Sludge, except for dewatered sludge (biosolids) in the ash monofill
 - b. Contaminated Soils from Petroleum Spill Cleanups, except in the ash monofill
 - c. Ash Residue, other than ash residue from the Lee County WTE Facility
 - d. Hazardous Wastes
 - e. PCBs (Liquid and Non-Liquid)

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- f. Bio-Medical Wastes
- g. Lead Acid Batteries
- h. Used Oil (As Liquid or Mixed with Other Solid Wastes)
- i. White Goods
- j. Whole Tires
- k. Non-Containerized Liquids

Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan.

5. Waste Management and Handling
 - a. Solid waste shall be formed into cells to construct horizontal lifts. The working face of the cell, and side grades above land surface, shall be at a slope no greater than three feet horizontal to one-foot vertical rise or as authorized by this Permit in accordance with the approved operation plan.
 - b. No solid waste shall be disposed of outside of the permitted footprint of the solid waste disposal units.
 - c. The sequence of waste filling shall be as specified in the approved Operation Plan.
6. Landfill Elevation. The final (maximum) elevation of the Class I Ash Monofill and Expansion Area shall not exceed 115.4 feet NGVD as shown on Drawing FC5 dated May 2013. The final (maximum) elevation of the Class III Landfill shall not exceed 132.0 feet NGVD as shown on Drawings FC1, FC2, and FC3 (Appendix 2, Document 8a)~~C-29 dated May 2007~~.
7. 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.
 - a. Cover Requirements - Class I Ash Monofill:
 - 1) Initial Cover: Ash residue or other suitable materials used for daily cover shall be sufficiently free of organics and other materials as to not attract rodents, flies or other vermin.
 - 2) Intermediate Cover: Minimum 12-inches thick of suitable materials.
 - b. Class III Landfill:
 - 1) Initial Cover: Minimum of 6-inches thick of suitable materials.
 - 2) Intermediate Cover: Minimum 12-inches thick of suitable materials.
8. Erosion Control. Erosion control measures shall be employed to correct any erosion which exposes waste or causes malfunction of the storm water management system. Such measures shall be implemented within three days of occurrence. If the erosion cannot be corrected within seven days of occurrence, the landfill operator shall notify the Department and propose a correction schedule.
9. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan included as Attachment 1 to the Operations Plan referenced in Appendix 2. Notification shall be made to the Solid Waste

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Section of DEP's South District Office at 239-344-5600 or at SouthDistrict@dep.state.fl.us.
Notification shall include pertinent information as to the cause of the problem and what corrective measures are being taken to prevent its reoccurrence.

10. Housekeeping. The facility shall be operated to control dust, vectors, litter and objectionable odors. If objectionable odors are confirmed beyond the landfill property boundary, the owner or operator shall comply with the gas management requirement in Section 2, Part E.
11. Leachate Management.
 - a. The Permittee shall operate the leachate management system (including the collection, removal, storage, and on-site disposal systems), and maintain the system as designed, so that leachate is not discharged from the system except as provided for in the Design Plan and Operation Plan.
 - b. Routine inspections and maintenance of the leachate management system shall be conducted in accordance with the schedule established in the Operation Plan.
 - c. The leachate collection pipes shall be cleaned, or video inspected at least once every five years. A summary of the results shall be submitted to the South District office as specified in Attachment 1, Time Sensitive Chart.
 - d. The Permittee shall record quantities of leachate collected by the leachate collection and removal system in gallons per day, shall record precipitation at the facility, and shall compare these measurements.
 - e. In 2017, a temporary above-grade 8-inch leachate force main was connected to the existing leachate discharge line at the Cells 1, 2, 3, and 4 leachate sumps of the Class I Ash Monofill to maximize removal of generated leachate to the leachate storage ponds (Appendix 2, Document 4, Attachment 3 Figures).
 - f. This intermediate permit modification (0130719-021-SO-IM) is for the construction and operation of a new below-grade leachate force main for the Class I Ash Monofill to serve as a permanent replacement of the temporary leachate force main. The proposed leachate force main has been designed to remove leachate from the Ash Monofill and transfer to the leachate storage ponds. The new force main is a 6-inch diameter dual containment HDPE pipe that will be manifolded into an 8-inch pipe at the connection of Cells 1 and 2 to Cells 3 through 5. The temporary 8-inch above-grade leachate force main installed in 2017 and the existing 4-inch below-grade double-walled force main will be abandoned.
 - g. This intermediate permit modification (0130719-021-SO-IM) also allows for completing maintenance activities on the leachate pumping system that serves the Class I Leachate Pond including up to changing pumps, motors, and/or suction piping to increase pumping flow rates to the leachate injection pond.
12. Spotters and Operators. This facility shall have the minimum number of spotters present when waste is accepted as specified in the operation plan, to be located as specified in the operation plan. A trained operator shall be on duty at the facility at all times when the landfill receives waste. Approved training courses can be found at the following web site: <http://www.treeo.ufl.edu/sw/>
13. Record Keeping Requirements.
 - a. Waste Quantity Records. Waste records shall be compiled monthly and shall be provided to the Department annually by February 1. This information shall be reported to the Department through the DEP Business Portal located at: <http://www.fldepportal.com/go>.

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- b. Estimate of Remaining Life. The Permittee shall submit the annual estimate of the remaining life and capacity annually by January 31, based on data as of December 31. The report is required by Rule 62- 701.500(13)(c), F.A.C. and must be submitted to the District Office and to:

Florida Department of Environmental Protection
Solid Waste Section, MS 4565
2600 Blair Stone Road
Tallahassee, Florida, 32399-2400

14. Hazardous Waste. If any regulated hazardous wastes are discovered to be deposited at the facility, the facility operator shall promptly notify the Department, the person responsible for shipping the wastes to the facility, and the generator of the wastes, if known. The area where the wastes are deposited shall immediately be cordoned off from public access. If the generator or hauler cannot be identified, the facility operator shall assure the cleanup, transportation, and disposal of the waste at a permitted hazardous waste management facility. In the event that hazardous wastes are discovered they shall be managed in accordance with the procedures provided in facility Operation Plan.
15. Stormwater. Leachate shall not be discharged into the stormwater management system. Stormwater or other surface water which comes into contact with or mixes with the solid waste or leachate shall be considered leachate and is subject to the requirements of Rule 62-701.500(8), F.A.C.

D. Water Quality Monitoring Requirements

1. Zone of Discharge. The zone of discharge for this facility shall be a three-dimensional volume described as describe in Item 1.f of Appendix 3 – Water Quality Monitoring Plan attached to the permit. The Permittee shall ensure that Class G-II water quality standards will not be exceeded at the boundary of the zone of discharge, per Rule 62-520.420, F.A.C., and that ground water minimum criteria will not be exceeded outside the boundary of the zone of discharge, per Rule 62-701.320(17), F.A.C.
2. Electronic Reporting. Required water quality monitoring reports and all ground water and surface water analytical results shall be submitted electronically. Water quality monitoring reports shall be submitted in Adobe pdf format. The water quality data Electronic Data Deliverable (EDD) shall be provided to the Department in an electronic format consistent with requirements for importing the data into the Department's databases. Water quality monitoring reports shall be signed and sealed by a Florida registered professional geologist or professional engineer with experience in hydrogeological investigations and shall include the following:
- Cover letter;
 - Summary of exceedances and sampling problems, if any (e.g., variation from SOP field criteria);
 - Conclusions and recommendations;
 - Ground water contour maps;
 - Chain of custody forms;
 - Water levels, water elevation table;

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- g. Ground Water Monitoring Report Certification, using the appropriate Department form;
- h. Appropriate sampling information on Form FD 9000-24 (DEP-SOP- 001/01); and,
- i. Laboratory and Field EDDs and error logs, as applicable.

All submittals in response to this specific condition shall be sent to the District Office and to:

Florida Department of Environmental Protection
Solid Waste Section, MS 4565
2600 Blair Stone Road
Tallahassee, Florida, 32399-2400

- 3. Water Quality Monitoring Plan. The Water Quality Monitoring Plan for this permit is included in APPENDIX 3.

E. Gas Management System Requirements

- 1. Construction Requirements. All construction shall be done in accordance with the approved gas management system design, drawings, and specifications (Appendix 2, Document 8a). The Department shall be notified before any changes, other than minor deviations, to the approved design are implemented in order to determine whether a permit modification is required. ~~[No new gas construction activities are authorized by this permit.]~~
- 2. Certification of Construction Completion. After construction is completed the engineer of record shall certify to the Department in accordance with Rule 62-701.320(9)(b), F.A.C., that the permitted construction is complete and was performed in substantial conformance with the approved construction plans except where minor deviations were necessary. All deviations shall be described and the reasons therefore enumerated.
- 3. Operational Requirements. Gas controls shall be operated and maintained so that they function as designed.
- 4. Monitoring Requirements. Monitoring for methane gas at the property boundary and within structures on the property shall be performed quarterly to determine the effectiveness of the gas migration controls. The gas monitoring results shall be reported as a percent of the lower explosive limit (LEL), calibrated to methane. The report shall be submitted to the Department under separate cover no later than 15 days after the end of the period in which the monitoring occurred.
- 5. Gas Remediation Plan. The facility shall be operated to prevent the concentration of combustible gases from exceeding 25% of the lower explosive limit in structures, excluding gas control or recovery components, and from exceeding the lower explosive limit at or beyond the property boundary. If either of these limits is exceeded then a gas remediation plan shall be designed and implemented in accordance with Rule 62-701.530(3)(a), F.A.C.
- 6. Odor Remediation Plan. The facility shall be operated to control objectionable odors. If objectionable odors are confirmed beyond the property boundary then upon notification by the Department the Permittee shall develop and implement an odor remediation plan in

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accordance with the requirements of Rule 62-701.530(3)(b), F.A.C.

F. Financial Assurance and Cost Estimates

1. Financial Assurance Mechanism. The Permittee may not receive waste for disposal or storage in any disposal unit for which financial assurance has not been approved. Proof that the financial mechanisms are established and funded in accordance with Rule 62-701.630, F.A.C. shall be submitted to the Department at least sixty (60) days prior to the planned acceptance of solid waste in any disposal unit. When established, the Permittee shall maintain, in good standing, the financial assurance mechanisms. Supporting documentation and evidence of increases associated with cost estimate 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

And to:

Florida Department of Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

2. Cost Estimates.
 - a. The Permittee shall submit closure cost estimates, including annual adjustments for inflation, in accordance with the requirements of Rule 62- 701.630(3) and (4), F.A.C., and 40 CFR Part 264.142(a) and .144(a) using Form 62-701.900(28).
 - b. An owner or operator using an escrow account shall submit the annual inflation adjusted estimate(s) between July 1 and September 1. An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the inflation adjusted cost estimate(s) between January 1 and March 1.
 - c. A cost estimate covering disposal units not previously covered by financial assurance mechanisms must be submitted prior to submitting financial assurance for such disposal units.
 - d. All submittals in response to this specific condition shall be sent to the District Office and a copy to the address identified in Specific Condition 2.F.1. or to: Solid.Waste.Financial.Coordinator@dep.state.fl.us.

G. Closure Requirements

1. Closure Permit Requirements. Prior to initiating closure of a solid waste disposal unit, or part of a solid waste disposal unit, the Permittee must receive authorization from the Department in one of the following manners. The Permittee may submit an application to the Department for a

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closure permit on Form 62-701.900(1), which application shall include a closure plan. If the landfill is operating under a Department permit, the Permittee may request a modification of the permit to address substantive changes in the closure plan, or the Permittee may demonstrate that the closure plan in the existing operation permit includes sufficient detail to provide reasonable assurance of compliance with the provisions for closure. The application or request for modification shall include an updated closure plan which is made up of the following:

- a. A closure design plan;
 - b. A closure operation plan;
 - c. A plan for long-term care; and,
 - d. A demonstration that proof of financial assurance for long-term care will be provided.
2. Closure Design. All closure construction shall be done in accordance with the approved closure design plan (Appendix 2, Document 8 – Appendix D and Document 8a). The Department shall be notified before any changes, other than minor deviations, to the approved closure design are implemented in order to determine whether a permit modification is required.
 3. Closure Operation Plan. All closure shall be done in accordance with the approved closure operation plan (Appendix 2, Document 8 – Appendix D).
 4. Certification of Closure Construction Completion. After closure construction has been completed, the engineer of record shall certify to the Department on Form 62-701.900(2) that the closure is complete and that it was done in accordance with the plans submitted to the Department except where minor deviation was necessary. All deviations shall be described in detail and the reasons therefore enumerated.
 5. List of Closed Units Not in Long-Term Care. There are currently no units in long-term care.

II. Long Term Care Requirements

[There are currently no long-term care requirements for this facility.]

I. Twenty (20) Year Permit Period Requirements

1. No later than April 03, 2018, April 03, 2023, and April 03, 2028; the Permittee shall submit a report to the Department that contains the following:
 - a. An updated closure plan to reflect changes in closure design, long-term care requirements, and financial assurance requirements.
 - b. A revised closure cost estimate, made by recalculating the total cost of closure and long-term care, in current dollars.
 - c. A demonstration that the leachate collection system has been water pressure cleaned or inspected by video recording.
 - d. An updated operation plan, if operational procedures have changed.
 - e. An updated site plan or topographic survey if current conditions at the facility are not reflected in the existing site plan.
2. The total permit fee required for this Permit is \$56,000.00. The applicant has elected to pay this fee in installments in accordance with Rule 62-701.315(13), F.A.C., and submitted a fee

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of \$14,000 with this application. No later than ~~April 03, 2018~~, April 03, 2023, and April 03, 2028] the Permittee shall submit to the Department an installment payment of this fee in the amount of \$14,000.00. This fee is due to the State regardless of whether the Permittee closes the facility, surrenders the permit, has the permit revoked, or transfers the permit before it expires. If the Permittee elects to transfer the permit, it must either pay the entirety of the fee due before submitting the application for transfer, or it must include with the transfer application a signed agreement from the proposed transferee to accept responsibility for the remainder of the permit fee due.

Permit originally executed in Lee County, Florida. By Jon M. Inglehart, District Director, South District, State of Florida Department of Environmental Protection on April 3, 2013. Permit amended and executed in Leon County, by Mr. Tim Bahr, Compliance Assistance and Permitting Program Administrator, State of Florida Department of Environmental Protection on June 24, 2015.

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APPENDIX 1 - 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, 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 the Permit.
4. This Permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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 any order from the Department.
6. 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 or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the Permit and when required by Department rules.
7. Permittee, by accepting this Permit, specifically agrees to allow authorized Department personnel, upon presentation of credential 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 the conditions of the 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

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assure compliance with this Permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

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 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 Sections 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. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This Permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C, as applicable. The Permittee shall be liable for any noncompliance 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:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) 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

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original strip chart recordings for continuous monitoring instrumentation) required by this Permit, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit.

(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.

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APPENDIX 2 – Approved Application Documents

1. “Lee/Hendry County Regional Solid Waste Disposal Facility Ash Monofill Expansion Substantial Modification Permit Application for Construction and Operation Minor Modification”, prepared by Jones Edmonds & Associates, Inc., signed and sealed by Tobin McKnight, P.E., to include DEP Form 62- 701.900(1) - Application to Construct, Operate, Modify or Close a Solid Waste Management Facility with following Appendices, dated May 6, 2013
 - a. Appendix A- Updated Operations Plan for Ash Monofill and Class III Landfill (with Contingency Plan and Gas Management and Monitoring Plan as Attachments 1 and 2 respectively) May 2013
 - b. Appendix B- Drawing C1 and C2 – Facility Site Plan
 - c. Appendix C- Updated Closure and Long Term Care Plan, May 2013
 - d. Appendix D- Construction Quality Assurance Plan, May 2013
2. “Lee/Hendry Regional Solid Waste Disposal Facility Ash Monofill Expansion Certification of Construction Completion and Construction Quality Assurance Report”, prepared by Jones Edmonds & Associates, Inc., signed and sealed by Tobin McKnight, P.E., dated March 7, 2015 and revised on May 15, 2015.
3. “Lee/Hendry County Regional Solid Waste Disposal Facility Ash Monofill Expansion Minor Modification” application, prepared by Jones Edmonds & Associates, Inc., signed and sealed by Tobin McKnight, P.E., dated May 15, 2015 and revised June 2015.
4. Application for a Minor Permit Modification for Temporary Leachate Force Main for Hurricane Irma Recovery, prepared by Jones Edmonds for Lee County Solid Waste, dated and received by the Department September 25, 2017.
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.266858.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.266858.1]&[profile=Permitting_Authorization])
5. Approved Operation Plan, 2017.
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.266933.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.266933.1]&[profile=Permitting_Authorization])
6. Application for an Intermediate Permit Modification for a Permanent Below-Grade Leachate Force Main to Replace the Temporary Measures Installed in 2017, prepared by Jones Edmonds for Lee County Solid Waste, dated February 6, 2019, and received by the Department on February 7, 2019.
[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.291082.1\]&\[profile=Permitting_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.291082.1]&[profile=Permitting_Authorization])

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7. Approved Operations Plan, February 2019, prepared by Jones Edmunds for Lee County Solid Waste, received by the Department on February 7, 2019.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.291254.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.291254.1]&[profile=Permitting_Authorization])
8. Application for Construction Substantial Permit Modification and Operation Permit Minor Modification, prepared by Jones Edmunds for Lee County Solid Waste, dated January 31, 2023, and received by the Department February 1, 2024.
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.367869.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.367869.1]&[profile=Permitting_Authorization])

(a) Appendix A1 – Permit Plans and Appendix A2 – Gas Collection and Control System Design
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.368771.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.368771.1]&[profile=Permitting_Authorization])
9. Approved Operation Plan, January 2024
[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=8.372285.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=8.372285.1]&[profile=Permitting_Authorization])

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APPENDIX 3 – Water Quality Monitoring Plan

1. **Water Quality Monitoring:** The following approved water quality monitoring program that has been established to meet the criteria set forth in Rule 62-701.510, F.A.C., shall be subject to the provisions of F.A.C. Rules 62- 160, 62-302, 62-520, 62-522, 62-550, F.A.C., and the following Specific Conditions:
- (a) The Background, Detection, and Piezometer test sites and Surface Water monitoring test site listed in Table 1 and displayed in Figure L.1 of this Appendix should be maintained throughout the design life of the landfill.
 - (b) All Background and Detection test sites referenced above shall be sampled semi-annually in March and September, and analyzed semi-annually in March and September for the parameters listed in Rule 62-701.510(7)(a), F.A.C. Piezometer test sites shall be sampled (measured) semi-annually in March and September for ground water elevations.
 - (c) The surface water monitoring location referenced above shall be sampled semi-annually in March and September, and analyzed semi- annually in March and September for the parameters listed in Rule 62-701.510(7)(b), F.A.C.
 - (d) The water quality monitoring reporting shall be made in accordance with Rule 62-701.510(8)(a), F.A.C., no later than sixty (60) days of the date the Permittee receives a complete report of analysis from the laboratory.
 - (e) The technical report required by Rule 62-701.510(8)(b), F.A.C., shall be submitted within ninety (90) days of completion of each two and one- half years (2-1/2) of monitoring.
 - (f) The boundary of the zone of discharge, pursuant to Rule 62-520, F.A.C., shall be no more than one hundred (100) feet each from the solid waste disposal units, or to the facility's property boundary, whichever is less. The boundary of the zone of discharge shall also not extend beyond the base of the water-table (unconfined) aquifer identified in the geotechnical/hydrogeological study of the construction permit application.

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Table 1. Water Quality Monitoring Test Sites

Test Site Name	Test Site ID (WACS)	Well Type	Comments
MW-101S	23695	Background	
MW-102S	23696	Background	
MW-103S	23697	Background	
MW-104S	23698	Detection	
MW-105S	23699	Detection	Abandoned
MW-105SR	29533	Detection	Replacement for MW-105S
MW-106S	23700	Detection	Abandoned
MW-106SR	29534	Detection	Replacement for MW-106S
MW-107S	23701	Detection	Abandoned
MW-107SR	29535	Detection	Replacement for MW-107S
MW-108S	23702	Detection	Abandoned
MW-108SR	29536	Detection	Replacement for MW-108S
MW-109S	23703	Detection	
MW-110S	23704	Detection	
<u>MW-111S</u>			<u>* To be drilled during the construction of Class III Landfill Cell 2</u>
<u>MW-112S</u>			<u>* To be drilled during the construction of Class III Landfill Cell 3</u>
PZ-103D	23705	Piezometer	Water Levels only
PZ-105D	23706	Piezometer	Abandoned
PZ-105DR	29537	Piezometer	Water Levels only, Replacement for PZ-105D Abandoned
PZ-109D	23707	Piezometer	Water Levels only
DS-1	23712	Surface Water	Offsite Discharge

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Figure L.1_c(4): Monitoring Well Location Map



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ATTACHMENT 1 – Time Sensitive Action Chart

DATE	DESCRIPTION
Every 5 years	Submit reports in accordance with Specific Condition L.1.
Every 5 years	Submit \$14,000 for operation permit for the Class I Ash Monofill and the Class III Landfill in accordance with Specific Condition L.2.

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 FACILITY NAME: Lee/Hendry County Regional 0130719-014-SO/T3
 Solid Waste Disposal Facility WACS ID NO.: 74766

ATTACHMENT 2 – Ash Monofill and Class III Facility Permit History *

DATE	DESCRIPTION
November 20, 2013	Permit 0130719-016-SC/00: Modifications made to allow for expansion of the Ash Monofill, update to Operation Plan, and updates to Appendix 3.
August 14, 2014	Permit 0130719-017-SC/MM: Modification made to allow for the use of subrounded to subangular gravel in the leachate collection trenches.
July 2, 2015	Permit 0130719-019-SC-MM: Modification made to allow the use of crushed glass in the top 12 inches of the 24-inch drainage and liner protection layer for cells 3, 4, and 5. The modification also authorizes the relocation of the leak detection system discharge for Cells 1 and 2 to the nearest leachate collection system riser instead of directly to the leachate force main.
October 4, 2017	Permit Modification No. 0130719-020-SO-MM: Modification to install a temporary above-grade leachate force main from the Class I Ash Monofill Cells 1, 2, 3, and 4 sumps to the leachate storage ponds.
February 19, 2019	Permit Modification No. 0130719-021-SO-IM: Modification to install a permanent 6-inch double-walled below-grade leachate force main from the Class I Ash Monofill Cells 1, 2, 3, 4 and 5 sumps to the leachate storage ponds.
<u>June 3, 2024</u>	<u>Permit Modification No. 0130719-026-SO-MM: Modification to include Class III Cells 2 and 3, update the operation plan.</u>

*Since 0130719-013-SO/01 and 130719-014-SO/T3 were issued

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**LEE/HENDRY COUNTY REGIONAL
SOLID WASTE DISPOSAL FACILITY
OPERATION PLAN
FOR THE
ASH MONOFILL AND
CLASS III LANDFILL**

**PERMIT NOS.: 0130719-013-SO/01 AND 0130719-014-SO/T3
FACILITY WACS ID NO.: 74766**

Prepared for

Lee County Board of County Commissioners
Solid Waste Department
10500 Buckingham Road
Fort Myers, Florida 33905

Prepared by

Lee County Solid Waste Division
10500 Buckingham Road
Fort Myers, Florida 33905

and

Jones Edmunds & Associates, Inc.
13545 Progress Boulevard, Suite 100
Alachua, Florida 32615

January 2024

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Figure 1 Facility Site Plan and Groundwater and Gas Monitoring Well Location Map

ATTACHMENTS

- Attachment 1 Contingency Plan
- Attachment 2 Gas Management and Monitoring Plan

1 GENERAL INFORMATION

This Operation Plan provides written, detailed instructions for the daily operation of the Class I Ash Monofill and the Class III Landfill at the Lee/Hendry County Regional Solid Waste Disposal Facility (LHCRSWDF) Operation. This Operation Plan will be kept at the Facility and will be accessible to landfill personnel. This Operation Plan will be substantially complied with at all times and will be revised if operational procedures change. The construction and operation of the Ash Monofill and Class III Landfill were initially authorized by Permit Number 0130719-007-SC/00 issued by the Florida Department of Environmental Protection (FDEP) on December 14, 2007. The Ash Monofill and Class III Landfill are authorized for operation by Permit Nos. 0130719-013-SO/01 and 0130719-014-SO/T3 issued by FDEP on April 3, 2013.

The initial Ash Monofill disposal area was approximately 16.2 acres and began accepting waste in August 2008. A 20.6-acre Ash Monofill Expansion was permitted in 2013. The total Ash Monofill disposal area is approximately 36.8 acres. The Class III Landfill Cell 1 disposal area is approximately 25 acres and began accepting waste in January 2009. The Class III Landfill Cell 2 and Cell 3 disposal areas are approximately 19.0 and 19.4 acres, respectively. The Facility also has an approximately 38-acre Class I (Municipal Solid Waste [MSW]/Ash) Landfill authorized for operation by Permit No. 0130719-018-SO-01 issued by FDEP on January 14, 2015. This Operation Plan may reference the Class I Landfill for completeness. A separate Operation Plan was approved for the Class I Landfill with the issuance of the permit noted above. This Operation Plan pertains only to the operations of the Ash Monofill and the Class III Landfill and includes information required by Chapter 62-701, Florida Administrative Code (FAC), applicable to these landfills. Unless specified within the subsections of this Operation Plan, all procedures, guidelines, and information presented in this document can be applied to the operations of the Ash Monofill and the Class III Landfill. Specific provisions pertaining to a particular disposal area are clearly outlined in each section, if applicable.

Support facilities for the Ash Monofill and Class III Landfill include two double-lined leachate storage ponds, each constructed in two segments so that one segment can be taken out of service for inspection and repair with no interruption of service, and a Class I deep injection well with an associated double-lined injectate (leachate) storage pond that serves as the Facility's primary leachate disposal method. A third double-lined leachate storage pond that serves the Class I Landfill is adjacent to the Ash Monofill and Class III Landfill leachate storage ponds. Figure 1, Facility Site Plan and Groundwater and Gas Monitoring Well Location Map, shows the location of these disposal areas and the support facilities.

The Facility is owned by the Lee County Board of County Commissioners and was developed pursuant to an Interlocal Agreement with Hendry County for solid waste management and disposal. The Lee County Solid Waste Department (LCSWD) is responsible for operation of the Facility. Waste Management, Inc. of Florida (WMIF) operates the landfill portion only under contract with Lee County. The Facility has a physical address of 5500 Church Road, Felda, Florida 33930 and is on South Church Road, approximately 3.2 miles north of State Road (SR) 82, in Hendry County, Florida, Sections 4, 9, and 16 of Township 45S, Range 28E.

Facility operations are governed by its construction/operation permits issued by FDEP and the South Florida Water Management District (SFWMD), the applicable laws and regulations of the State of Florida including Chapter 62-701, FAC, Solid Waste Management Facilities, and the regulations of the US Environmental Protection Agency (EPA). A current copy of Chapter 62-701, FAC, is kept at the Facility office. As required, an updated Operation Plan will be submitted at the time of permit renewal.

2 PERSONNEL

2.1 STAFFING AND ORGANIZATION

The Facility is operated in conjunction with the Lee County Resource Recovery Facility (RRF). The LCSWD Director is responsible for overseeing the coordination of solid waste disposal operations and maintenance. WMIF operates the landfill portion only under contract with Lee County. WMIF employs regionally based mechanics and outside vendors to maintain and repair equipment used in the landfill operation. The Facility's personnel, who are responsible for the proper operation of the Facility, are listed below. The number of personnel may vary depending on the amounts and types of materials being disposed at the Facility.

2.1.1 FACILITY STAFF

- Landfill Superintendent (WMIF)
- Landfill Operator (WMIF)
- Leachate Management System Operator/Mechanic (LCSWD)
- Crew Supervisor (LCSWD)
- Solid Waste Operations Technician (LCSWD)
- Scale Operator (LCSWD)

2.1.2 ASH MONOFILL STAFF

- Equipment Operator 1/Spotter (WMIF)

2.1.3 CLASS III LANDFILL

- Equipment Operator 1/Spotter (WMIF)

2.2 TRAINING

The Facility will have a minimum of one trained operator at the Landfill during all times when the Landfill receives waste as required by Section 62-701.500(1), FAC. The Facility will also have at least one trained spotter at the working face(s) at all times when waste is received to detect unauthorized wastes. To be considered a trained operator, the individual must complete the training outlined in Paragraph 62-701.320(15)(b), FAC. To be considered a trained spotter, the individual must complete the training outlined in Paragraph 62-701.320(15)(c), FAC. The following describes the Facility's training plan for operators and spotters in accordance with Section 62-701.320(15), FAC.

Training will be conducted by the Landfill Superintendent or designee at least annually. All Facility personnel will be trained in safety practices, operating procedures, public health, and environmental protection. Landfills operators will be trained to operate the appropriate type of facility and equipment for which they are responsible.

The spotter(s) will be trained on receiving and inspecting solid waste to identify and ensure the proper management of hazardous or prohibited wastes detected. The operators and spotters will have read and be familiar with the appropriate sections of this Operation Plan as well as the permits that govern the Facility's operations.

Operators will also successfully complete the Solid Waste Landfill Operators Training Course given jointly by the Florida Chapter of the Solid Waste Association of North America (SWANA), the University of Florida-Training, Research, and Education for Environmental Occupations (UF-TREEO), and FDEP. This course provides 24 hours of initial training and requires the individual to pass an examination as part of the training. Operators who have successfully completed a landfill operator course in another state that is substantially equivalent to the requirements for acceptable training and was completed within 2 years of employment will be considered suitably trained.

Furthermore, Landfill Operators will pass an FDEP-approved examination for certification. The examinations will test the operators' knowledge in the following areas:

- Basic mathematics.
- Sciences appropriate to the course.
- Public health and environmental protection.
- Rules and laws relating to solid waste management in Florida.
- Facility operation and maintenance.
- Environmental monitoring.

The Florida Solid Waste Management Training Committee (SWMTC) arranges for presentation of the training course and the examination. Operators must apply and register for enrollment in the courses and examinations. Within each 3-year period following the initial certification, operators must complete at least 16 hours of continuing training by a State-approved operator training course. Spotters will complete 8 hours of initial training through courses provided by SWANA, UF-TREEO, FDEP, or any other SWMTC-approved courses. Spotters will also complete an additional 4 hours of continued training within 3 years after attending the initial training and every 3 years thereafter.

Documentation and proof of training, including continual training education, tests, or courses, will be maintained at the Facility by the Landfill Superintendent and will be available for inspection by FDEP.

2.3 HEALTH AND SAFETY

Landfills may contain health hazards and personnel should be aware of such hazards. Personnel will know general safety procedures for avoiding and/or mitigating potential hazards at landfills. When handling solid waste or leachate, proper attire and methods as delineated in the Occupational Safety and Health Administration (OSHA) requirements will be used as guidelines for protection against ingestion, contamination, hearing loss, sight loss, or other mishaps. The scale house and/or operations and maintenance building will be

used as a personnel shelter and for sanitary facilities. First-aid equipment will be maintained on site at the scale house and in the operations and maintenance building. The Landfill management staff will conduct regular on-site safety meetings.

Health and safety training information may be obtained from various public and private agencies, and contracted instructors are also available. The following is a partial listing of possible sources:

- Lee or Hendry County Health Department.
- Lee or Hendry County Fire Department.
- Lee or Hendry County Police Department.
- FDEP.
- EPA.
- American Red Cross.
- OSHA.

3 WASTE CONTROL AND INFORMATION

The Ash Monofill, a Class I landfill, primarily accepts ash residue from the Lee County RRF, and it may also accept wastes acceptable for disposal in Class I landfills as provided in Chapter 62-701, FAC. These include but are not limited to household/residential, commercial, incinerator/waste-to-energy ash, treated biomedical waste, water treatment sludge, agricultural waste, asbestos, construction and demolition (C&D) debris and/or residuals remaining after recycling of C&D debris, shredded/cut tires, off-road tires, contaminated soil, industrial and domestic wastewater treatment sludge, oil/petroleum contaminated soils, absorbents, similar materials described in Paragraph 62-701.300(11)(b), FAC, and other non-hazardous wastes that are not otherwise prohibited in a Class I Landfill.

The Class III Landfill accepts wastes that are acceptable for disposal in Class III landfills as provided in Chapter 62-701, FAC. These include C&D debris, processed tires, asbestos, carpet, cardboard, paper, plastic, and furniture. Class I waste as defined in Chapter 62-701, FAC, will not be accepted for disposal in the Class III Landfill.

Hazardous waste, as defined by Chapter 62-701, FAC, will not be accepted for disposal in the Ash Monofill or the Class III Landfill and are strictly prohibited at the Facility.

LCSWD reviews certain special wastes proposed for disposal in the Ash Monofill (e.g., wastewater treatment plant [WWTP] sludge and contaminated soil) individually through the generator as deemed necessary to ensure that they can be accepted (i.e., are non-hazardous or not otherwise prohibited). The Class III Landfill may accept certain types of special waste (e.g., asbestos) in accordance with applicable regulations if they are not otherwise prohibited from a Class III landfill. Section 5.1.4 contains further information about the management of special wastes.

3.1 PROHIBITIONS

The Facility complies with the prohibitions specified in Rule 62-701.300, FAC. Documentation that the Facility complies with the prohibitions of the referenced rule

was provided in the initial application for construction and operation of the Ash Monofill and Class III Landfill and in subsequent operation permit modifications or renewal applications, as applicable. The following sections identify the additional prohibitions specified in Rule 62-701.300, FAC, and describe the methods and/or procedures used by the Facility to ensure compliance with these prohibitions.

3.1.1 BURNING OF SOLID WASTE

Open burning of solid waste is prohibited at the Facility. If a *hot load* is identified in a refuse-hauling vehicle, it will be isolated in an area away from the active face. The Landfill Superintendent will determine the proper treatment and handling of the load before the load is dumped in any of the disposal areas. If a hot load is observed after being dumped at the active face, the affected material will be kept at the lift surface and extinguished using soil, ash (in the Ash Monofill only), or other methods as directed by the Landfill Superintendent. Materials prohibited from disposal in Class III landfills will not be used to extinguish fires in the Class III disposal area. The material in question will not be covered with solid waste until it has been confirmed that the load is extinguished and poses no additional fire risk.

3.1.2 HAZARDOUS WASTES

Disposal of hazardous wastes is prohibited at the Facility. If any regulated hazardous wastes are identified by random load checking or are otherwise discovered to be improperly disposed of at the Landfill, the Landfill Operator will promptly notify FDEP, the person responsible for shipping the wastes to the Facility, and the generator of the wastes, if known. The area where the wastes are deposited will be cordoned off from public access. If the generator or hauler cannot be identified, the Landfill Operator will ensure the clean-up, transportation, and disposal of the waste at a permitted hazardous waste management facility. Also, the Scale Operator, spotter, and/or other trained landfill personnel will inform the driver that the load is prohibited and will make every effort to obtain the name and address of the company and/or the driver, truck identification information, the nature of the load, and its source. This information, along with the date and time that the prohibited material was identified and rejected, will be placed in the Facility's Operating Record.

3.1.3 POLYCHLORINATED BIPHENYLS

Disposal of liquids containing polychlorinated biphenyls (PCBs) or non-liquid PCBs in the form of contaminated soil, rags, or other debris is prohibited at the Facility. If PCBs are identified by random load checking or are otherwise discovered at the Facility, personnel will treat them like hazardous wastes as outlined above.

3.1.4 MOTOR VEHICLES AND SHREDDED WASTES

Motor vehicles and shredded wastes are not currently accepted for disposal at the Facility. Waste is not shredded at the Facility. The Facility accepts recreational vehicles (RVs) and boats for disposal in the Class III Landfill provided any hazardous material and/or liquids have been removed.

3.1.5 BIOMEDICAL WASTES

Untreated biomedical waste is not accepted at the Facility.

3.1.6 SPECIAL WASTES FOR LANDFILLS

In accordance with Section 62-701.300(8), FAC, the following items are prohibited from disposal in the Landfill(s):

- Lead-acid batteries.
- Used oil, except as provided in Rule 62-710, FAC, and as noted below for the Ash Monofill only.
- Yard trash in the Ash Monofill, except as may be allowed pursuant to Paragraph 403.708(12)(c), Florida Statutes (FS), and as noted below.
- White goods.
- Whole waste tires, except as provided in Rule 62-711, FAC.

In accordance with Paragraph 62-701.300(11)(b), FAC, oily wastes, sorbents, or other materials used for maintenance or to clean up or contain leaks, spills, or accidental releases of used oil, and soils contaminated with used oil are not subject to the referenced prohibition and may be disposed of in the Ash Monofill only. No used oil or oily waste will be disposed of in the Class III Landfill. Yard trash will not be disposed of in the Ash Monofill except as may be allowed pursuant to Section 403.708(12)(c), FS. Yard waste may be disposed of in the Class III Landfill.

Loads containing such materials, if encountered, will be rejected or separated as directed by the Landfill Superintendent. The driver will be directed to deliver the prohibited waste to the proper facilities for management of such materials.

Special waste may be accepted and stored in designated areas at the site. Special wastes will be accepted only with prior approval and inspection by the Landfill Superintendent.

3.1.7 LIQUIDS RESTRICTIONS

Non-containerized liquids are prohibited from disposal at all of the disposal areas at the Facility. The Facility may accept certain non-containerized liquids that meet the criteria outlined in Section 62-701.300(10), FAC, and are not otherwise prohibited from disposal in the Facility. The Facility may also accept containerized liquids if they meet the criteria outlined in Section 62-701.300(10), FAC, and are not otherwise prohibited. The Facility will not knowingly accept prohibited containerized or non-containerized liquids.

3.2 METHODS FOR WASTE CONTROL

Four methods of waste control will be provided at the Facility for all loads of solid waste received:

1. **Signage**—Informational signs indicating the name of the operating authority, the type of waste allowed in each disposal area, and the hours and days of operation will be permanently posted at the entrance of the Facility.
2. **Random Load Checking Program**—A random load-checking program to detect and discourage disposal of unauthorized wastes is in place in accordance with Section 62-701.500(6), FAC, at the Class III disposal area and at the Ash Monofill. The Landfill Superintendent will direct a trained operator or trained spotter to inspect a minimum of three loads per week in accordance with Paragraph 62-701.500(6)(a)(1), FAC. The inspector will direct the selected loads to discharge at a designated location

within the landfill, where he/she will inspect the discharged waste. During periods when only ash is being disposed of in the Ash Monofill, the requirement to perform detailed random load inspections may be waived due to the known nature and source of the ash. If evidence of prohibited wastes is observed, the vehicle driver or generator will be notified that such waste is not acceptable. If such waste is observed after it is dumped, the material will be isolated for removal or special treatment as directed by the Landfill Superintendent. If practical, the prohibited material can be reloaded onto the vehicle that brought it to the Facility. If any unacceptable waste is found after a hauler has left the Facility, the spotter's and/or equipment operator's responsibility will be to isolate and properly remove this waste and dispose of it or store it in the proper area. Section 3.1.2 outlines the procedures for notification if hazardous wastes are identified or discovered. Spotters will contact the Landfill Superintendent for further instruction if the waste is not identifiable or cannot be removed safely.

3. **Spotters**—A trained spotter will visually inspect all waste deposited at the working face(s). If suspicious or unauthorized waste is identified as it is being unloaded, the spotter may require that the hauler reload the unauthorized waste at his/her expense and remove the unauthorized waste from the site if it safe to do so. In accordance with Paragraph 62-701.320(15)(d), FAC, spotters will be stationed where they can inspect each load for unauthorized waste. The Facility will typically employ one spotter to inspect waste loads in accordance with the procedures outlined in Section 3.4, which include procedures to be followed if unauthorized waste is discovered. The designated spotter may be on the ground or in heavy equipment spreading waste at the active face. A heavy equipment operator may serve as the designated spotter if they are a trained operator or trained spotter as outlined in Section 62-701.320(15), FAC, and they visually inspect each load for unauthorized waste before compacting or loading it into a transfer vehicle. Additionally, when unauthorized waste is discovered, the operator will move the unauthorized waste away from the active area for later removal and proper management or stop operating the heavy equipment until the unauthorized waste is removed by another person. During emergencies and/or at other times when all waste being received is from other permitted LCSWD facilities (e.g., waste-to-energy plant, transfer stations), the requirement to have a trained spotter at the working face at all times when waste is received may be waived due to the known source of the waste if the waste was inspected at the LCSWD source facility by a trained operator or trained spotter and will be inspected by a trained operator before being compacted.
4. **Waste Inspection**—All solid waste entering the site will be visually inspected by Facility personnel before disposal in the appropriate disposal area. This requirement may be waived for loads generated at the Lee County RRF or the Lee County-operated transfer facilities where the refuse was monitored as it was loaded. The trained spotters, or equipment operators who are serving as trained spotters, will examine all solid waste unloaded at the working face to screen for hazardous or other unauthorized wastes. The equipment operator will visually inspect the waste when spreading and compacting lifts. Unauthorized waste will be removed from the working face and taken to a proper disposal location. Facility personnel will be trained and instructed to watch for barrels and other suspicious containers to control materials that may be classified as hazardous. If they encounter such materials, they will halt the unloading and report the incident to the Landfill Superintendent who will implement the procedures outlined in Section 3.1.2.

3.3 OPERATING HOURS, ACCESS, AND TRAFFIC CONTROL

The Facility's hours of operation may be from 6:00 AM to 8:00 PM, Monday through Saturday, except that the Facility may be closed on designated holidays (e.g., Christmas, New Year's Day, July 4, and Thanksgiving). The LCSWD Director may establish alternate or additional hours as needed. The Director may extend operating hours to accept ash up to 24 hours per day, 7 days per week due to unforeseen circumstances and will notify FDEP of these situations as they arise. Sufficient lighting will be provided as necessary for traffic and safety of personnel at the disposal units and at the accesses during the hours of operation.

Site access is restricted by a 6-foot-high chain-link fence and/or barbed-wired fence and gates. The gates will be kept locked at all times when the Facility is closed. The Landfill Superintendent is responsible for ensuring that the entrance gate is open during hours of operation and locked during non-operational times. Site fencing and gates will be used to prevent unauthorized access to the site that may result in theft of property, vandalism, and unauthorized scavenging. Site personnel are prohibited from scavenging; however, the Landfill Superintendent may permit controlled salvaging for recycling.

Signage, signals, and marking throughout the site provide traffic control for haulers, Facility personnel, visitors, and inspectors. Directional signs are in place to safely direct vehicles to the proper waste unloading areas and to keep unauthorized vehicles from restricted areas. These signs have large legible letters and are cleaned when necessary. Signs are clearly placed so that the route is clear to the drivers. Speed limits, safety, and prohibitive practice signs are in place to encourage a safe, clean operating area.

3.4 VEHICLE WEIGHING AND UNLOADING

All incoming solid waste will be weighed at the scale house upon entering the Facility except for possibly tared trucks and loads weighed at another Lee County Solid Waste Facility. The scale attendant will survey the type of waste being hauled into the Facility to give it a general classification for record and billing purposes and direct vehicles to the appropriate disposal location after weighing. The driver may also enter the waste classification and other information as needed into the automated system when a scale attendant is not present. Currently only Lee County drivers/employees use the automated system, although franchised haulers and Lee County contractors, if properly trained, may be allowed to use the system in the future. A scale attendant is not mandatory with the automated system in place; however, a scale attendant is likely to be on duty during landfill operating hours. When a scale attendant is not on duty, a trained operator will direct incoming waste loads to the proper disposal area. The scale house attendant or automated system will weigh the truck to determine the gross weight. If the truck has a previously recorded tare weight, the scale house will provide the truck with a trip ticket representing the weight of solid waste deposited and the associated cost. If the vehicle does not have a tare weight, the hauler must proceed to the designated working face, deposit his/her load, and return to the scale house to be weighed. The scale house operator will make clear to the hauler that he/she must return to the scale for weighing and an identification number will be assigned to that vehicle for weighing purposes. Signage and/or traffic signals on the outgoing lane will direct the hauler to the scale for weighing and receipt of a trip ticket. The Ash Monofill will only accept wastes authorized for disposal in a Class I landfill, and the Class III Landfill will only accept wastes authorized for disposal in a Class III landfill.

The working face of the Ash Monofill and the Class III Landfill will be maintained in an accessible condition up to approximately 100 feet wide to accommodate vehicles discharging waste and to minimize the exposed area and the use of cover material. Depending on the quantity and type of waste disposed of, the active face will be wide enough to centralize operations and provide a maneuvering area for large vehicles unloaded each day. Waste will be deposited as close as possible to the adjacent lift to minimize spreading and compacting distances. Each working face will be maintained for the expected traffic maneuvering during waste fill operations. Typical lifts will be 8 to 10 feet high but may be more than 10 feet if necessary to accommodate specific operations, the daily volume of waste, the width of the working face, and good safety practices. The equipment operator and/or spotter will direct haulers to the designated location on the working face. Unloading will be permitted only at the designated working face of currently operating cells. Haulers will be responsible for unloading their own vehicles. Wastes requiring special handling will be coordinated with and unloaded under the direct supervision of landfill personnel.

3.5 DATA MANAGEMENT

A separate record will be maintained for each disposal area, documenting the type and quantities of solid waste received in tons per day. All records will be stored in the scale house computer. At night, the computer system automatically sends the operational records via electronic transmission to the LCSWD. LCSWD staff determines the amount of waste received in each category listed in Paragraph 62-701.500(4)(b), FAC, for each disposal area and compiles monthly reports containing this information. LCSWD submits the reports annually to FDEP in accordance with Paragraph 62-701.500(4)(a), FAC.

The Operating Record (in accordance with Section 62-701.500(3), FAC) for each disposal area—considered part of the Operation Plan and consisting of records, reports, analytical results, demonstrations, construction, operation, and closure permits along with engineering drawings and supporting information, required notifications, and training records required by Section 62-701.320(15), FAC—are kept at the site and/or the LCSWD offices. Some documents will be in electronic form and some may be in paper form. The Operating Record will be available for inspection by FDEP personnel at reasonable times.

All information used to develop or support the permit applications and pertaining to construction and operation of each disposal area, including background water-quality records, will be maintained throughout the design of the disposal areas. All records of monitoring information, including calibration and maintenance records and copies of all records required by permit, will be maintained for at least 10 years. Records that are more than 5 years old may be archived at the LCSWD offices. These records are filed by subject and date and are retrievable as needed within 7 days of being requested.

Readings will be taken from on-site rain gauges to record precipitation daily or when the landfill is operating. Quantities of leachate collected by the leachate collection and removal system (LCRS) will be recorded in gallons per day before transport off site and will be included in the Facility's Operating Record.

Inventories estimating the remaining life and capacity in cubic yards for each disposal area as well as the remaining capacity and site life of other permitted areas not yet constructed

will be developed and reported annually to FDEP. The annual estimates will be maintained at the Facility and/or the LCSWD offices.

4 LANDFILL EQUIPMENT AND OPERATION FEATURES

4.1 USE

Landfill equipment will be operated or used only by qualified personnel employed by LCSWD or WMIF. Only Facility personnel are authorized to move or relocate equipment on the site or around the on-site roads.

Landfill equipment is categorized into five distinct areas with use and examples as listed below:

- 1. Personnel Transport Equipment—used for moving staff, tools, and supplies from place to place on the site.
 - Examples: Car, pickup truck, panel van, ATV, etc.
- 2. Waste Hauling Equipment—used for spreading, compacting, and transporting of waste.
 - Examples: Compactor, bulldozer, front-end loader, tanker, etc.
- 3. Landfill Cover Equipment—used for excavating, transporting, spreading, and compacting of cover material from borrow areas.
 - Examples: Dredge, dragline, bulldozer, earth-mover, dump truck, etc.
- 4. Support Equipment—used in every aspect that supports operations.
 - Examples: Tools, maintenance, spray vehicles, lighting, pumps, welders, clerical, cleaning, security, mowing, road maintenance, etc.
- 5. Communications Equipment—used for coordinating between Facility personnel during normal and emergency operations.
 - Examples: Two-way radio, cellular phone, pagers, etc.

Equipment required for Facility operations will be provided by the landfill operation contractor. Equipment will be properly equipped for use on a landfill and will have suitable undercarriage protection and necessary safety equipment. Equipment operators will wear safety glasses, hearing protection devices, and safety harnesses, if required. The heavy equipment used during daily operations at the Facility may include the following:

- | | |
|------------------------------|------------------------|
| ▪ Compactors | ▪ Water truck |
| ▪ Bulldozer | ▪ Pickup truck |
| ▪ Loader/backhoe | ▪ Tractor – tanker |
| ▪ Motor grader | ▪ Roll-off containers |
| ▪ Tractor with bush hog | ▪ Miscellaneous trucks |
| ▪ Fuel and maintenance truck | ▪ Vacuum truck |

The equipment used at the site is sufficient to ensure proper operation of the Class III Landfill and Ash Monofill and includes equipment for excavating, spreading, compacting, and covering waste. Backup equipment is available from local suppliers within 24 hours during equipment breakdown. The Contingency Plan in Attachment 1 provides additional information on the availability of backup equipment.

4.2 MAINTENANCE

All equipment will be periodically maintained as required by the landfill operating contractor. Some repairs or maintenance may require outside contracted services. The landfill operating contractor has the authority to use outside contractors for common or emergency services.

The operating contractor will keep an inventory and records of maintenance of all landfill equipment.

4.3 COMMUNICATIONS EQUIPMENT

Communication between Facility staff is of vital importance in the daily operations of the Class III Landfill and Ash Monofill. Therefore, communication equipment capable of functioning under conditions of power, phone, or utility outages is required. All supervisors will have access to a communication device that functions on battery power. Backup will be maintained at the site for emergency situations.

4.4 DUST CONTROL

The Facility takes reasonable precautions to prevent the emissions of unconfined particulate matter (i.e., dust). Portions of the Facility's access roads are paved and water is applied to roadways to control dust emissions. All roads are maintained as needed to minimize wear and tear on vehicles and to minimize dust emissions. A water-tanker truck with a discharge attachment will be used to apply water to the all-weather-access roads for dust control. Surface water from the site's ponds will be pumped into the tanker truck using a portable pump. The tanker truck discharges this water to the access roads as needed to control dust. The surface-water withdrawal for dust control is authorized by SFWMD Permit No. 26-00710-W; a copy is maintained on site.

5 SOLID WASTE DISPOSAL PROCEDURES

5.1 DISPOSAL UNITS

The Facility includes a Class I Landfill, an Ash Monofill, and a Class III Landfill. The Ash Monofill accepts ash residue from the Lee County RRF, although a portion of the ash residue generated by the RRF may be brought to the Class I Landfill for use as initial cover as needed. The Class III Landfill accepts Class III waste from Lee and Hendry Counties.

LCSWD is responsible for providing permitted and properly constructed disposal areas and designating when each unit will be open for disposal operations. Disposal is confined to areas that have been designated as active disposal areas by the Owner. An inactive disposal area (i.e., a landfill cell that is constructed but not yet designated for disposal operations) is kept inaccessible to casual vehicle entry and accidental disposal.

5.1.1 PLACEMENT, COMPACTION, AND SEQUENCE OF FILLING

The establishment of an *active face* at each disposal area will depend on the quantity of waste received for the given day. Control of surface water run-off/run-on, wind-blown litter, and vehicle access must be considered when establishing the location, size, and slope geometry of the active face for each disposal area. In general, the Landfill Superintendent will direct the Landfill Operators to operate with the minimum practical size active face.

The Ash Monofill is divided into five disposal areas (Cells 1 through 5). Filling began in the southwest quadrant and will continue until the maximum height is achieved in general accordance with the Phasing Plans shown on Drawing Sheets C24 through C31 of the Ash Monofill Permit Drawing Set provided in Appendix B of the Application for Permit No. 0130719-007-SC/00. Following FDEP approval, filling will continue in the expansion area in general accordance with the Phasing Plans shown on Drawing Sheets FC1 through FC3 of the Ash Monofill Permit Drawing Set provided in Appendix B of the Application for Permit No. 130719-016-SC-00.

The Class III Landfill is divided into three areas (Cells 1 through 3). Filling begins in the northmost area of each cell and will continue to the south until the maximum height is achieved in general accordance with the approved Phasing Plans.

To protect the integrity of the leachate collection system and synthetic liner at the disposal areas, waste hauling equipment, cover hauling equipment, and compaction equipment are prohibited from driving directly on the 24-inch protective cover soil that acts as a protective layer. A minimum of 4 feet of select waste and cover must be in place before unrestricted access is allowed for these types of equipment. The upper 2 to 12 inches of the 24-inch protective cover layer may be constructed of 4-square-inch or smaller tire chips with no protruding wires. Traffic will maneuver on compacted and covered refuse, on the access roads constructed of ash or shell rock, or on a minimum of 12 inches of tire chips placed in addition to the 24-inch protective cover.

At the Ash Monofill and the Class III Landfill, the first layer of solid waste will be placed over the prepared 24-inch protective cover in the following manner to minimize the risk of damage to the liner and leachate collection system:

- The first loads of solid waste placed on the prepared surface will be brought into the lined landfill cells via access ramps and haul roads at the locations designated by the Landfill Superintendent. The first loads of solid waste will be back-dumped at the base of the haul road and spread outward and compacted from the top of the lift. The first layer of waste placed on the protective layer will be a minimum of 4 feet in compacted thickness and consist of selected wastes containing no rigid or large objects that may damage the liner or leachate collection system. Materials that could damage the liner will be removed from this layer before compaction. Solid waste will continue to be deposited and spread outward until a working face large enough for equipment turn-around is established. Spreading of the solid waste will result in no less than a compacted 4-foot-thick initial lift.
- After the initial lift is completed, all subsequent lifts will be constructed from the bottom of the active working face unless operational conditions (i.e., edge of disposal unit) preclude this method. Solid waste will be placed in rows. The first row will be placed against the internal side slope of the cell's perimeter. The second row will be placed

against the side slope of the previous day's refuse. Each row will act as a berm to provide a guide for the placement of refuse for the remaining rows. In each row, cells will be constructed with a minimum practical length of working face to control the operation and minimize leachate quantities. However, the cells will be of sufficient length to provide adequate dumping areas and room for the landfill equipment to operate. A maximum slope of 3-feet horizontal to 1-foot vertical (3H:1V) will be maintained on the face. Depending on the quantity and type of waste disposed of, the active face will be wide enough to centralize operations and provide a maneuvering area for large vehicles unloaded each day.

The following general guidelines will be used for waste placement and compaction:

- All waste materials for the Ash Monofill and Class III disposal areas will be placed at the bottom of the working face and spread up toward the top in approximately 2-foot layers. In some cases, placing waste material at the top of the lift and compacting the material down the slope may be more efficient. The operator may adjust this placement technique to allow for flexibility in the waste volume received for each lift.
- Ash Waste Material: At the Ash Monofill, the waste layer does not necessarily require continuous compaction. The volume and frequency of ash delivery to the Ash Monofill disposal area may be at a rate that would not warrant a full-time equipment operator to remain in the disposal area; therefore, material will be stockpiled until sufficient material is available to effectively spread and compact or at the end of the day, whichever is more frequent. The ash will be compacted to maximize the waste density. The number of passes (generally three to five passes) for compaction may be adjusted in the field. The ash will be compacted as necessary by a front-end loader or bulldozer to achieve the maximum practical density.
- Class III Waste Material: All waste disposed of in the Class III Landfill will be spread in layers and compacted once every week using suitable heavy equipment (a landfill compactor is recommended). Bulky materials that are not easily compacted will be worked into other materials as much as practical. The Class III solid waste will be compacted with a minimum of three to five passes of a compactor.

5.1.1.1 Special Provisions for the Ash Monofill

For the Ash Monofill, an additional 18 inches of processed waste tires may be placed over the protective cover layer in these areas to protect the LCRS and liner. Traffic restrictions are identical to the other disposal areas. The first layer of ash is to be back-dumped and carefully placed in a minimum 2-foot-thick layer and not compacted. Ash in the initial lift will be visually inspected to remove any oversize materials or material that is potentially damaging to the liner. The second layer of ash placed over the initial lift will also be at least 2 feet thick. This layer is not compacted. Once two full layers of ash are placed in these disposal areas, disposal operations for the ash are the same as for the other disposal cells.

5.1.2 COVER

Cover material will be obtained from on-site borrow pits, stockpiles, the composting operation, or off-site pits, if necessary. Any Alternate Daily Cover (ADC) will have FDEP approval before being used as initial cover. Ash, which is an approved ADC for the Ash Monofill, may be used as initial cover in the Ash Monofill area only as outlined below.

Sufficient suitable cover material will be stockpiled near the working face to provide an adequate supply for operation.

In addition, the Facility may use Class AA residuals/biosolids generated from the co-located Composting Facility as allowed by Permit No. FLA658189.

5.1.2.1 Initial Cover

Initial cover will be applied and maintained at landfills to minimize environmental, safety, or health effects such as those resulting from birds, unauthorized wastes, blowing litter, odors, disease vectors, or fires as required by Paragraph 62-701.500(7)(e), FAC. At the Ash Monofill, where only ash is disposed of, initial cover soil will be applied as necessary to prevent excessive dust. Any of the approved cover materials listed in this section may be used. At the Class III Landfill, initial cover material will be applied at the end of each work week. Initial cover will be on-site soils that meet the requirements of Chapter 62-701, FAC. Ash cannot be used for daily cover at the Class III Landfill. Initial cover may include those materials identified in Paragraph 62-701.500(7)(e), FAC, if they meet the requirements specified therein.

For all disposal areas, surface-water runoff resulting from ash used as initial cover cannot be allowed to exit the disposal cells. For permanent exterior landfill slopes, soil will be used for initial cover. No ash may be used as initial cover unless measures are implemented to ensure that ash does not migrate off the lined disposal area. For temporary exterior slopes (e.g., where future lateral expansion will occur), where the surface is not graded to drain off the landfill, ash can be used as initial cover on the Ash Monofill only if excessive erosion or dusting does not occur. Ash will not be used as initial cover on the Class III Landfill.

5.1.2.2 Intermediate Cover

Intermediate cover will be placed on the landfill surface within 7 days of cell completion in all areas that will not receive final cover or an additional lift of refuse within 180 days as required by Paragraph 62-701.500(7)(g), FAC. Intermediate cover may include those materials identified in Paragraph 62-701.500(7)(g), FAC, if they meet the requirements specified therein. Intermediate cover will be placed to a minimum compacted thickness of 12 inches on top of the 6 inches of compacted initial cover. To conserve soil and landfill space, the intermediate cover may be removed immediately before placement of additional solid waste on top of the previous lift. The removed soil can be reused as future cover material. Any intermediate cover areas that will not receive additional waste or final cover within 180 days will be seeded, sodded, or provided with other means to control erosion.

5.1.2.3 Final Cover

Final cover is defined in Chapter 62-701, FAC, as the material used to cover the top and sides of a landfill when operations cease. Final cover will be placed over the entire surface of a completed landfill area within 180 days after the final waste deposit date once the final grades are reached. The final slope on top of each disposal area will not exceed 5 percent. The perimeter sides of all completed cells will have a maximum slope of 3H:1V to minimize erosion. Areas with final cover will be seeded or planted with grass or suitable cover vegetation.

In general, 3H:1V side slopes with tack-on berms approximately 12 feet wide spaced a maximum of every 40 feet of vertical rise for landfills, in conjunction with adequate drainage of the final cover soil, will minimize the potential for slope failure due to erosion. Tack-on berms and other stormwater-control structures will be constructed as required during final cover construction.

Final cover will consist of a geomembrane as the primary barrier overlain by 24 inches of cover soil or approved alternative covers. The first 18 inches will serve as a drainage layer, and the top 6 inches will be uncompacted and vegetated with native grasses or other vegetation. The vegetation will be selected to ensure that the final cover will function with minimum maintenance. The total thickness of the final cover will be in accordance with the final cover design shown on the approved Final Cover Drawings for each disposal area. Also, a drainage layer may be installed over the geomembrane to promote lateral drainage and reduce excess pore pressure in the overlying soil, if required for slope stability.

5.1.3 LITTER CONTROL

Proper application of cover material will help control windblown litter to a great extent. Portable litter fencing will be placed downwind of the working areas of each disposal area to confine any windblown material if necessary. In addition to windblown litter from the working areas, litter may also be blown from vehicles during their movement around the site. The Landfill Superintendent will form weekly litter patrols to collect and dispose of site litter. The Landfill Operator will have primary responsibility for litter control. However, all landfill operations staff will endeavor to keep the site free of litter.

Section 4.4 outlines dust control for roadways, which consists of water application from a water truck as necessary. Dust control will be expected to be needed during dry windy weather and in unpaved road locations that experience high traffic. Landfill slopes that are covered with intermediate or final cover will be vegetated and/or provided with mulch as soon as possible to control dust on the landfill surfaces.

5.1.4 SPECIAL WASTES HANDLING

Currently, special wastes such as white goods and waste tires are not accepted at the Facility; however, as facilities to manage these wastes are constructed, special wastes may be accepted at the Facility in the future and stored and/or processed in designated areas at the site. Within the criteria outlined in Section 3, other special wastes will be accepted only with prior approval and inspection by the Landfill Superintendent or his or her designee.

The Class III Landfill will accept asbestos for disposal in accordance with Chapter 62-701, FAC, and EPA regulations, 40 Code of Federal Regulations (CFR) Part 61. If asbestos is accepted, the Landfill Superintendent will require the waste generator to make prior arrangements before delivering regulated asbestos-containing waste materials and inform the Landfill Superintendent of the quantity of the waste and the scheduled date that the shipment will arrive at the Facility. Once the waste is on site, the Landfill Operator will direct the waste transporter to the designated disposal location. The disposal location will be maintained in the Operation Facility's Operating Record.

Soil contaminated with petroleum or other products that are not hazardous may be disposed of in the Ash Monofill. LCSWD employs a special waste screening program, described in

Section 3.1.6, to ensure that contaminated soils are not hazardous before these materials are accepted for disposal. Petroleum-contaminated soils are not used for cover material. As discussed previously, motor vehicles and shredded wastes are not currently accepted for disposal at the Facility. Biological wastes, such as domestic animal carcasses, may be accepted for disposal in the Ash Monofill if the carcasses are covered with soil or ash to prevent odors and/or attraction of disease breeding vectors. Untreated biomedical wastes are not accepted for disposal at the Facility. Soil contaminated with petroleum or other products is prohibited from disposal in the Class III Landfill.

5.2 ACCESS ROADS

Construction and maintenance of access roads to and within the Facility are important for traffic safety and for keeping good relations with neighbors of the site and users of the Facility. Church Road from SR 29, South Church Road from SR 82 to the site entrance, and the on-site access road from the entrance to the Ash Monofill and Class III Landfill are paved with asphalt. All-weather access roads with crushed aggregate pavement route traffic to other areas of the Facility. An all-weather access ramp into each disposal area and all disposal area access roads will be maintained to provide access to the active face of each disposal area.

Routine maintenance on access roads includes the following:

- Prompt repair of potholes.
- Removal of debris.
- Watering of non-permanent roads during dry weather to control dust.

Litter around the site and the entrance roadways will be collected regularly and picked up within 24 hours in accordance with Paragraph 62-701.500(7)(j), FAC. Landfill staff will notify the Landfill Superintendent of conditions needing immediate attention.

5.3 WET-WEATHER OPERATIONS

Perimeter and intermediate berms protect the waste within each disposal area from exposure to flood waters, so access to the disposal areas during severe flooding may be more critical than operating within the disposal areas themselves. Steps to be taken for accommodating wet weather solid waste disposal may include the following:

1. Set aside elevated areas with all-weather access roads (e.g., limestone) as needed to allow vehicle or equipment staging adjacent to access roads.
2. Set aside elevated sandy cover materials and/or mulch.
3. Monitor swale discharges.
4. Inspect sites to confirm proper surface drainage routing.
5. Operate the disposal areas' leachate management systems properly to minimize impact on operations.

6 LEACHATE MANAGEMENT

6.1 LEACHATE MANAGEMENT SYSTEM

Leachate produced from the Class III Landfill and the Ash Monofill is collected and routed via pipelines to the respective leachate storage ponds. Leachate from the two disposal areas will typically be contained in separate ponds to allow the operator greater flexibility to manage and treat the potentially different leachate liquids with different management options. In general, the following describes the leachate storage pond operations.

Leachate is pumped with self-priming centrifugal pumps from the leachate storage ponds to the injectate/leachate pond before disposal in the Facility's deep injection well. Alternatively, the leachate may be pumped into a tanker truck via the loading station for off-site disposal at one of the County's WWTPs or other approved WWTPs.

6.2 LEACHATE COLLECTION AND REMOVAL SYSTEM (LCRS)

The landfill disposal units are designed with an LCRS as required by Chapter 62-701, FAC. The LCRS within the Landfill is composed of high-density polyethylene (HDPE) piping, geotextiles, drainage sand, synthetic drainage media (i.e., geonet and geocomposite), and drainage rock used in the Landfills' leachate collection system, and synthetic drainage media used in the Ash Monofill leak detection system (LDS). In accordance with Chapter 62-701, FAC, the Class III Landfill Cells 1 through 3 has a single geosynthetic liner; therefore, it does not have an LDS.

6.2.1 LCRS DESCRIPTION (ASH MONOFILL AND CLASS III LANDFILL)

Leachate generated in the Ash Monofill and Class III Landfill drains by gravity to the landfills' leachate collection system piping to the landfill sump(s). The Ash Monofill is designed with two sumps along its south perimeter berm. The Ash Monofill Expansion is designed with three sumps on the west side of the landfill. The Class III Landfill is designed with one sump along its north perimeter berm that collects leachate from the entire Class III Landfill.

Dual 24-inch HDPE riser pipes extend from the base of each landfill's leachate collection sump(s) to the top of the perimeter berm referenced above for each landfill. The riser pipes are perforated at the base of the leachate collection sumps to allow leachate to flow into the riser pipe. Leachate is removed from the sumps via submersible pumps in the perforated riser pipes in each sump. The pumps are designed to operate in a horizontal position and can be removed for inspection, maintenance, and/or replacement as needed.

An HDPE leachate discharge line extends from the submersible pumps up the riser pipe and is exposed at the top of the perimeter berm to provide access to valves, air-release valves, and pressure gauges. Valves and piping can be set for single- or dual-pump operation and can be visually inspected. A concrete access pad provides stabilization for the HDPE risers and discharge piping at the top of the slope. The leachate discharge line connects to a common 4-inch-diameter HDPE force main that conveys the leachate from the Landfills' sumps to 6-inch-diameter HDPE force mains and ultimately to the respective Landfill's leachate storage ponds.

Due to excessive rain from Hurricane Irma in September 2017 at the Facility, a temporary 8-inch HDPE above-grade leachate force main was installed to convey generated leachate from the Ash Monofill to the Class I Landfill leachate ponds. In February 2022, the County finished construction installing a 6-inch double-walled leachate force main to replace the temporary force main. The new leachate force main was installed below-grade in the utility trench from the Cell 4 pump station to the force main intersection, from the Cell 1 pump station to the force main intersection, and from the force main intersection to the Ash Monofill leachate storage pond inlet. The temporary 8-inch above-grade leachate force main and the 4-inch below-grade double-walled force main were abandoned.

6.2.2 LCRS OPERATION AND MAINTENANCE (ASH MONOFILL AND CLASS III LANDFILL)

The LCRS piping in each landfill extends up the perimeter berm slope (alongside the HDPE riser pipes referenced above) to allow cleanout. These cleanouts allow inspection by video recording and maintenance of the collection pipes by jet-cleaning. The leachate collection systems will be inspected by videorecording, chemically cleaned, or water pressure-cleaned after construction but before the initial placement of waste and after that as needed but at a minimum at least once every 5 years. Results of the collection system cleanings or inspections will be available to FDEP on request.

The Ash Monofill and the Class III Landfill have leachate removed from the leachate collection sumps via pumps set in the riser pipes that extend into the landfill sump(s). The sumps provide sufficient storage volume to maximize pump cycle times, allowing the pumps to operate at maximum efficiency. The pumps are activated based on the leachate levels in the sumps and are equipped with a high-level alarm to alert staff of a pump malfunction. Control panels at each sump display the sump (leachate) levels and certain pump operating data.

LCRS performance is monitored by recording pump run times at the pump control panel or by reviewing leachate flow data recorded from the flow meters. High-level alarms are provided to alert staff to a pump malfunction. Landfill staff will investigate the cause of a high-level alarm and remedy any problems to ensure that leachate pumping continues and that leachate levels will not become elevated in the landfill cell. The leachate pumps in the cells are set to pump at a specified leachate level and, unless the pump is malfunctioning, level measurements will not be necessary. A spare pump is kept at the landfill for use if a pump is pulled from operations for an extended period for repair or replacement.

Section 3.5 outlines that readings are taken from on-site rain gauges to record precipitation daily or when the landfill is operating. Quantities of leachate collected by the LCRS will be recorded in gallons per day before transported off site and will be included in the Facility's Operating Record.

6.2.3 LANDFILL LEAK DETECTION SYSTEM (LDS) (ASH MONOFILL)

The Ash Monofill disposal cell has a separate leak detection sump and pump system to monitor leakage into the LDS. If the average leakage rate exceeds the Action Leakage Rate (ALR), FDEP will be notified and steps to determine the source of the leakage will be

proposed. The ALR for the Ash Monofill Cells 1 and 2 is 392 gallons per acre per day. The ALR for the Ash Monofill Cells 3, 4, and 5 is 314 gallons per acre per day.

The Class III Landfill does not have an LDS.

6.3 LEACHATE STORAGE PONDS

The leachate storage ponds for the Ash Monofill are north of the Class I Landfill leachate ponds and consist of two adjacent double-lined leachate ponds with a total capacity of 6.6 million gallons. The north pond has a capacity of approximately 3.0 million gallons, and the south pond has a capacity of approximately 3.6 million gallons.

The leachate storage ponds for the Class III Landfill are east of the existing Class I Landfill leachate ponds and consist of two adjacent double-lined leachate ponds with a total capacity of approximately 4.4 million gallons. The east pond has a capacity of approximately 1.6 million gallons, and the west pond has a capacity of approximately 2.8 million gallons.

The Ash Monofill and Class III Landfill leachate double-segmented ponds are separated by a common divider berm. Separation valves allow discharge of leachate into either segment of the two-segmented storage pond. The design and operation of the two sides of the ponds are identical. One side of the pond can be taken out of service for maintenance without affecting the operation of the other pond. The Landfill Operator may alternate filling either side of the ponds. The Landfill Operator will monitor the leakage detection manhole each day that the Landfill is in operation to identify/record the leakage rate into the secondary detection system. The ponds have not been a source of odors or vectors but if this occurs, odor and vector control products may be used.

6.3.1 LEACHATE STORAGE PONDS LDS

Any fluid entering the LDS flows by gravity to the leak detection manhole. The leak detection manhole will have an internal partition to segregate the source of the leachate from the LDS to a specific pond. Visual inspection and measurement are used to monitor the LDS of the respective pond. The LDS will be checked daily when the site is operating. Accumulated fluid will be removed from the manhole as needed by a portable submersible pump and placed back into the storage pond. The rate of leakage will be determined based on the volume of leachate accumulated between inspections.

6.3.1.1 Ash Monofill Leachate Pond

The ALR is 1,250 gallons per acre per day. If the average leakage rate exceeds 1,250 gallons per acre per day, steps will be taken to determine the source of the leakage. Steps may include recording the pond level along with the average leakage rate or varying the pond level and track flow rate as a function of pond level. This can help determine the location (elevation) of the leak and provide information regarding the size of the leak. If the leakage rate exceeds 2,500 gallons per acre per day, the affected pond will be taken out of service to detect the location of the leak and FDEP will be notified. Once the location has been determined, the pond that has the leak will remain out of service until the leak has been repaired and the repairs tested.

6.3.1.2 Class III Landfill Leachate Pond

The ALR is 1,250 gallons per acre per day. If the average leakage rate exceeds 1,250 gallons per acre per day, steps will be taken to determine the source of the leakage. Steps may include recording the pond level along with the average leakage rate or varying the pond level and track flow rate as a function of pond level. This can help determine the location (elevation) of the leak and provide information regarding the size of the leak. If the leakage rate exceeds 2,500 gallons per acre per day, the affected pond will be taken out of service to detect the location of the leak and FDEP will be notified. Once the location has been determined, the pond that has the leak will remain out of service until the leaks has been repaired and the repairs tested.

6.3.2 RECORD KEEPING

All inspection records for the leachate collection, detection, and storage systems will be maintained at the Facility or LCSWD office and will be available for FDEP review upon request.

6.4 LEACHATE DISPOSAL

Lee County was authorized by FDEP Permit No. 299459-001-UO/1I issued on November 30, 2012, to operate a Class I Injection Well (IW-1) for the primary means of disposal of non-hazardous leachate from the site's leachate collection system. This permit is maintained current through permit renewals as required. The maximum volume of disposal for IW-1 is 1,320,000 gallons per day or 1.32 million gallons per day (MGD). Before operation of IW-1, Lee County disposed of leachate via hauling to a permitted WWTP. Hauling to a permitted WWTP is the primary back-up means of leachate disposal.

Lee County is authorized to discharge leachate to the City of Fort Myers South WWTP under Industrial Wastewater Discharge Permit No. CFMS-07/09, which is renewed annually by the City of Fort Myers since first being issued in 2005. Lee County is also authorized to discharge leachate to the Three Oaks WWTP, which is owned by Lee County Utilities, under Industrial Wastewater Discharge Permit No. LCU-TO-2009-001 with an effective date of March 3, 2021, and an expiration date of September 30, 2023. This permit will be renewed in accordance with the permit conditions before expiration. Current copies of the permits noted above are maintained at the Facility and can be provided to FDEP upon request.

6.5 LEACHATE MANAGEMENT CONTINGENCY PLAN

In the event of power loss, the leachate will be stored in the leachate storage ponds. If any of the leachate storage ponds must be emptied or taken out of service, the leachate will be pumped to the deep injection well. If leachate disposal via the deep injection well is not available, leachate will be pumped from the leachate pond(s) into a tanker truck and hauled to one or both of the permitted WWTPs described above. If only one leachate pond must be emptied, the leachate may be discharged to any of the other six leachate storage ponds at the Facility if sufficient capacity exists in these ponds.

The leachate generated at the Landfill is non-hazardous based on analytical test results. However, in the unlikely event that the leachate must be managed as a hazardous waste, the leachate will be processed and disposed of in accordance with Chapter 62-730, FAC.

7 LANDFILL GAS MANAGEMENT

7.1 ROUTINE MONITORING PROGRAM

The decomposition of unprocessed solid waste in an anaerobic environment, e.g., in sanitary landfills, results in the generation of carbon dioxide, methane, and trace amounts of other gases. The primary gas of concern in municipal landfills is methane, which can be explosive under certain conditions. For landfills consisting primarily of combustion ash, explosive gas generation is minimal and does not pose significant health and safety risks. Objectionable odors may also result from the combination of C&D debris (e.g., drywall) and organic matter such as wood in the Class III Landfill.

Controlling odor near the Landfill will best be accomplished by keeping the area of the active working face as small as practicable and by applying initial cover weekly for the Class III Landfill and as needed for the Ash Monofill. These practices will reduce odors caused by waste decomposition.

Corrective actions that may be implemented to control odors include but are not limited to applying additional initial and/or intermediate cover or implementing other measures such as installing a gas management system as needed to limit odor; however, this is not expected.

The daily and intermediate cover materials in each disposal area are sufficiently permeable to allow escape of landfill gas to the atmosphere where sufficient dilution will occur to prevent any objectionable odors or adverse safety impacts. A final cover constructed with a synthetic liner will be installed over each disposal area upon closure and will prevent the release of landfill gas and odors to the atmosphere. A landfill gas venting system or an active gas collection and control system may be constructed at the Class III Landfill if required upon closure. The Ash Monofill will primarily contain non-degradable ash and is not likely to require a gas management system.

Seven landfill gas-monitoring probes are in place along the property boundaries to detect gas migration. Figure 1 shows the locations of the gas monitoring probes. Gas monitoring for methane is performed quarterly at all gas monitoring probes/wells, the scale house, and the operations and maintenance building, and results are submitted to FDEP as required. A combustible gas indicator meter will be used to determine methane concentration as a percent of the lower explosive limit (LEL). The LEL is defined as the lowest percent by volume of a mixture of explosive gases, which will propagate a flame in the air at a temperature of 25° Celsius and atmospheric pressure. Methane concentrations must not exceed the LEL at the property boundary or 25 percent of the LEL within structures on the property as outlined in Subparagraph 62-701.530(1)(a)1., FAC.

A Landfill Gas Management and Monitoring Plan describing detailed procedures performed at the Facility to ensure the proper management and monitoring of landfill gas in accordance with Section 62-701.400(10), FAC, was previously submitted to FDEP in the Class I Landfill's Operation Permit Renewal Application dated May 2009 and has been implemented. The most recent update to this Plan, which incorporated the revisions to Chapter 62-701, FAC, effective January 6, 2010, pertaining to the odor remediation plan requirements was submitted to FDEP in the September 2012 Application for a Minor Permit Modification for

Class I Landfill. Landfill gas monitoring data at the Facility are kept in the operating files at the Facility and at the LCSWD offices.

Tier II testing was performed at the LHCRSWDF the week of January 9, 2023. The Tier II testing results showed that the Facility's non-methane organic compounds (NMOCs) do not exceed the emissions threshold of 34 megagrams (Mg) per year within the next 5 years. Additional Tier II testing will be performed in 2028. Currently, no additional landfill gas monitoring is required at the Facility based on the recent Tier II testing.

7.2 CORRECTIVE PROCEDURES FOR MIGRATION OF LANDFILL GAS

Although unlikely, if methane gas monitoring detects concentrations of methane gases that exceed regulatory requirements, the horizontal extent of elevated gas concentrations will be established, the source of the gas migration or gas leakage will be determined, and corrective actions will be performed according to the Facility's Gas Management and Monitoring Plan (Attachment 2).

8 STORMWATER MANAGEMENT AND EROSION CONTROL

8.1 STORMWATER MANAGEMENT

The stormwater management system was specifically designed for ease of operation and maintenance and is operated and maintained by Facility personnel. SFWMD Permit No. 26-00541-S authorized the construction and operation of the site's surface/stormwater management system. As evidenced by the SFWMD permit, the stormwater management system was designed, constructed, and is maintained to prevent stormwater from the peak discharge of the 25-year storm event from running onto those portions of the disposal areas that have not been closed and to isolate surface water from waste-filled areas. Sediment in the swales is removed periodically to keep the stormwater management system at the designated grades and elevations. In addition, operational methods are implemented on the landfill to preclude excessive stormwater run-on to the active face and to control stormwater run-off (e.g., berms). Temporary stormwater liners (rain tarps) are used in inactive areas of each disposal unit to prevent stormwater from entering into the LCRS. Stormwater that accumulates in these inactive areas, separated by berms, is pumped out of each cell into the surrounding stormwater ditches with portable pumps. Stormwater that has been in contact with waste or leachate is directed to the LCRS using berms and/or ditches.

The stormwater management system for the entire Facility accounted for long-term development of the Ash Monofill and Class III Landfill disposal areas; therefore, no major changes have occurred to the typical operations of the stormwater management systems, although the LCSWD expanded the stormwater management system and pond on site to account for increased impervious area to retain sufficient stormwater retention capacity. The operator of the Facility will maintain the swales and stormwater structures at the Facility.

8.2 EROSION CONTROL

Weekly and after heavy rain, the earth berms, slopes, swales, riprap, catch basins, and other erosion control measures will be inspected for signs of erosion. A visual inspection of erosion control devices such as silt fences or mulch on recently graded slopes will be conducted, and such devices will be replaced or repaired as required.

Erosion-affected areas will be reported to the Landfill Operator for repair as required. Repairs may include excavating and regrading ditches, removing obstructions, constructing temporary silt checks, establishing vegetation, or other erosion control measures.

9 WATER-QUALITY MONITORING

The Water-Quality Monitoring Plan, a copy of which is maintained on site, includes monitoring groundwater and surface water. The plan was designed based on the information obtained in the hydrogeological reports for each disposal area and was prepared and submitted to FDEP in accordance with Paragraph 62-701.510(2)(a), FAC, with the May 2007 Application for the Construction and Operation of the Class III Landfill and Ash Monofill. Laboratories performing environmental sampling and analysis required by FDEP permits or rules will hold a valid certification from the Florida Department of Health’s Environmental Laboratory Certification Program as required by Chapter 62-160, FAC. All field and laboratory records are made available to FDEP and will be retained for the design period of the respective disposal area.

The water-quality monitoring network is designed in accordance with Section 62-701.510(5), FAC, to include groundwater and surface-water monitoring of the Class III Landfill and the Ash Monofill. Leachate monitoring was conducted through September 2012. August 2012 revisions to Chapter 62-701, FAC, eliminated the requirement to perform leachate monitoring. The Facility may elect to continue leachate monitoring although it is not required and therefore not included in this Operation Plan. The groundwater monitoring network consists of three background wells, seven downgradient detection wells, seven natural attenuation monitoring (NAM) wells, and three piezometers. The surface-water monitoring network includes one surface-water sampling point. The monitoring network is summarized below, and the locations of the monitoring points noted below are shown in Figure 1.

- Background Wells: MW-101S, MW-102S, and MW-103S
- Detection Wells: MW-104S, MW-105SR, MW-106SR, MW-107SR, MW-108SR, MW-109S, and MW-110S
- NAM Wells: MWC-1S, MWC-2S, MWC-3D, MWC-3S, MWC-4S, MWC-5S, and MWC-6S, MWC-7S, MWC-8S
- Piezometers: PZ-103D and PZ-109D
- Staff Gauge: SG-1
- Surface Water: DS-1

Semi-annual water-quality monitoring reports will be prepared in accordance with Rule 62-701.510, FAC, and Appendix 3 – Water-Quality Monitoring Plan of the current permit and submitted to FDEP as required. The report will include the information listed in

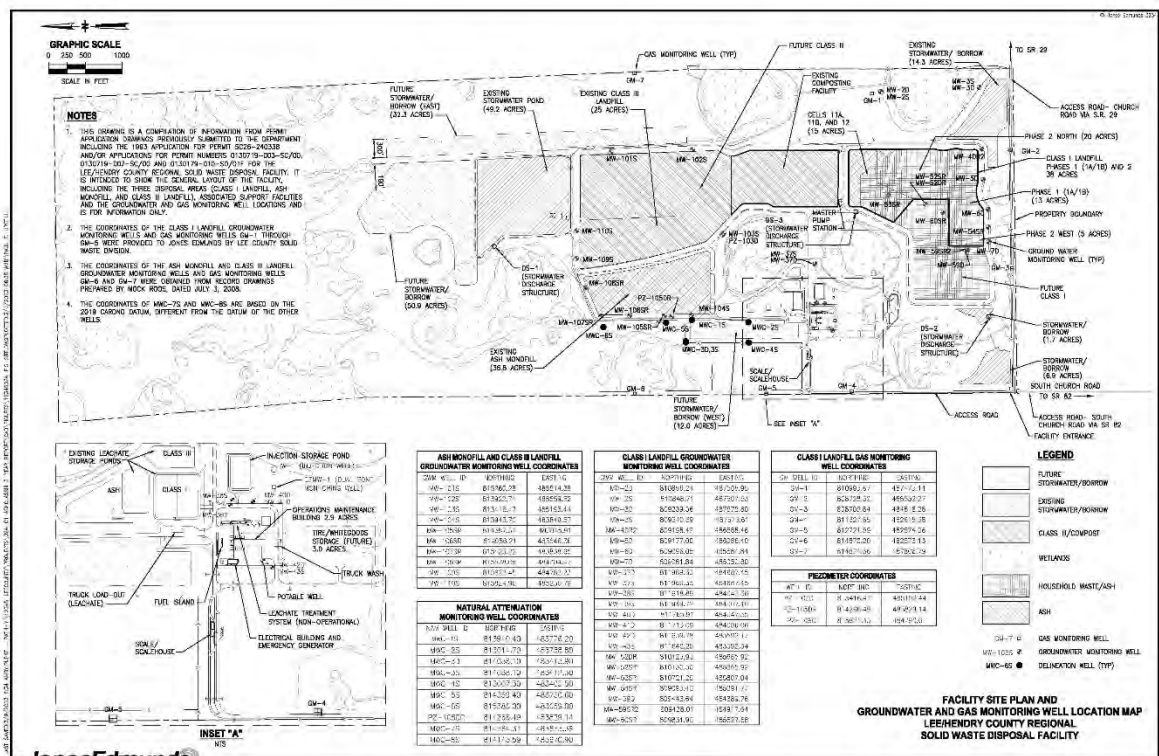
Subparagraphs 62-701.510(8)(a)1. through 10., FAC. A technical report, prepared and signed by a professional engineer or geologist with experience in hydrogeological investigations, will be submitted to FDEP every 2-1/2 years as required by Paragraph 62-701.510(8)(b), FAC. The report will summarize all water-level and water-quality data collected in the previous 2-1/2 years and at a minimum all information listed in Subparagraphs 62-701.510 (8)(b)1. through 8., FAC.

The Facility will implement the evaluation monitoring, prevention measures, and corrective action programs in accordance with the requirements of Section 62-701.510(6), FAC, as required based on the groundwater monitoring results.

10 CONTINGENCY PLAN

As required by Section 62-701.320(16), FAC, the Facility has developed a Contingency Plan to cover operational interruptions and emergencies such as fires, explosions, or natural disasters. Attachment 1 provides the Contingency Plan.

Figure 1
Facility Site Plan and Groundwater and
Gas Monitoring Well Location Map



Attachment 1

Contingency Plan

JonesEdmunds



**LEE/HENDRY COUNTY REGIONAL SOLID WASTE
DISPOSAL FACILITY – CONTINGENCY PLAN**

Lee County Solid Waste Department | January 2024

**LEE/HENDRY COUNTY REGIONAL SOLID WASTE
DISPOSAL FACILITY
CONTINGENCY PLAN**

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1 INTRODUCTION

This Contingency Plan was prepared by the Lee County Solid Waste Division (LCSWD) for the Lee/Hendry County Regional Solid Waste Disposal Facility in Hendry County. This Contingency Plan was developed in accordance with Section 62-701.320(16), Florida Administrative Code (FAC), which requires all permitted solid waste management facilities to have, as part of its Operations Plan, a Contingency Plan appropriate for the type of facility to cover operational interruptions and emergencies such as fires, explosions, or natural disasters. This Contingency Plan will assist Facility personnel responding to emergencies by providing detailed procedures designed to minimize adverse impacts that may result from such emergencies. This Contingency Plan will be kept at the Facility and accessible to the operators at all times and will be updated as operations change and/or at the time of permit renewal. This Contingency Plan is incorporated as Attachment 1 of the Ash Monofill and Class III Landfill Operation Plan.

The Facility encompasses approximately 1,800 acres within Sections 4, 9, and 16, Township 45 South, Range 28 East, in Hendry County, at 5500 Church Road in Felda, Florida. The Facility's entrance is at the intersection of South Church and Church Roads and can be accessed from State Road (SR) 82 via South Church Road or from SR 29 via Church Road. The Facility includes three separate disposal areas – Class I Landfill, Ash Monofill, and Class III Landfill – and various support facilities such as weighing scales, an operation and maintenance building, leachate storage ponds, and a Class I injection well for leachate disposal. A composting operation is also co-located at the Facility. The majority of the Facility's operations are in Section 16, and the Class III Landfill and future phases of the Ash Monofill are in Section 9. No solid waste disposal or support facilities are in Section 4, which is primarily wetlands and is not planned for development. The Facility property is owned by the Lee County Board of County Commissioners and operated by LCSWD. Landfill operation (i.e., waste placement and compaction) is performed under contract by Waste Management of Florida, Inc.

As required by Section 62-701.320(16), FAC, this Contingency Plan includes the following information and procedures located as noted:

- Person(s) responsible for implementing the Contingency Plan (Section 2).
- Procedures for notifying the appropriate emergency response persons or organizations, including the Florida Department of Environment Protection (FDEP) and the local government and fire protection agencies (Section 3).
- Emergency contact information (Section 4).
- Emergency response procedures, including the location of fire-fighting equipment with explanations of how to use the equipment as applicable (Sections 5 and 7).
- Procedures for immediately shutting down parts of the Facility affected by the emergency and notifying customers of the closure of the Facility as necessary (Section 6).
- Procedures for notifying the local government officials and neighbors of the potentials impacts of the emergency and provisions to minimize those impacts as appropriate (Section 3).

In addition, in accordance with Paragraph 62-701.320(16)(b), FAC, the Facility has the following equipment and/or capabilities that are required at all solid waste disposal facilities:

- Sufficient equipment to implement the Contingency Plan, including equipment for excavating, spreading, compacting, and covering waste.
- Sufficient reserve equipment or arrangements to obtain additional equipment within 24 hours of equipment breakdown.
- Communications equipment for emergency and routine communications.
- Fire protection and fire-fighting capabilities adequate to control accidental burning of solid waste in the facility. This includes procedures for notifying local fire protection agencies for assistance in emergencies.

Information on the items above is provided in Section 7 of this Contingency Plan.

2 RESPONSIBLE PERSONS

The LCSWD Director is responsible for the Facility and therefore is ultimately responsible for implementing the Contingency Plan. The LCSWD Director is responsible for maintaining the resources necessary to implement the Plan when it is necessary to do so. The LCSWD Director is also responsible for coordinating and/or communicating with emergency response agencies, local governmental officials, and affected neighbors as necessary and as outlined in the Contingency Plan.

The Landfill Superintendent is responsible for the day-to-day operations of the Facility and as such is responsible for activating the Contingency Plan during an emergency and implementing the procedures appropriate for the emergency as outlined in the Plan. These procedures include notifying the appropriate emergency response agencies and performing emergency response activities commensurate with the Facility's resources and training (e.g., using heavy equipment to extinguish a landfill fire as outlined in the Contingency Plan).

3 NOTIFICATION PROCEDURES

3.1 GENERAL NOTIFICATION PROCEDURES

The following notification procedures will be implemented in an emergency:

- Immediately call 911 for life-threatening emergencies (e.g., explosions or injuries requiring immediate medical attention) and for emergencies that require the assistance of outside emergency response agencies (e.g., fire department, ambulance, sheriff).

The notification procedures below will be implemented after calling 911 and/or, for emergencies that do not require outside assistance, after the emergency is under control and being managed by trained staff. The notification procedures outlined in this section will be performed in conjunction with emergency response procedures outlined in Section 5. Emergency contact information is provided in Section 4.

- The person discovering the emergency will immediately notify the Landfill Superintendent.

- The Landfill Superintendent will notify LCSWD and/or the LCSWD Director of the emergency.
- If the Landfill Superintendent cannot be reached, the person discovering the emergency will immediately notify LCSWD and/or the LCSWD Director of the emergency.
- The LCSWD Director will assess the situation and make the additional notifications outlined below as appropriate.

3.2 SPECIFIC NOTIFICATION PROCEDURES

The following additional notification procedures will be implemented as needed based on the type of emergency, the impacts to the Facility, the status of emergency response efforts, and the likelihood that persons and/or property outside the Facility will be impacted by the emergency.

3.2.1 FIRE

- If a fire outside the landfill or waste pile(s) cannot be extinguished or controlled within 48 hours, the LCSWD Director will notify the local fire department and seek its assistance. In this case, the LCSWD Director will also notify the local government (i.e., Hendry County) and any neighbors likely to be affected by the fire. Procedures for notifying local governments and neighbors are presented below.
- If a fire within the landfill or waste pile(s) cannot be extinguished or controlled within an hour, the LCSWD Director will notify FDEP and the local government having jurisdiction over the Facility (i.e., Hendry County) of the fire and of the fire control plan being implemented.

3.2.2 PETROLEUM HAZARDOUS MATERIAL SPILL

- In the event of a large spill of petroleum, other regulated substance, or hazardous material that requires the assistance of outside emergency responders (e.g., hazmat team), the LCSWD Director will notify the local fire department and/or appropriate emergency response agency, the State Warning Point, the National Response Center, and FDEP of the spill.
- If a petroleum (or other regulated substance) spill is determined to be 'reportable' as defined in Chapters 62-761 and 62-762, FAC, and as discussed in Section 5 but no outside assistance is needed, the LCSWD Director will notify FDEP of the reportable spill in accordance with the FDEP rules noted above.
- If a petroleum (or other regulated substance) spill is not a 'reportable' spill, no additional notifications are required.

3.2.3 NATURAL DISASTERS

- Notifications to outside agencies or governments are not typically warranted for natural disasters (e.g., hurricanes, floods), because they will not be isolated to the Facility.
- If the Facility will close before the disaster (e.g., before hurricane landfall) and/or will remain closed after the disaster due to damages incurred, the LCSWD Director will notify its customers of the Facility's closure as outlined below.
- If a severe storm or tornado is in the vicinity of or approaching the Facility, the general emergency notification procedures will be implemented.

3.2.4 FACILITY SHUTDOWN

- If the Facility must shut down due to the emergency, the LCSWD Director will notify LCSWD customers of the closure as appropriate.
- The Facility's primary customers, which include other LCSWD facilities, Hendry County Solid Waste Management, and the franchise haulers, will be notified of the Facility's closure via telephone and/or email.
- Signs providing information on the closure, including the expected duration, alternate facilities, and contact information will be posted at the scale house.
- If an extended closure period is expected, LCSWD may issue a press release containing pertinent information about the closure to the local news stations.
- Additional methods for notifying customers of the closure include advertising via newspaper or radio or posting an announcement on the County's website.

3.3 PROCEDURES FOR NOTIFYING NEIGHBORS AND/OR LOCAL GOVERNMENTS

- If the emergency warrants notifying local governments and neighbors, the LCSWD Director will notify Hendry County (i.e., Waste Management and Emergency Management Departments) and other Lee County and Hendry County officials, as appropriate, of the potential impacts of the emergency and provisions or procedures being implemented to minimize those impacts.
- Notifications to local governments will be made by telephone, email, or fax as appropriate. Notifications may also be made via press releases, radio announcements, and website postings.
- If evacuations are necessary, local law enforcement and/or county-wide emergency communication channels may be enlisted to assist with the evacuations.

4 EMERGENCY CONTACTS

Emergency Contact	Business Number	24-Hour Number
ALL EMERGENCIES – DIAL 911		
SOLID WASTE DEPARTMENT		
Solid Waste Department (SWD) Office	(239) 533-8000	NA
SWD Director	(239) 533-8917	(239) 707-6828
SWD Landfill Operations Manager	(239) 533-8920	(239) 229-5733
SWD Landfill Superintendent	(239) 369-2545	(239) 340-0305
SWD Crew Supervisor	(239) 369-2545	(239) 229-4218
SWD Maintenance Manager	(239) 533-8929	(239) 822-0280
SWD Duty Phone	(239) 826-6553	NA

Emergency Contact	Business Number	24-Hour Number
<u>STATE/FEDERAL GOVERNMENT AGENCIES</u>		
FDEP	(239) 344-5600	(800) 320-0519
State Warning Point	(850) 413-9911	(800) 320-0519
National Response Center:	(800) 424-8802	(800) 424-8802
Poison Control Center	(800) 222-1222	(800) 222-1222
EPA 'Federal RCRA Hotline'	(800) 424-9346	(800) 424-9346
Florida Fish and Wildlife Conservation Commission	(850) 488-4676	(888) 404-3922
<u>LOCAL GOVERNMENT AND/OR EMERGENCY RESPONSE AGENCIES</u>		
Felda Volunteer Fire Department	(863) 674-4081	911
Hendry County Emergency Management	(863) 674-5400	911
Hendry County Sheriff	(863) 674-4060	911
Hendry County Waste Management Department	(863) 675-5252	NA
Hendry County Health Department (Clinic)	(863) 674-4041	NA
Hendry County Environmental Health Dept.	(863) 612-0721	NA
Hendry County Emergency Medical Services	(863) 612-0721	911
Labelle Fire Department	(863) 675-1537	911
Labelle Sheriff Office (non-emergency)	(863) 674-5600	911
Labelle Public Works Department	(863) 675-0414	NA
<u>EMERGENCY RESPONSE CONTRACTORS</u>		
SWS Environmental Services (spill response)	(850) 234-8428	(877) 742-4215
EQ Florida, Inc. (haz waste services)	(813) 623-5302	(800) 592-5489
Howco Environmental Services (oil/used oil/antifreeze collection/recycling/ disposal)	(800) 435-8467	(800) 435-8467

Emergency Contacts Websites (to obtain emergency information)

Agency	Website	Comments
Hendry County	http://hendryfla.net/	Department Listings
Florida Division of Emergency Management	http://floridadisaster.org	
Lee County	www.lee.gov	

5 EMERGENCY RESPONSE PROCEDURES

The following emergency response procedures will be implemented as appropriate in response to an emergency at the Facility.

5.1 FIRE

- The Landfill Superintendent will attempt to extinguish the fire using the appropriate Facility equipment (e.g., fire extinguisher for small fires or landfill equipment for large fires or fires within a waste pile or landfill). A list of emergency response equipment is provided in Section 7.
- Procedures for extinguishing a fire using landfill heavy equipment include applying water to the fire using the water truck and/or applying soil to the fire using earthmoving equipment.
- If a fire outside the landfill or a waste pile(s) cannot be extinguished or controlled within 48 hours, the LCSWD Director will implement the notification procedures outlined in Section 3. If it is safe to do so, the Facility operators will continue efforts to extinguish and/or control the fire as outlined above.
- Once the local fire department arrives, the Facility will coordinate its fire-fighting efforts with the fire department until the fire is extinguished.
- If the fire is within the landfill or waste pile, the Facility will implement fire-control techniques appropriate for landfill fires. These techniques include applying soil to the fire to reduce the amount of oxygen feeding the fire and/or excavating waste in and around the fire to expose the fire and allow the direct application of soil and/or water to the fire.
- If a fire within the landfill (buried waste) or waste pile(s) cannot be extinguished or controlled within an hour, the Facility will immediately:
 - Implement this Contingency Plan.
 - Cease accepting waste for disposal in those areas of the Facility impacted by the fire.
 - Notify FDEP and the local government having jurisdiction over the Facility of the fire and of the fire control plan being implemented.
 - Within 2 weeks of the fire in the landfill or of any fire that required assistance from the local fire department, the LCSWD Director will submit to FDEP a report describing the origin of the fire, the actions that were taken in response to the fire and the results of those actions, and an analysis of the success or failure of the actions that were taken in response to the fire.

5.2 PETROLEUM SPILLS

- Minor spills (typically less than 25 gallons) will be removed by applying absorbent materials to the spill. Spill kits containing the appropriate absorbents are provided at the fuel station and in the maintenance shop. Alternatively, mulched yard trash or compost from the Composting Facility may also be used as absorbent. The absorbents will be applied to the spill until it is fully absorbed. Once the spill is completely absorbed, the used absorbents may be disposed of in the Class I Landfill or the Ash Monofill. The area around the spill will be examined to ensure that no spilled material remains. If the spill occurred on a pervious surface, any soil contaminated by the spill will be removed and disposed of as noted above.
- Major and/or reportable spills as defined below will be contained to as small an area as possible using soil berms and/or grading. Once the spill is contained to a specific area,

absorbent materials including soil, mulched yard trash, and/or compost will be used to clean/remove the spilled material in the same manner as noted above.

- If deemed necessary based on the quantity and/or location of the spill, the LCSWD Director may hire an outside spill cleanup contractor to clean up the spill, restore the site, and properly dispose of spill clean-up material, including contaminated soil.
- Follow-up notifications and reports will be prepared and submitted to FDEP in accordance with the requirements of Chapters 62-761 and 62-762, FAC.

A reportable spill is defined as:

- Any quantity of petroleum, petroleum product, or other regulated substance that is visually observed in soil or surface water.
- A spill or overflow of petroleum or regulated substance to soil, equal to or exceeding 25 gallons.
- A spill or overflow of petroleum or a regulated substance to an impervious surface exceeding 100 gallons.
- A spill or overflow of petroleum or a regulated substance to a secondary containment (e.g., for a tank, exceeding 500 gallons).

5.3 NATURAL DISASTERS

In the event of an impending natural disaster such as a hurricane, flood, or severe storm, emergency response procedures include preparing for the event, afterward assessing damage if any, and repairing damaged equipment. Hurricanes and tropical storms are the most common natural disaster in Florida; therefore, the following procedures specifically address these types of natural disasters. However, these procedures may be implemented for other types of natural disasters:

- The Landfill Superintendent will inspect landfill slopes for erosion that could become significant and/or allow leachate to escape the landfill during heavy rains and make any necessary repairs. Stormwater management structures will also be inspected and repaired as needed to ensure stormwater flows are not impeded during heavy rains.
- At least 24 hours before the hurricane making landfall, the Facility will begin collecting, removing, and/or tying down loose items (e.g., small equipment, trash).
- At the appropriate time before the hurricane makes landfall and as directed by the LCSWD Director, the Landfill Superintendent will close the Facility to prepare for the hurricane following the procedures outlined in Section 6.
- Landfill equipment and vehicles will be fueled and parked or staged in a manner to minimize damage from high winds and flying debris and enable immediate access and quick response after the hurricane passes. All other operating equipment will be secured at this time.
- Portions of designated future disposal areas at the Facility may be prepared in advance if such areas are planned to be used for contingency operations such as storing and processing hurricane debris that consists primarily of construction and demolition debris and yard waste. Preparing areas that may be used for contingency operations may include placing, compacting, and grading fill to raise the ground surface elevation, grading and/or constructing access roads to such areas, and installing stormwater and/or erosion-control devices in these areas as needed. The LCSWD Director will select

the areas that may be used for contingency operations, and FDEP will be notified of any planned contingency operations that will occur outside the permitted solid waste disposal areas as necessary and appropriate. Once areas are prepared and FDEP approval has been obtained as needed, debris may be hauled to these areas for storage, sorting, and processing as necessary.

- After the hurricane passes and it is safe to do so, the Landfill Superintendent will return to the Facility and assess any damage. If conditions necessitate closing the Facility, the LCSWD Director will implement the procedures in Section 6.

6 PROCEDURES FOR FACILITY SHUT-DOWN

- If the Facility must be shut down, the LCSWD Director will implement the notification procedures outlined in Section 3.
- Solid waste not yet placed in the affected landfill(s) will be transferred to an appropriate solid waste management facility (e.g., the waste-to-energy plant in Fort Myers or another landfill at the Facility that is not affected by the emergency).
- Temporary or alternate transfer and/or disposal facilities will be selected by the LCSWD Director as needed. FDEP will be notified of the planned use of any previously approved facilities (i.e., hurricane debris staging/processing sites), and/or FDEP approval will be obtained to use other facilities or sites as needed based on the nature and extent of the disaster. Once temporary or alternate sites have been secured, FDEP approval has been obtained, and the sites are ready for operation, the necessary equipment will be dispatched to clear major thoroughfares to the site as needed and staff will be mobilized to the sites as needed and/or if required.
- The LCSWD Director will provide information about the temporary or alternate facilities to the public via radio or newspaper announcements or press releases, signage, and/or call-in information as needed and appropriate as outlined in the procedures for notifying customers of the Facility’s closure in Section 3.

7 EMERGENCY RESPONSE EQUIPMENT

The Facility has sufficient equipment to implement this Contingency Plan, including equipment for excavating, spreading, compacting, and covering waste, and has sufficient reserve equipment or arrangements to obtain additional equipment within 24 hours of equipment breakdown. Equipment typically used in the Facility’s operations is listed below along with the equipment’s typical location at the Facility and general purpose. Equipment operators are familiar with the use of the listed equipment; therefore, no instructions are provided for the use of this equipment in this Contingency Plan. Only experienced or trained equipment operators are allowed to use the equipment listed in the following table.

Equipment	Location	Purpose
Compactors	Landfill(s)	Spreading and compacting waste or debris
Bull Dozer	Landfill(s)	Spreading and/or compacting waste, debris, and/or dirt
Loader/Backhoe	Landfill(s)	Excavating, transporting, and spreading dirt
Tractor-Tanker	Landfill(s)	Transporting water/leachate

Equipment	Location	Purpose
Roll-off Containers	Landfill(s)	Storing and/or transporting
Tractor/Bush hog	Landfill(s)	Mowing/Cutting Brush/Vegetation
Water truck	Landfill(s)	Moving/applying water
Fuel truck	Maintenance Shop and/or Landfill	Fueling equipment and vehicles
Maintenance truck	Maintenance shop and/or Landfill	Maintaining equipment and vehicles
Vacuum Truck	Maintenance shop and/or Landfill	Pumping water/leachate/sludge to clean or empty containers/leachate lines/pipes

In addition, heavy equipment can be rented on short notice in an emergency or in case of equipment failure from various vendors and contractors that may include the following:

Kelly Tractor Co.
(239) 693-9233
9651 Kelly Tractor Drive
Ft. Myers, Florida

Florida Machinery and Equipment Co.
(239) 481-8554
2320 Bruner Lane SE
Ft. Myers, Florida

Mobile generators will be obtained as needed to supply power to emergency equipment (e.g., pumps, portable light stands) that may be brought into the Facility after an emergency. All heavy equipment will have a minimum of two front headlights and one rear light. The front-line equipment will be equipped with or adequate lighting will be provided so that landfill and support operations can be performed safely at night.

The scale house staff, the Landfill Superintendent, and other Facility staff as needed are equipped with communication devices that function on battery power. Additional and/or backup communication equipment can be obtained as needed. The Landfill Superintendent will report the status of emergency operations to the LCSWD Director frequently while emergency response activities are being performed at the Facility. Public communications and announcements will be provided through local radio stations and the LCSWD as needed.

The following additional emergency equipment is available at the Facility and may be used in response to an emergency. Facility personnel are trained to use this equipment; therefore, no instructions are provided herein.

Emergency Response Equipment	Location
Spill Clean-up Kit	Fuel Station, Maintenance Shop
First Aid Kit	Landfill office, some landfill equipment
Fire Extinguisher	Landfill Equipment and vehicles

Attachment 2

Landfill Gas Management and Monitoring Plan



**LEE/HENDRY COUNTY REGIONAL SOLID WASTE
DISPOSAL FACILITY – LANDFILL GAS
MONITORING AND MANAGEMENT PLAN**

Lee County Solid Waste Department | January 2024

**LEE/HENDRY COUNTY REGIONAL SOLID WASTE
DISPOSAL FACILITY
LANDFILL GAS MONITORING AND MANAGEMENT PLAN**

Prepared for:

Lee County Solid Waste Department
10550 Buckingham Road
Fort Myers, Florida 33095

Prepared by:

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Alachua, Florida 32615

Jones Edmunds Project No.: 12345-026-01

January 2024

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1 INTRODUCTION

This gas management plan outlines the procedures that will be performed at the Lee/Hendry County Regional Solid Waste Disposal Facility to ensure that landfill gas is properly monitored and managed as necessary in accordance with Rule 62-701.530, Florida Administrative Code (FAC), and the Special Conditions of the current Florida Department of Environmental Protection (FDEP) Operations Permit.

2 BACKGROUND

The decomposition of municipal solid waste (MSW) in an anaerobic environment, which occurs in typical sanitary landfills, results in the generation of carbon dioxide, methane, and trace amounts of other gases. The main concern in MSW landfills is methane, which can be explosive under certain conditions. Landfills that contain primarily combustion ash or construction and demolition debris generate minimal amounts of explosive gas; therefore, these types of landfills do not pose significant health and safety risks from gas.

Daily and intermediate soil cover materials placed on landfills are sufficiently permeable to allow the escape of landfill gas to the atmosphere, where the percentage of methane in air will be minimal and do not pose safety concerns. A landfill final cover system restricts the release of landfill gas to the atmosphere. A landfill gas-venting system may be constructed as required when each phase containing MSW is closed. Landfill cells containing mostly combustion ash may not require a passive gas venting or other gas management system.

In accordance with Section 62-701.530(2), FAC, owners of solid waste disposal units that have received MSW shall implement a routine gas monitoring program to ensure that the following requirements are met:

1. Be designed to prevent the concentration of combustible gases generated from:
 - a. Exceeding 25 percent of the lower explosive limit (LEL) for combustible gases in structures located on or off-site, excluding gas control or recovery system components.
 - b. Exceeding the LEL for combustible gases at or beyond the landfill property boundary.
2. Be designed to reduce gas pressure in the interior of the landfill by collecting the gas to prevent it from moving laterally.

The routine gas monitoring program monitors the concentration of combustible gas at ambient monitoring points in structures and in designated soil monitoring probes. The gas monitoring program for the Lee/Hendry County Regional Solid Waste Disposal Facility is described in the following section.

3 GAS MANAGEMENT SYSTEM

In accordance with Paragraph 62-701.530(1)(a), FAC, landfills that receive degradable wastes shall have a gas management system designed to prevent explosions and fires and minimize off-site odors and lateral migration of gases and damage to vegetation.

When implemented and coupled with the Gas Monitoring Program described in Section 4 of this Plan, the gas management systems will:

1. Be designed to prevent concentrations of combustible gases from exceeding 25 percent of the LEL in structures and 100 percent of the LEL at the property boundary.
2. Be designed for site-specific conditions.
3. Be designed to reduce gas pressure in the interior of the landfill.
4. Be designed to not interfere with or cause failure of the liner, leachate control system, or final cover.

The gas management system design may be modified at the time of, or prior to, closure as necessary based on site-specific conditions and/or based on results of the Routine Gas Monitoring Program, which is described in further detail below. Any modifications to the Gas Management System will meet the criteria specified above. The Lee County Solid Waste Division (LCSWD) will obtain FDEP approval via a Permit Modification before implementing a modified Gas Management System.

3.1 CLASS I GAS MANAGEMENT SYSTEM

The LCSWD, as the owner and operator of the Class I Landfill, which is at the Lee/Hendry County Regional Solid Waste Disposal Facility and receives degradable wastes, previously submitted to FDEP a gas management system design for the Class I Landfill as part of the Application for Permit to Construction Phase 2 and Operate Phases 1 and 2, resulting in FDEP issuing Permit No. 0130719-003-SC/00 on July 9, 2004. The gas management system design for Phases 1 and 2 of the Class I Landfill consists of 17 passive gas vents as shown on Drawing C-51 of the Engineering Drawings submitted with the above-noted Permit Application. The details of the gas vents were shown on Drawing C-53 of the Engineering Drawings submitted with the above-noted Permit Application. This gas management system design was approved by FDEP upon issuance of Permit No. 0130719-003-SC/00 on July 9, 2004.

3.2 CLASS LANDFILL III GAS MANAGEMENT SYSTEM

The Class III Landfill receives relatively minimal amounts of degradable waste; therefore, production of landfill gas is expected to be minimal. However, an active gas collection system is proposed for Cell 1 of the Class III Landfill, which will convey the landfill gas to an open flare.

3.3 ASH MONOFILL GAS MANAGEMENT SYSTEM

The Ash Monofill is designed as a Class I landfill and is permitted to accept Class I waste; however, it primarily receives MSW incinerator ash, which is not degradable. Therefore, the Ash Monofill is not expected to generate significant quantities of landfill gas. The conceptual gas management system includes 14 horizontal subsurface gas vents that will be installed at the time of closure to equalize pressure below the liner with the atmosphere.

4 ROUTINE GAS MONITORING PROGRAM

Routine monitoring for concentrations of combustible gas determined as a percent of the LEL calibrated to methane will occur on a quarterly basis in the designated structures and soil-monitoring probes. The results of the gas monitoring will be submitted to FDEP quarterly in accordance with Paragraph 62-701.530(2)(c), FAC. Landfill gas-monitoring wells (soil-monitoring probes) were constructed along the property boundaries to allow the detection of gas migration. Five gas-monitoring wells were constructed in 1996 during the initial site development as authorized by Permit No. SC26-240338 issued on May 13, 1994. Two additional gas-monitoring wells were constructed in 2007 during the construction of the Ash Monofill and Class III Landfill. The seven gas monitoring wells are located as shown on the *Facility Site Plan* and *Ground Water and Gas Monitoring Well Location Map* provided as Figure 1 to the Class I Landfill's Operation Plan. Table 1 below provides the locations of the gas monitoring wells. The construction logs for the gas-monitoring wells were provided to FDEP within the Construction Documentation Reports submitted upon construction completion of Phase 1 of the Class I Landfill and the Ash Monofill and Class III Landfill.

Table 1 Gas Monitoring Well Location Information

Gas Well Number	Location (N)	Location (E)	Top of Well Casing Elev. (ft, NGVD)
GM-1	50962.16	54932.26	40.04
GM-2	48696.90	54009.18	38.27
GM-3	48674.60	52075.18	38.39
GM-4	51296.59	50072.53	38.68
GM-5	52690.53	50031.34	40.08
GM-6	814870.20	482573.13	30.46
GM-7	814874.66	487806.79	33.45

A combustible gas-detection meter will be used to determine methane concentrations as a percent of the LEL at the designated locations. The LEL is defined as the lowest percent by volume of a mixture of explosive gases that will propagate a flame in air at a temperature of 25 degrees Celsius and atmospheric pressure. The LEL of methane is 5 percent by volume. Therefore, methane concentrations must not exceed the LEL, or 5 percent, at the property boundary or 25 percent (1.25 percent) of the LEL within structures on the property in accordance with Rule 62-701.530, FAC.

5 GAS REMEDIATION PLAN

In accordance with Paragraph 62-701.530(3)(a), FAC, if landfill gas monitoring detects concentrations of explosive gases that exceed the above-noted regulatory limits, the owner or operator will:

1. Immediately take all steps necessary to ensure the protection of human health and/will notify FDEP.
2. Within 7 days of detecting landfill gas at concentrations above the regulatory limits, submit to FDEP for approval a gas remediation plan to address the gas migration. The

plan will describe the nature and extent of the problem and the proposed corrective action. The corrective action shall be completed within 60 days of the initial detection of gas migration unless otherwise approved by FDEP.

6 ODOR REMEDIATION PLAN

The Class I Landfill will be operated to control objectionable odors in accordance with Section 62-296.320(2), FAC. After being notified by FDEP that objectionable odors have been confirmed beyond the landfill property boundary, the LCSWD will take the following actions:

1. Immediately take steps to reduce the objectionable odors. Such steps may include applying or increasing initial cover, reducing the size of the working face, and ceasing operations in the areas where odors have been detected.
2. Submit to FDEP for approval an odor remediation plan for the gas releases. The plan shall describe the nature and extent of the problem and the proposed long-term remedy. The remedy will be initiated within 30 days of approval of the odor remediation plan.
3. Implement a routine odor monitoring program to determine the timing and extent of any off-site odors and to evaluate the effectiveness of the odor remediation plan.

APPENDIX 2
LANDFILL DRAWINGS SERVICE AGREEMENT EXHIBITS

LEE-HENDRY REGIONAL SOLID
WASTE MANAGEMENT FACILITY
LANDFILL OPERATION AREAS EXHIBITS
AUGUST 2024



AERIAL IMAGERY: APRIL 26, 2024

NOTES:
1. THIS MAP IS A REPRESENTATION OF THE FACILITY AS OF THE DATE OF THE AERIAL IMAGERY. IT DOES NOT REPRESENT THE CURRENT STATUS OF THE FACILITY.
2. THE FACILITY IS SUBJECT TO CHANGES IN LAYOUT AND OPERATIONS. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.
3. THE FACILITY IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE FACILITY MANAGER.

REVISIONS	
NO.	DESCRIPTION
1	ISSUED
PROJECT: LEE-HENDRY REGIONAL SOLID WASTE MANAGEMENT FACILITY	
CLIENT: LEE COUNTY, FL	
DATE: AUGUST 2024	
DRAWN BY: [Name]	
CHECKED BY: [Name]	
APPROVED BY: [Name]	
SCALE: 1" = 100'	
SHEET: C000	

LANDFILL FACILITY - DUST CONTROL
AND STOCKPILE EXHIBIT



FACILITY - DUST CONTROL AND STOCKPILES

- COMPANY RESPONSIBILITIES
1. DUST CONTROL OF UNPAVED AREAS, STOCKPILES, AND AREAS ON THE LANDFILL.
 2. DUST CONTROL OF STOCKPILES, STOCKPILING, AND STOCKPILING AREAS.
 3. DUST CONTROL OF STOCKPILING, STOCKPILING, AND STOCKPILING AREAS.
- EXCLUSIONS
1. MAINTENANCE OF UNPAVED AREAS, STOCKPILES, AND AREAS ON THE LANDFILL.
 2. DUST CONTROL OF STOCKPILES, STOCKPILING, AND STOCKPILING AREAS.

NOTES:
1. THIS MAP IS A REPRESENTATION OF THE FACILITY AS OF THE DATE OF THE AERIAL IMAGERY. IT DOES NOT REPRESENT THE CURRENT STATUS OF THE FACILITY.
2. THE FACILITY IS SUBJECT TO CHANGES IN LAYOUT AND OPERATIONS. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.
3. THE FACILITY IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE FACILITY MANAGER.

REVISIONS	
NO.	DESCRIPTION
1	ISSUED
PROJECT: LEE-HENDRY REGIONAL SOLID WASTE MANAGEMENT FACILITY	
CLIENT: LEE COUNTY, FL	
DATE: AUGUST 2024	
DRAWN BY: [Name]	
CHECKED BY: [Name]	
APPROVED BY: [Name]	
SCALE: 1" = 100'	
SHEET: EX-1	

APPENDIX 3
STANDARDS AND PROCEDURES
FOR CONTRACT PERFORMANCE INCENTIVES AND PENALTIES

STANDARDS AND PROCEDURES FOR CONTRACT PERFORMANCE INCENTIVES AND PENALTIES

The Company will measure the amount of airspace consumed in the areas where waste was placed during each operational year to determine the Operational Density. An Operational Density shall be determined for the Class I Ash Monofill, the Class I MSW Landfill, and the Class III Landfill. Only the Operational Density at the Class I MSW Landfill and the Class III Landfill will be used to determine Performance Incentive / Penalty. Historic densities for the Landfill Operations Areas, and a sample Base Fee and Tonnage Fee calculation are provided at the end of this Appendix.

Airspace consumed shall be determined by comparing the topographic survey from the previous year to the current year's topographic survey and within the determined boundary of where waste was filled during the operational year. The Company shall provide advance notice of at least 72 hours prior to the survey. The airspace consumed calculation shall be the fill volume within the boundary of where waste was placed for the operational year and not the full extent of the landfill permitted boundary.

Stockpile deductions for material piles in place at time of survey and other deductions approved by the Contract Administrator shall be allowed. All deductions and waste-fill boundaries shall be confirmed by the County and the Company in the field within 24-hours of when the survey takes place and confirmed by engineering representatives of the County and the Company. Any cut value will not be included as a deduction in the calculation as it should be minimized or near zero to stay only within the area of waste fill for the operational year. All deductions shall include a map and quantity calculations justifying the quantity for the deductions within the boundary of the operational area for the year.

As-built drawing top-of-drainage-soil elevations shall be used to calculate the operational density for initial placement of waste into the cell. A deduction for the tons of waste placed and the volume consumed in cubic yards shall be provided for the initial 4-foot "fluff layer" placement of waste in a new cell. Tons of waste to be allocated to the "fluff layer" shall be confirmed by the Contract Administrator.

The Company shall use the daily tonnage reports provided by the County of waste materials received at each Landfill Operations Area and the topographic survey provided by the Company to calculate the Operational Density.

The Annual Operational Density shall be calculated as follows:

Example 1 – The information provided is presented for illustrative purposes only to demonstrate the density calculation method.

- Airspace consumed between October 3, 2022 and October 4, 2023 = 326,678 CY (Fill)

Only the fill quantity calculated from the comparison of the topographic survey surfaces in AutoCAD within the boundary of the operational area will be used for airspace consumed. Any cut value will not be included as a deduction in the calculation since it should be minimized or near zero to stay only within the area of waste fill for the operational year.

- Total stockpile = 0 CY

Stockpile deductions are as approved by the Contract Administrator for any stockpiles identified on the date of the survey. Refer to discussion above for allowed deductions. All deductions shall include a map and quantity calculations from the Contractor justifying the quantity for the deductions within the boundary of the operational area for the year.

- Total airspace consumed for Fluff Lift between survey dates = 0 CY

If applicable, the fluff lift will be calculated using 4' times the area of the fluff lift in acres and converted to cubic yards.

- Total Airspace Consumed after Deductions = 326,678 CY

Total airspace consumed = Airspace consumed – Deductions – Fluff Lift Airspace Consumed

- Total tons landfilled between survey dates (as provided by the County in tonnage report) = 232,405 tons
- Total Fluff Lift Tonnage reduction = 0 Tons

If applicable, the fluff lift tonnage reduction will be calculated using information provided by the Company. Information provided by the Company shall include weigh tickets and dates for each load of waste placed in the fluff lift. Weigh tickets to be allocated to the “fluff layer” shall be discussed with the Contract Administrator at the weekly meetings with the Site Supervisor.

- Total Tonnage to be used in calculation = 232,405 tons

$$\text{Total Tonnage} = \text{Total Tons Landfilled} - \text{Total Fluff Lift Tonnage Reduction}$$

- The Annual Operation Density = 1,422.8 pound per cubic yard

$$\text{Density} = \frac{\text{Total Tonnage to be used for Calculation} \times 2,000 \text{ (lbs/ton)}}{\text{Total Airspace consumed after Deductions (cubic yards)}}$$

The Annual Operational Density will be calculated for each of the three Landfill Operations Area, however only the Annual Operation Densities for the Class I MSW Landfill and the Class III Landfill will apply to the Operational Density Performance Incentive.

If the Operational Density Performance Incentive is earned, it will be valued as shown below:

Class I MSW Landfill Performance Incentive = 30% of the tons of airspace saved multiplied by the current published Lee County MSW gate rate at the Facility. The tons of airspace saved shall be calculated as the difference between the volume consumed at the achieved Operational Density and the volume that would have been consumed at the Point of Calculation density, per Table 3.2 of this Agreement. The volume of airspace saved will be converted to tons of airspace saved using the achieved Operational Density.

Class III Landfill Performance Incentive = 20% of the tons of airspace saved multiplied by the current published Lee County Class III gate rate at the Facility. The tons of airspace saved shall be calculated as the difference between the volume consumed at the achieved Operational Density and the volume that would have been consumed at the Point of Calculation density, per Table 3.2 of this Agreement. The volume of airspace saved will be converted to tons of airspace saved using the achieved Operational Density.

The Performance Incentive will be calculated annually; however the Company may choose each month if it believes the Incentive will be met through quarterly surveys or other metrics. If the Company chooses to assume the incentive will be met and the Contract Administrator concurs, 50% of the Incentive will be paid to the Company and 50% will be accrued for final true-up following the end of the Contract Year. Final true-up will occur as part of the December billing cycle.

If the Operational Density Performance Penalty is earned, it will be valued as shown below:

- Class I MSW Landfill Performance Penalty = 30% of the tons of airspace lost multiplied by the current published Lee County MSW gate rate at the Facility. The tons of airspace lost shall be calculated as the difference between the volume consumed at the achieved Operational Density and the volume that would have been consumed at the Point

of Calculation density, per Table 3.2 of this Agreement. The volume of airspace lost will be converted to tons of airspace lost using the achieved Operational Density.

- Class III Landfill Performance Penalty = 20% of the tons of airspace lost multiplied by the current published Lee County Class III gate rate at the Facility. The tons of airspace lost shall be calculated as the difference between the volume consumed at the achieved Operational Density and the volume that would have been consumed at the Point of Calculation density, per Table 3.2 of this Agreement. The volume of airspace lost will be converted to tons of airspace lost using the achieved Operational Density.

The Annual Operational Density will be calculated for each of the three Landfill Operations Area, however only the Annual Operation Densities for the Class I MSW Landfill and the Class III Landfill will apply to the Operational Density Performance Incentive. The “flag” area in the Class I MSW Landfill, as described by the Site Plan with Coordinate Table dated October 5, 2023 and provided in Appendix 7, will be excluded from the Operational Performance Penalty and from the Operational Performance Incentive.

Lee-Hendry Landfill Historic Densities

Class I MSW Landfill										
Period Start	Period End	Remaining Volume (CY)	Period Airspace Used (CY)	Tons landfilled	Period Density (lb/cy)	Total Waste Accepted (tons)	Total Volume Filled (cy)	Historic Apparent Density (lb/cy)	Built Footprint (AC)	% Ash for related FY
11/21/2016	12/4/2017	1,094,148	33,459	24,733	1,478	1,664,025	1,676,343	1,985	38	0%
12/4/2017	12/23/2018	980,936	130,210	110,441	1,696	1,758,133	1,793,449	1,961	38	51%
12/23/2018	12/5/2019	908,455	76,779	71,891	1,873	1,831,977	1,870,228	1,959	38	43%
12/5/2019	10/1/2020	860,209	53,542	51,352	1,918	1,878,111	1,923,770	1,953	38	37%
10/1/2020	10/5/2021	650,640	160,743	162,295	2,019	2,040,396	2,084,513	1,958	38	45%
10/5/2021	10/3/2022	821,189	209,088	185,724	1,777	2,226,130	2,293,601	1,941	38	37%
10/3/2022	10/4/2023	7,831,087	326,678	232,405	1,423	2,459,357	2,620,279	1,877	38	3%
Class I Ash Monofill										
Period Start	Period End	Remaining Volume (CY)	Period Airspace Used (CY)	Tons landfilled	Period Density (lb/cy)	Total Waste Accepted (tons)	Total Volume Filled (cy)	Historic Apparent Density (lb/cy)	Built footprint (AC)	
11/21/2016	12/4/2017	1,947,606	162,588	195,073	2,400	1,580,420	1,163,272	2,717	36	
12/4/2017	12/23/2018	1,713,671	99,035	133,990	2,706	1,713,151	1,254,575	2,731	36	
12/23/2018	12/5/2019	1,621,882	98,932	138,256	2,795	1,857,105	1,353,507	2,744	36	
12/5/2019	10/1/2020	1,546,666	76,546	120,231	3,141	1,967,422	1,430,053	2,752	36	
10/1/2020	10/5/2021	1,462,596	47,657	74,868	3,142	2,042,262	1,477,711	2,764	36	
10/5/2021	10/3/2022	1,412,867	45,764	69,611	3,042	2,111,874	1,523,475	2,772	36	
10/3/2022	10/4/2023	1,372,977	83,810	132,178	3,154	2,244,458	1,607,285	2,793	36	
Class III Landfill										
Period Start	Period End	Remaining Volume (CY)	Period Airspace Used (CY)	Tons landfilled*	Period Density (lb/cy)	Total Waste Accepted (tons)	Total Volume Filled (cy)	Historic Apparent Density (lb/cy)	Built Footprint (AC)	
11/21/2016	12/4/2017	1,618,547	98,230	58,066	1,182	270,172	337,460	1,601	25	
12/4/2017	12/23/2018	1,447,771	180,191	130,754	1,451	384,628	509,917	1,509	25	
12/23/2018	12/5/2019	1,337,385	118,133	82,590	1,398	472,101	628,050	1,503	25	
12/5/2019	10/1/2020	1,233,598	109,053	84,175	1,544	549,774	737,103	1,492	25	
10/1/2020	10/5/2021	1,061,355	156,296	123,692	1,583	673,476	893,399	1,508	25	
10/5/2021	10/3/2022	931,896	133,194	104,484	1,569	777,861	1,026,593	1,515	25	
10/3/2022	10/4/2023	602,987	326,678	251,873	1,542	1,030,608	1,355,346	1,521	25	

EXAMPLE BASE FEE, TONNAGE FEE, AND PERFORMANCE INCENTIVE / PENALTY CALCULATION

EXAMPLE BID VALUES BY COMPANY

PROVIDED BY LCSW

EXAMPLE DATA FOR BILLING

MONTH DAYS IN MONTH	Oct-23 23.2	Nov-23 22.2	Dec-23 21.5	Jan-24 23.2
CLASS I MSW TONS DELIVERED	20,185	18,194	20,067	20,494
CLASS I C&D TONS DELIVERED	0	0	0	0
CLASS III TONS DELIVERED	12,420	9,857	9,103	9,753
ASH TONS DELIVERED	10,279	8,533	8,544	11,479
"OTHER" TONS DELIVERED	755	572	614	356
TOTAL TONS	43,639	37,156	38,328	42,082
TONS/DAY	1881.0	1673.7	1782.7	1813.9

EXAMPLE BASE AND TONNAGE FEES

BASE FEE	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
TONNAGE FEE				
"CLASS I MSW" and "CLASS I C&D"	\$7.00	\$7.00	\$7.00	\$7.00
TONNAGE RATE				
"CLASS I MSW / CLASS I C&D" GROSS				
TONNAGE FEE (tons above 10k ton floor)	\$ 71,294.86	\$ 57,357.65	\$ 70,466.13	\$ 73,458.70
"CLASS III" TONNAGE RATE	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
"CLASS III" GROSS TONNAGE FEE				
(tons above 5k ton floor)	\$ 37,099.70	\$ 24,283.55	\$ 20,513.40	\$ 23,763.95
"OTHER" TONNAGE RATE	\$ 6.00	\$ 6.00	\$ 6.00	\$ 6.00
"OTHER" GROSS TONNAGE FEE	\$ 4,532.16	\$ 3,433.50	\$ 3,685.68	\$ 2,134.68
"ASH" TONNAGE RATE (tons above 3k ton floor)	\$ 4.00	\$ 4.00	\$ 4.00	\$ 4.00
"ASH" GROSS TONNAGE FEE	\$ 29,116.32	\$ 22,132.76	\$ 22,177.16	\$ 33,916.32
TOTAL BASE +TONNAGE FEES	\$ 392,043.04	\$ 357,207.46	\$ 366,842.37	\$ 383,273.65

COMPANY REQUESTS MONTHLY PERFORMANCE INCENTIVE/PENALTY - CLASS I MSW LANDFILL

	MSW	C&D
BONUS PARAMETERS:	>=1800, Max 2000	>=1650, Max 1850
NO BONUS:	1400-1800	1400-1650
POINT OF CALCULATION	1600	1525
PENALTY PARAMETER:	<=1400	<=1400

ACHIEVED CLASS I OPERATIONAL DENSITY (LB/CY)	1801.0	1801.0	1801.0	1801.0
TONS WASTE MATERIALS PLACED IN CLASS I MSW LF	20185.0	18194.0	20066.6	20494.1
VOLUME CONSUMED CLASS I MSW LF (CY)	22415.3	20204.3	22283.8	22758.6
DENSITY POINT OF CALCULATION (LBS/CY)	1600	1600	1600	1600
POINT OF CALCULATION VOLUME (CY)	25231.2	22742.4	25083.2	25617.6
VOLUME SAVED/(LOST) BY COMPANY	2815.9	2538.2	2799.4	2859.0
TONNAGE SAVED/(LOST) BY COMPANY	2535.7	2285.6	2520.9	2574.6
LEE COUNTY CLASS I MSW GATE RATE	\$ 63.56	\$ 63.56	\$ 63.56	\$ 63.56
30% VALUE/(PENALTY) SHARE TO COMPANY	\$ 48,351.45	\$ 43,582.11	\$ 48,067.86	\$ 49,091.93
CLASS I MSW LANDFILL PERFORMANCE INCENTIVE ALLOWED PENDING TRUE-UP (50%)	\$ 24,175.73	\$ 21,791.05	\$ 24,033.93	\$ 24,545.96

COMPANY REQUESTS MONTHLY PERFORMANCE INCENTIVE/PENALTY FOR CLASS 3 TONS

	MSW	C&D
BONUS PARAMETERS:	>=1800, Max 2000	>=1650, Max 1850
NO BONUS:	1400-1800	1400-1650
POINT OF CALCULATION	1600	1525
PENALTY PARAMETER:	<=1400	<=1400

ACHIEVED CLASS III OPERATIONAL DENSITY (LB/CY)	1682.0	1682.0	1682.0	1682.0
TONS WASTE MATERIALS PLACED IN CLASS III LANDFILL	12419.9	9856.7	9102.7	9752.8
VOLUME CONSUMED CLASS III LF (CY)	14768.1	11720.2	10823.6	11596.7
DENSITY POINT OF CALCULATION (LBS/CY)	1525	1525	1525	1525
POINT OF CALCULATION VOLUME (CY)	16288.4	12926.8	11937.9	12790.5
VOLUME SAVED/(LOST) BY COMPANY	1520.4	1206.6	1114.3	1193.9
TONNAGE SAVED/(LOST) BY COMPANY	1278.6	1014.8	937.1	1004.1
LEE COUNTY CLASS III GATE RATE	\$ 63.94	\$ 63.94	\$ 63.94	\$ 63.94
20% VALUE/PENALTY SHARE TO COMPANY	\$ 16,351.29	\$ 12,976.70	\$ 11,984.00	\$ 12,839.89
CLASS III LANDFILL PERFORMANCE INCENTIVE ALLOWED PENDING TRUE-UP (50%)	\$ 8,175.64	\$ 6,488.35	\$ 5,992.00	\$ 6,419.95

TOTAL PROPOSED INCENTIVE/PENALTY EARNED:	\$ 64,702.74	\$ 56,558.81	\$ 60,051.86	\$ 61,931.82
TOTAL PROPOSED BILLING (BASE FEE, TONNAGE FEE, AND	\$ 424,394.41	\$ 385,486.87	\$ 396,868.30	\$ 414,239.56

APPENDIX 4
REQUIRED OPERATING PERIOD INSURANCE

REQUIRED OPERATION PERIOD INSURANCE

Minimum Insurance Requirements: *Risk Management in no way represents that the insurance required is sufficient or adequate to protect the vendors' interest or liabilities. The following are the required minimums the vendor must maintain throughout the duration of this contract. The County reserves the right to request additional documentation regarding insurance provided*

- a. **Commercial General Liability** - Coverage shall apply to premises and/or operations, products and completed operations, independent contractors, contractual liability exposures with minimum limits of:

\$1,000,000 per occurrence
\$2,000,000 general aggregate
\$1,000,000 products and completed operations
\$1,000,000 personal and advertising injury

- b. **Business Auto Liability** - The following Automobile Liability will be required and coverage shall apply to all owned, hired and non-owned vehicles use with minimum limits of:

\$1,000,000 combined single limit (CSL); or
\$500,000 bodily injury per person
\$1,000,000 bodily injury per accident
\$500,000 property damage per accident

- c. **Workers' Compensation** - Statutory benefits as defined by FS 440 encompassing all operations contemplated by this contract or agreement to apply to all owners, officers, and employees regardless of the number of employees. Workers Compensation exemptions may be accepted with written proof of the State of Florida's approval of such exemption. Employers' liability will have minimum limits of:

\$500,000 per accident
\$500,000 disease limit
\$500,000 disease – policy limit

- d. **Pollution Liability** – Covering property loss and liability arising from pollution-related damages, for sites that have been inspected and found uncontaminated. Transporter moving hazardous products or waste as cargo aboard the transporter's truck:

\$1,000,000 bodily injury / property damages / cleanup, including wrongful delivery

**The required minimum limit of liability shown in a. and b. may be provided in the form of "Excess Insurance" or "Commercial Umbrella Policies." In which case, a "Following Form Endorsement" will be required on the "Excess Insurance Policy" or "Commercial Umbrella Policy."*

Verification of Coverage:

1. Coverage shall be in place prior to the commencement of any work and throughout the duration of the contract. A certificate of insurance will be provided to the County's Risk Manager for review and approval. The certificate shall provide for the following:

a. Under the Description of Operations, the following must read as listed:

"Lee County, a political subdivision and Charter County of the State of Florida, its agents, employees, and public officials are automatic additional insureds and includes an automatic waiver of subrogation with regard to general liability. The certificate holder is an additional insured on a primary and noncontributory basis with regards to general liability."

b. The certificate holder must read as follows

Lee County, a political subdivision and Charter County of the State of Florida
P.O. Box 398
Fort Myers, Florida 33902

Verification of Coverage

Coverage shall be in place prior to the commencement of any work and throughout the duration of the contract. A certificate of insurance will be provided to the Risk Manager for review and approval. The certificate shall provide for the following:

1. The certificate holder shall read as follows:

Lee County Board of County Commissioners
P.O. Box 398
Fort Myers, Florida 33902

2. "Lee County, a political subdivision and Charter County of the State of Florida, its agents, employees, and public officials" will be named as an "Additional Insured" on the General Liability policy, including Products and Completed Operations coverage.

1.1 Subcontractors

It is the responsibility of the Company to ensure that all subcontractors comply with all insurance requirements.

APPENDIX 5
OPERATION AND PRICE INDEX

OPERATION AND PRICE INDEX

The Base Fee (Fixed) and Tonnage Fee will increase at a flat rate of 3.5% per year.

APPENDIX 6
FORM OF GUARANTY AGREEMENT

GUARANTY AGREEMENT

from

[GUARANTOR]

to

THE COUNTY OF LEE, FLORIDA

GUARANTY AGREEMENT

This Guarantee made as of the 1st day of October, 2025 by Waste Management Inc. of Florida (Guarantor) having its principal place of business in Florida to the benefit of Lee County, Florida, a political subdivision of the State of Florida, ("County"),

WITNESSETH:

WHEREAS, Waste Management Inc. of Florida, a Florida corporation, (the "Company") having an office at 5500 Church Rd., Felda, Florida 33930, has entered into the Service Agreement (the "Agreement") with the County dated as of October 1, 2025.

WHEREAS, Guarantor is willing to guarantee, as set forth below, the performance of the Company under the Agreement; and

WHEREAS, County would not enter into the Agreement unless the Guarantor provided this Guarantee.

NOW, THEREFORE, as an express inducement to the County to enter into this Agreement, Guarantor agrees and guarantees as follows:

Guarantor hereby absolutely and unconditionally guarantees the full and prompt performance by the Company of all of the Company's obligations under the Agreement in accordance with the terms and conditions therein.

This Guarantee shall be governed by the laws of the State of Florida exclusive of the choice of law rules thereof, and Guarantor hereby agrees to the service of process in the State of Florida for any claim or controversy arising out of this Guarantee or relating to any breach hereof.

This Guarantee shall be binding upon and enforceable against the Guarantor, its successors, assigns and legal representatives (including any successor by merger or consolidation or any transferee of all or substantially all of the properties of Guarantor), whether or not such obligations are expressly assumed by such successor, assignee or transferee and is for the benefit of the County, and any permitted successors and assigns under the Agreement.

This Guarantee may be enforced by the County without first resorting to any legal or administrative actions against Company or exhausting any other remedies that the County may have.

Each and every Event of Default under the Agreement shall give rise to a separate cause of action hereunder, and separate demands may be brought hereunder by the County as each cause

of action arises. Guarantor waives presentation to, demand of performance from, and protest to the County of the obligations of the Company under the Agreement.

No failure or delay by the County in exercising any right, power or privilege hereunder or under the Agreement shall operate as a waiver thereof nor shall any single or partial exercise thereof preclude any other right, power or privilege. No waiver, amendment, release or modification of this Guarantee shall be established by conduct, custom or course of dealing, but solely by an instrument in writing duly executed by the party against whom such waiver, amendment, release or modification is sought to be enforced.

Guarantor may not assign its obligations hereunder, except to a successor by merger or consolidation or to any transferee of all or substantially all of the assets of the Guarantor. Notice of any such assignment shall be given in writing to the County within thirty (30) days of the effective date of any such merger, consolidation or transfer.

The respective obligations of Guarantor to the County set forth in this Guarantee shall be absolute and unconditional, shall not be subject to any requirement that County first enforce any remedies it may have against the Company or any other Person, or any requirement to seek to recover from Company hereunder before proceeding against Guarantor hereunder, and shall not be subject to any claim of Guarantor against any other Person including the County, other than a claim that the matter giving rise to the County's claim is the subject of dispute resolution in good faith under the Agreement or in the courts of the United States or the State of Florida.

This Guarantee may be executed simultaneously in several counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. The invalidity or unenforceability of one or more provisions of this Guarantee shall not affect the validity or enforceability of the remaining portions of this Guarantee. This Guarantee is entered into by Guarantor solely and exclusively for the benefit of the County, and may be enforced against Guarantor by the County.

Any term used but not otherwise defined herein and defined in the Agreement shall have the meaning attributed to it in the Agreement.

Notices to be given pursuant to this Guarantee unless otherwise stated shall be in writing and shall be served personally or sent by certified mail, return receipt requested, to:

If to the Guarantor: David Myhan – President
1800 N. Military Trail, Suite 201
Boca Raton, Florida 33431

with a copy to: Lisa Silva, Esq.
1800 N. Military Trail, Suite 201
Boca Raton, Florida 33431

If to the County: Mary Tucker – Director
Procurement Management Department
2115 Second Street
Fort Myers, Florida 33901

Lee County Solid Waste Department
10500 Buckingham Road, Suite 200
Fort Myers FL 33905

or to such other address as shall be designated by such party in a written notice to the other party hereto. Any notice given pursuant to this Section if transmitted by certified mail shall be effective immediately upon receipt and if delivered by hand upon delivery.

IN WITNESS WHEREOF, the Guarantor has caused this Guaranty to be executed in its name and on its behalf by its duly authorized officer as of the date first above written.

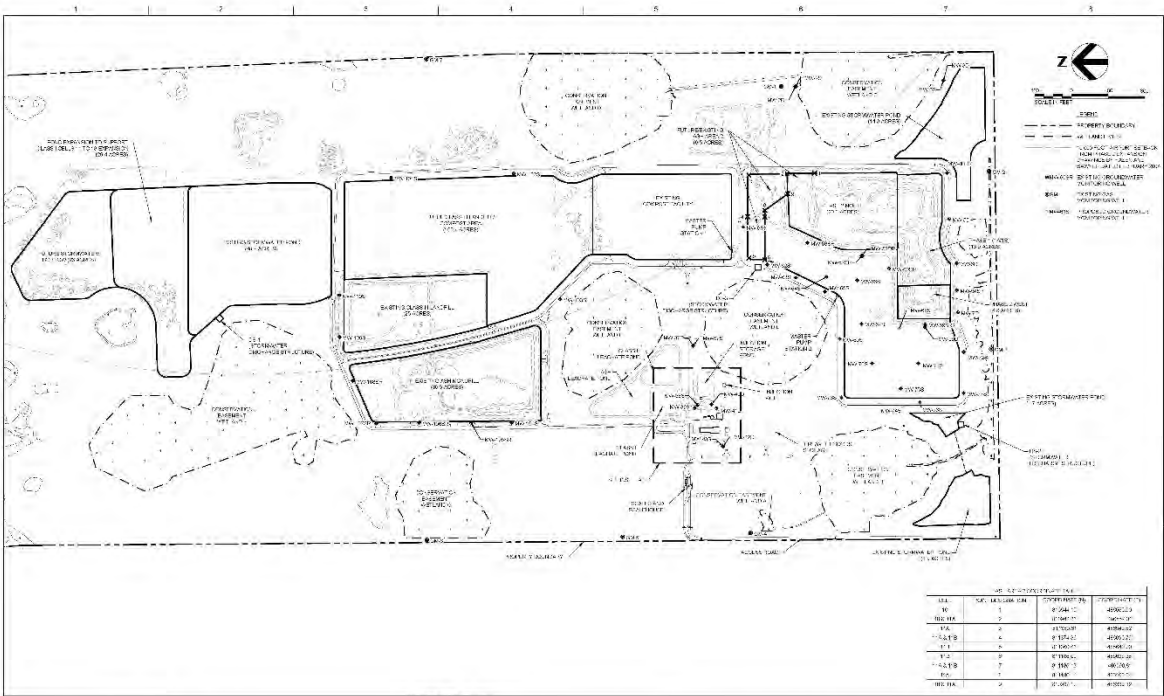
[GUARANTOR]

By: David M. Myhan

Name: David M. Myhan

Title: President

APPENDIX 7
SITE PLAN WITH COORDINATE TABLE



PROJECT NUMBER: 1000000		
DESIGNED BY: 1000000		
CHECKED BY: 1000000		
PROJECT NUMBER: 1000000		

LEE HENDRY COUNTY LANDFILL
CLASS I MSW LANDFILL EXPANSION
LEE COUNTY, FLORIDA

OPERATIONS SITE PLAN
(SHEET 1 OF 2)

SCALE: 1" = 100'

APPENDIX 8
LANDFILL REMAINING LIFE PROJECTIONS

Landfill Remaining Life Projections as of 10 September 2024. NOTE: These calculations are the best estimate of Landfills at this time and do not reflect a contractual guarantee.									
Inbound Tonnage to LCRF System									
Year	MSW	Construction	Industrial	Other	Total	WLF (MSW)	WLF (Other)	WLF Total	Landfill Capacity
2024	1,000,000	100,000	500,000	100,000	1,700,000	1,000,000	100,000	1,100,000	1,000,000
2025	1,050,000	105,000	525,000	105,000	1,785,000	1,050,000	105,000	1,155,000	1,050,000
2026	1,100,000	110,000	550,000	110,000	1,870,000	1,100,000	110,000	1,210,000	1,100,000
2027	1,150,000	115,000	575,000	115,000	1,955,000	1,150,000	115,000	1,265,000	1,150,000
2028	1,200,000	120,000	600,000	120,000	2,040,000	1,200,000	120,000	1,320,000	1,200,000
2029	1,250,000	125,000	625,000	125,000	2,125,000	1,250,000	125,000	1,375,000	1,250,000
2030	1,300,000	130,000	650,000	130,000	2,210,000	1,300,000	130,000	1,430,000	1,300,000
2031	1,350,000	135,000	675,000	135,000	2,295,000	1,350,000	135,000	1,485,000	1,350,000
2032	1,400,000	140,000	700,000	140,000	2,380,000	1,400,000	140,000	1,540,000	1,400,000
2033	1,450,000	145,000	725,000	145,000	2,465,000	1,450,000	145,000	1,595,000	1,450,000
2034	1,500,000	150,000	750,000	150,000	2,550,000	1,500,000	150,000	1,650,000	1,500,000
2035	1,550,000	155,000	775,000	155,000	2,635,000	1,550,000	155,000	1,705,000	1,550,000
2036	1,600,000	160,000	800,000	160,000	2,720,000	1,600,000	160,000	1,760,000	1,600,000
2037	1,650,000	165,000	825,000	165,000	2,805,000	1,650,000	165,000	1,815,000	1,650,000
2038	1,700,000	170,000	850,000	170,000	2,890,000	1,700,000	170,000	1,870,000	1,700,000
2039	1,750,000	175,000	875,000	175,000	2,975,000	1,750,000	175,000	1,925,000	1,750,000
2040	1,800,000	180,000	900,000	180,000	3,060,000	1,800,000	180,000	1,980,000	1,800,000
2041	1,850,000	185,000	925,000	185,000	3,145,000	1,850,000	185,000	2,035,000	1,850,000
2042	1,900,000	190,000	950,000	190,000	3,230,000	1,900,000	190,000	2,090,000	1,900,000
2043	1,950,000	195,000	975,000	195,000	3,315,000	1,950,000	195,000	2,145,000	1,950,000
2044	2,000,000	200,000	1,000,000	200,000	3,400,000	2,000,000	200,000	2,200,000	2,000,000
2045	2,050,000	205,000	1,025,000	205,000	3,485,000	2,050,000	205,000	2,255,000	2,050,000
2046	2,100,000	210,000	1,050,000	210,000	3,570,000	2,100,000	210,000	2,310,000	2,100,000
2047	2,150,000	215,000	1,075,000	215,000	3,655,000	2,150,000	215,000	2,365,000	2,150,000
2048	2,200,000	220,000	1,100,000	220,000	3,740,000	2,200,000	220,000	2,420,000	2,200,000
2049	2,250,000	225,000	1,125,000	225,000	3,825,000	2,250,000	225,000	2,475,000	2,250,000
2050	2,300,000	230,000	1,150,000	230,000	3,910,000	2,300,000	230,000	2,530,000	2,300,000
2051	2,350,000	235,000	1,175,000	235,000	3,995,000	2,350,000	235,000	2,585,000	2,350,000
2052	2,400,000	240,000	1,200,000	240,000	4,080,000	2,400,000	240,000	2,640,000	2,400,000
2053	2,450,000	245,000	1,225,000	245,000	4,165,000	2,450,000	245,000	2,695,000	2,450,000
2054	2,500,000	250,000	1,250,000	250,000	4,250,000	2,500,000	250,000	2,750,000	2,500,000
2055	2,550,000	255,000	1,275,000	255,000	4,335,000	2,550,000	255,000	2,805,000	2,550,000
2056	2,600,000	260,000	1,300,000	260,000	4,420,000	2,600,000	260,000	2,860,000	2,600,000
2057	2,650,000	265,000	1,325,000	265,000	4,505,000	2,650,000	265,000	2,915,000	2,650,000
2058	2,700,000	270,000	1,350,000	270,000	4,590,000	2,700,000	270,000	2,970,000	2,700,000
2059	2,750,000	275,000	1,375,000	275,000	4,675,000	2,750,000	275,000	3,025,000	2,750,000
2060	2,800,000	280,000	1,400,000	280,000	4,760,000	2,800,000	280,000	3,080,000	2,800,000
2061	2,850,000	285,000	1,425,000	285,000	4,845,000	2,850,000	285,000	3,135,000	2,850,000
2062	2,900,000	290,000	1,450,000	290,000	4,930,000	2,900,000	290,000	3,190,000	2,900,000
2063	2,950,000	295,000	1,475,000	295,000	5,015,000	2,950,000	295,000	3,245,000	2,950,000
2064	3,000,000	300,000	1,500,000	300,000	5,100,000	3,000,000	300,000	3,300,000	3,000,000
2065	3,050,000	305,000	1,525,000	305,000	5,185,000	3,050,000	305,000	3,355,000	3,050,000
2066	3,100,000	310,000	1,550,000	310,000	5,270,000	3,100,000	310,000	3,410,000	3,100,000
2067	3,150,000	315,000	1,575,000	315,000	5,355,000	3,150,000	315,000	3,465,000	3,150,000
2068	3,200,000	320,000	1,600,000	320,000	5,440,000	3,200,000	320,000	3,520,000	3,200,000
2069	3,250,000	325,000	1,625,000	325,000	5,525,000	3,250,000	325,000	3,575,000	3,250,000
2070	3,300,000	330,000	1,650,000	330,000	5,610,000	3,300,000	330,000	3,630,000	3,300,000
2071	3,350,000	335,000	1,675,000	335,000	5,695,000	3,350,000	335,000	3,685,000	3,350,000
2072	3,400,000	340,000	1,700,000	340,000	5,780,000	3,400,000	340,000	3,740,000	3,400,000
2073	3,450,000	345,000	1,725,000	345,000	5,865,000	3,450,000	345,000	3,795,000	3,450,000
2074	3,500,000	350,000	1,750,000	350,000	5,950,000	3,500,000	350,000	3,850,000	3,500,000
2075	3,550,000	355,000	1,775,000	355,000	6,035,000	3,550,000	355,000	3,905,000	3,550,000
2076	3,600,000	360,000	1,800,000	360,000	6,120,000	3,600,000	360,000	3,960,000	3,600,000
2077	3,650,000	365,000	1,825,000	365,000	6,205,000	3,650,000	365,000	4,015,000	3,650,000
2078	3,700,000	370,000	1,850,000	370,000	6,290,000	3,700,000	370,000	4,070,000	3,700,000
2079	3,750,000	375,000	1,875,000	375,000	6,375,000	3,750,000	375,000	4,125,000	3,750,000
2080	3,800,000	380,000	1,900,000	380,000	6,460,000	3,800,000	380,000	4,180,000	3,800,000
2081	3,850,000	385,000	1,925,000	385,000	6,545,000	3,850,000	385,000	4,235,000	3,850,000
2082	3,900,000	390,000	1,950,000	390,000	6,630,000	3,900,000	390,000	4,290,000	3,900,000
2083	3,950,000	395,000	1,975,000	395,000	6,715,000	3,950,000	395,000	4,345,000	3,950,000
2084	4,000,000	400,000	2,000,000	400,000	6,800,000	4,000,000	400,000	4,400,000	4,000,000
2085	4,050,000	405,000	2,025,000	405,000	6,885,000	4,050,000	405,000	4,455,000	4,050,000
2086	4,100,000	410,000	2,050,000	410,000	6,970,000	4,100,000	410,000	4,510,000	4,100,000
2087	4,150,000	415,000	2,075,000	415,000	7,055,000	4,150,000	415,000	4,565,000	4,150,000
2088	4,200,000	420,000	2,100,000	420,000	7,140,000	4,200,000	420,000	4,620,000	4,200,000
2089	4,250,000	425,000	2,125,000	425,000	7,225,000	4,250,000	425,000	4,675,000	4,250,000
2090	4,300,000	430,000	2,150,000	430,000	7,310,000	4,300,000	430,000	4,730,000	4,300,000
2091	4,350,000	435,000	2,175,000	435,000	7,395,000	4,350,000	435,000	4,785,000	4,350,000
2092	4,400,000	440,000	2,200,000	440,000	7,480,000	4,400,000	440,000	4,840,000	4,400,000
2093	4,450,000	445,000	2,225,000	445,000	7,565,000	4,450,000	445,000	4,895,000	4,450,000
2094	4,500,000	450,000	2,250,000	450,000	7,650,000	4,500,000	450,000	4,950,000	4,500,000
2095	4,550,000	455,000	2,275,000	455,000	7,735,000	4,550,000	455,000	5,005,000	4,550,000
2096	4,600,000	460,000	2,300,000	460,000	7,820,000	4,600,000	460,000	5,060,000	4,600,000
2097	4,650,000	465,000	2,325,000	465,000	7,905,000	4,650,000	465,000	5,115,000	4,650,000
2098	4,700,000	470,000	2,350,000	470,000	7,990,000	4,700,000	470,000	5,170,000	4,700,000
2099	4,750,000	475,000	2,375,000	475,000	8,075,000	4,750,000	475,000	5,225,000	4,750,000
2100	4,800,000	480,000	2,400,000	480,000	8,160,000	4,800,000	480,000	5,280,000	4,800,000
2101	4,850,000	485,000	2,425,000	485,000	8,245,000	4,850,000	485,000	5,335,000	4,850,000
2102	4,900,000	490,000	2,450,000	490,000	8,330,000	4,900,000	490,000	5,390,000	4,900,000
2103	4,950,000	495,000	2,475,000	495,000	8,415,000	4,950,000	495,000	5,445,000	4,950,000
2104	5,000,000	500,000	2,500,000	500,000	8,500,000	5,000,000	500,000	5,500,000	5,000,000
2105	5,050,000	505,000	2,525,000	505,000	8,585,000	5,050,000	505,000	5,555,000	5,050,000
2106	5,100,000	510,000	2,550,000	510,000	8,670,000	5,100,000	510,000	5,610,000	5,100,000
2107	5,150,000	515,000	2,575,000	515,000	8,755,000	5,150,000	515,000	5,665,000	5,150,000
2108	5,200,000	520,000	2,600,000	520,000	8,840,000	5,200,000	520,000	5,720,000	5,200,000
2109	5,250,000	525,000	2,625,000	525,000	8,925,000	5,250,000	525,000	5,775,000	5,250,000
2110	5,300,000	530,000	2,650,000	530,000	9,010,000	5,300,000	530,000	5,830,000	5,300,000
2111	5,350,000	535,000	2,675,000	535,000	9,095,000	5,350,000	535,000	5,885,000	5,350,000
2112	5,400,000	540,000	2,700,000	540,000	9,180,000	5,400,000	540,000	5,940,000	5,400,000
2113	5,450,000	545,000	2,725,000	545,000	9,265,000	5,450,000	545,000	5,995,000	5,4

APPENDIX 9
TYPICAL RECORDKEEPING AND REPORTING FORMS

RANDOM LOAD INSPECTION REPORT

All information must be filled out

WEEK START: _____

INSPECTION # 1

Date & time of inspection	Hauling firm/driver's name	Vehicle number	Source of waste as stated by driver

Observations noted: _____

Inspector's signature: _____

INSPECTION # 2

Date & time of inspection	Hauling firm/driver's name	Vehicle number	Source of waste as stated by driver

Observations noted: _____

Inspector's signature: _____

INSPECTION # 3

Date & time of inspection	Hauling firm/driver's name	Vehicle number	Source of waste as stated by driver

Observations noted: _____

Inspector's signature: _____

- Notes: 1.) Inspection of random loads are to be conducted 3 times per week
 2.) Should unauthorized waste be found, call your supervisor/manager who will contact the generator, hauler or other responsible party to determine the waste source identity.
 3.) If any regulated hazardous wastes are identified, promptly notify your supervisor/manager, identifying the hauler and generator. (If known)

LEE/HENDRY COUNTY REGIONAL SOLID WASTE DISPOSAL FACILITY														
MONTHLY ABOVEGROUND STORAGE TANK INSPECTION														
MONTH/YEAR:														
Tank Location: (FI= Fuel Island, M = Maintenance Shop (inside), N/M = North of Maintenance Shop, LF = Landfill; C = Compost Facility)	M	FI	FI	LF	LF	LF	LF	LF	M	M	M	N/M	N/M	N/M
Tank Number:	1	2	3	4a	4b	4c	4d	4e	6	7	8	9	10	11
SPCC Spill Point (SP) No.:	SP-1	SP-2	SP-3	SP-4	SP-4	SP-4	SP-4	SP-4	SP-6	SP-7	SP-8	SP-9	SP-10	SP-11
Tank Capacity (Gallons):	55 ea	8000	500	1000	100	100	100	100	275	275	500	100	250	175
Tank Contents	Misc. Oil Drums *	Diesel	Unleaded Gasoline	Diesel	Engine Oil	Hydraulic Fluid	Trans. Fluid	Used Oil	Engine Oil	Engine Oil	Used Oil	Unleaded Gas	Diesel	Transfrmr Oil
*Anti-freeze, transmission fluid, engine oil, hydraulic fluid, and used oil - 55 gallons drums (approximately 15 drums).														
Tank Construction: (S=Steel, F=Fiberglass, DM=Dual, P=Plastic)														
Containment: (2W=Double Wall, 2CS=Secondary Containment Structure or Pallet, 2GSC=General Secondary Cotainment)	S/P/2CS	S/2W	S/2W	S/2SC	S/2SC	S/2SC	S/2SC	S/2SC	S/2W	S/2W	S/2SC	S/2SC	S/2GSC	S/GSC
Interstitial Monitoring Type Code (See below) (2W tanks only):														
Sensor -1; Visual Gauge-2		1	2						2	2				
INSTRUCTIONS: Inspect each tank for items 1-4 below (use Inspection Guidance as needed). Enter 'OK' for each tank if satisfactory or leave all boxes blank and write 'All Tanks OK' or 'All Tanks OK Except (give tank #s)' in Comments area. For unsatisfactory items/Tanks, note Tank #(s) and describe issue(s) in Comments area. Perform corrective action per SPCC plan and document resolution in subsequent														
1. TANKS/CONTAINERS-CHECK FOR: leakage; damaged/unstable supports; damaged/leaking hoses, pipes, connections, dispensers; blocked vents, & malfunctioning level guages.														
Comments for Item 1:														
2. PUMPS/HOSES/DISPENSERS-CHECK FOR: damaged pipes/hoses/dispensing equipment, leaking joints/connections, corrosion on pipes and liquid in drip pans or liners.														
Comments for Item 2:														
3. SUPPORTS-CHECK FOR: if support is unsteady, damage to support structure and if tank is in danger of falling.														
Comments for Item 3:														
4. LEAK/SPILL DETECTION/PREVENTION-CHECK FOR: leaking product, liquid in secondary containment &/or interstitial/annular space, product or water in fill box, malfunctioning of leak detection system or other spill prevention equipment. ALSO SEE NOTES BELOW.		*	**						**	**				
NOTE 1: Test annular space liquid sensor alarm for operability each month (Tank 2). NOTE 2: Record incident & notify EG if product found in annular space (Tanks 2, 3, 6 and 7). NOTE 3: Examine water in secondary containment areas as applicable, manage appropriately, e.g., dispose, release, etc., and document below.														
Comments for Item 4:														
Compost Tanks Inspected by Compost Facility Staff on Separate Form.														
Inspector Name:														
Inspector Signature: _____ Date: _____														

Figure 2-1
Lee/Hendry Landfill SWPPP Inspection
(WM Perform Once Every 7 Days)

Date: _____

Inspector Name: _____

	Y	N	N/A
Landfill Operation			
1. Working face size(s) minimized and SW run-on/run-off controls employed			
2. Waste loads inspected & prohibited items removed and properly managed/disposed			
3. No leachate seeps observed			
4. Stabilized areas remain intact; vegetation established and no erosion observed			
5. Erosion control measures in place on areas not yet stabilized; no erosion observed			
6. Litter control measures in place; litter picked up promptly			
7. Site entrance/exit roads free of mud/sediment; no tracking observed			
8. Landfill properly graded to promote SW runoff; no ponding observed			
9. Soil/cover material stockpiles stabilized or silt fence installed to prevent sedimentation			
10. Landfill storm water controls, e.g., benches, downspouts, intact and functioning properly			
Maintenance/Fueling Operations	Y	N	N/A
1. Good housekeeping measures and BMPs outlined in SWPPP employed			
2. Chemical storage containers (incl. fuel tanks) in good condition			
3. Chemical storage areas neat and orderly; no spills observed			
4. Vehicle/Equipment parking/storage areas in good condition; no spills observed			
5. Spill clean-up materials available in sufficient quantity			
Leachate Management System (LMS)	Y	N	N/A
1. LMS operated & maintained to function properly as designed/permitted			
2. No spills or leaks from LMS or uncontrolled leachate discharges to SW system observed			
Storm Water Management System (SWMS)	Y	N	N/A
1. Facility's SWMS components, e.g., swales, outfalls, maintained in proper working order			
2. Ditches and culverts clear of excessive sediment and/or debris			
3. No storm/surface water contamination observed			
Inspection Follow-Up	Y	N	N/A
1. Deficiencies identified in previous inspection(s) corrected			
2. Deficiencies identified in current inspection corrected or scheduled for correction			
Identify deficiencies and corrective action plan and schedule:			

Explain 'N' Response(s): _____

Inspector Signature: _____

Lee/Hendry Landfill Daily Dust control Log

Mar-04

Date	Loads of fresh water	Loads of Leachate	
1			
2			
3			
4			
5			
6			
7	Sunday		
8			
9			
10			
11			
12			
13			
14	Sunday		
15			
16			
17			
18			
19			
20			
21	Sunday		
22			
23			
24			
25			
26			
27			
28	Sunday		
29			
30			
31			

Total Loads

000

Total Gallons

000

May/24

Date	fresh water for roads 5000 g	fresh water for roads 8000 g
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		

Total Loads 0 0 0

Total Gallons leachate	0
Total g freshwater	0
Total loads leachate	
Total loads freshwater	0

Total Gallons leachate	0
Total g freshwater	0
Total loads leachate	0
Total loads freshwater	0

Total 0

Lee Hendry Landfill (LHLF) Monofill June 2024 Monthly Cover Tracking																										
		DAILY COVER										INTERMEDIATE COVER										OTHER COVER				
DATE	Miscellaneous Bury Del. (loads)	Pipeline Digout Del. (loads)	Dirt	Mudch.	Compost / Overs		Clay	Total	Dirt	Mudch.	Compost		Clay	Total	Recycled Glass	R&P's	Compost / Overs		Processed Rock For Roads/Pav.	Total	Notes					
	A-30	A-35	A-30	A-35	A-30	A-35	A-30	A-35		A-30	A-35	A-30	A-35	A-30	A-35			A-30	A-35	A-30	A-35					
6/1/2024																										
6/7/2024																										
6/9/2024																										
6/11/2024																										
6/12/2024																										
6/14/2024																										
6/16/2024																										
6/17/2024																										
6/19/2024																										
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6/25/2024																										
6/26/2024																										
6/27/2024																										
6/28/2024																										
6/29/2024																										
6/30/2024																										
7/1/2024																										
Adjustments																						No Adjustments Made				
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0					
ESTIMATED A33 CUBIC YARDS PER LOAD ==>			26.0		Cubic Yards/load		ESTIMATED A33 CUBIC YARDS PER LOAD==>			26.0		Cubic Yards/load		total rock yards used			0		0							
TOTAL EST. AND TOTAL LOADS (DAILY COVER) ==>			0		Loads		TOTAL EST. AND TOTAL LOADS (INT. COVER) ==>			0		Loads		ESTIMATED A33 Compost PER LOAD==>			26.0		Cubic Yards/load							
TOTAL EST. AND TOTAL CY (DAILY COVER) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (INT. COVER) ==>			0		Cubic yards		TOTAL EST. A33 TOTAL LOADS (COMPOST) ==>			0		Loads							
TOTAL EST. AND TOTAL CY (COMPOST) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (COMPOST) ==>			0		Cubic yards		TOTAL EST. A33 TOTAL CY (COMPOST) ==>			0		Cubic yards							
ESTIMATED A30 CUBIC YARDS PER LOAD ==>			23.3		Cubic Yards/load		ESTIMATED A30 CUBIC YARDS PER LOAD==>			23.3		Cubic Yards/load		TOTAL EST. A30 TOTAL LOADS (COMPOST) ==>			0		Loads							
TOTAL EST. AND TOTAL LOADS (DAILY COVER) ==>			0		Loads		TOTAL EST. AND TOTAL LOADS (INT. COVER) ==>			0		Loads		TOTAL EST. A30 TOTAL CY (COMPOST) ==>			0		Cubic yards							
TOTAL EST. AND TOTAL CY (DAILY COVER) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (INT. COVER) ==>			0		Cubic yards		TOTAL EST. A30 TOTAL CY (INT. COVER) ==>			0									
TOTAL EST. AND TOTAL CY (COMPOST) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (COMPOST) ==>			0		Cubic yards		TOTAL EST. A30 TOTAL CY (COMPOST) ==>			0		Cubic yards							
ESTIMATED A30 CUBIC YARDS PER LOAD ==>			23.3		Cubic Yards/load		ESTIMATED A30 CUBIC YARDS PER LOAD==>			23.3		Cubic Yards/load		TOTAL EST. A30 TOTAL LOADS (COMPOST) ==>			0		Loads							
TOTAL EST. AND TOTAL LOADS (DAILY COVER) ==>			0		Loads		TOTAL EST. AND TOTAL LOADS (INT. COVER) ==>			0		Loads		TOTAL EST. A30 TOTAL CY (COMPOST) ==>			0		Cubic yards							
TOTAL EST. AND TOTAL CY (DAILY COVER) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (INT. COVER) ==>			0		Cubic yards		TOTAL EST. A30 TOTAL CY (INT. COVER) ==>			0									
TOTAL EST. AND TOTAL CY (COMPOST) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (COMPOST) ==>			0		Cubic yards		TOTAL EST. A30 TOTAL CY (COMPOST) ==>			0		Cubic yards							
TOTAL EST. AND TOTAL LOADS (DAILY COVER) ==>			0		Loads		TOTAL EST. AND TOTAL LOADS (INT. COVER) ==>			0		Loads		TOTAL COMPOST YDS												
TOTAL EST. AND TOTAL CY (DAILY COVER) ==>			0		Cubic yards		TOTAL EST. AND TOTAL CY (INT. COVER) ==>			0		Cubic yards		TOTAL COMPOST LOADS												
Comments / Notes:													RSM													
													Cubic Yards/load			0										
													Loads			0										
													Cubic yards			0										

APPENDIX 10
SAMPLE SPECIAL WASTE PROGRAM

Lee Hendry County Landfill Special Waste Procedures

- 1) The Customer will need to fill out a Special Waste Profile Sheet online at www.wmsolutions.com.
- 2) They will be asked to create an account.
- 3) Then, they can fill out an online profile sheet for the proposed special waste they are looking to dispose of. Example: Contaminated Soil, outdated food product, or Friable & Non-friable asbestos.
- 4) Once they have filled out the profile online, they will hit "Submit". This then goes to our Special Waste Service Center for review. Once it has been approved, the approved profile sheet is emailed to a Waste Management (WM) Operations Specialist (or designee).
 - a) The WM Ops. Specialist then forwards a copy of the approved Special Waste Profile Sheet and a blank manifest (Waste Shipment Record) to the Customer. swdcompliance@leegov.com is copied on this email.
 - b) The approval email will include the Material Code, per the Special Waste list. If a waste isn't listed on the Special Waste list, the County will provide the Material Code (contact swdcompliance@leegov.com).
 - c) The approval email will direct the customer to provide a means of payment and may include:
Please identify your method of payment before scheduling to transport the special waste. Lee County Solid Waste Division accepts payment at the scalehouse by cash, credit card, or established account. If using an account you must provide your Lee County Solid Waste account number. You can set up an account and view rates at Lee County's website <https://www.leegov.com/solidwaste/business/account>.
Account issues are escalated to Lee County scale house (Erin Pasquali 239-634-6776 or Megan Frick 239-600-3416)
 - d) Any requested disposal quantity over 1,000 cubic yards annually will be subject to approval by the County Solid Waste Director before sending approval to the customer. Wet/soft/sludge waste may only be approved on a day-to-day basis if site is operating at blend capacity (including 15 tpd reserve).
- 5) Lee County Scalehouse team will review the profile approval email and update the Summary Spreadsheet.
- 6) The updated spreadsheet will be distributed to the scalehouse team and saved to S:Engineering/Special Waste. Disposal grid is determined by scalehouse team based on Waste Disposition sheet.
- 7) Lee County special waste engineer (or designee) will read approval email and notify WM Ops Specialist and Scalehouse team only if corrections are needed.
- 8) The customer is instructed, in an email, to call WM Ops. Specialist with 24-hours notice prior to

transporting special waste to the landfill for proper disposal. This is so payment method is confirmed and delivery is confirmed and approved prior to transporting material to landfill. The customer will need to bring a copy of the Special Waste Profile Sheet and the manifest with them to present to the County scalehouse attendant at the landfill.

- 9) When the Customer gives the WM Ops. Specialist a date and time, WM will then notify Lee County representative and WM District & Ops. Managers via an email. Special waste hours are from 9:00 am to 3:00 pm M - F, asbestos preferred delivery days are Thursdays.
- 10) When the Customer comes to the landfill, they will provide the County scalehouse attendant the required paperwork. The scalehouse attendant will add the GWSS or Profile Number in the reference section of the ticket to identify it as special waste. The County scalehouse attendant will then direct the customer to the appropriate Disposal Grid, where a WM (or Lee County for compost customers) heavy equipment operator will help assist with directing them where to place the special waste material.
- 11) The WM Heavy Equipment Operator will enter the Disposal Location and asbestos coordinates (if applicable) in Box K and sign Box 19 of the Manifest.
- 12) The Scale house will sign Box 20 of the manifest (compost will sign box 19 for compost customers) and will provide the hauler a copy of the manifest for their records. The scalehouse team will save a copy of the manifest to the special waste folder, and update the asbestos spreadsheet with the coordinates (asbestos only).
- 13) WM will maintain an electronic database of the initial approval files and analyticals associated with special waste approvals, which will be available in PDF format at the County's request. Lee County Scalehouse will maintain copy of executed documents, proving delivery of material at landfill, for future records.

APPENDIX 11

WASTE MATERIAL TYPES

WASTE MATERIAL TYPES

LEE/HENDRY LANDFILL MATERIAL AND GRID LISTING FOR REFERENCE				
<u>INBOUND MATERIALS TO GRID</u>				
<u>GRID A = CLASS I ASH MONOFILL</u> <u>GRID B = CLASS I LANDFILL</u> <u>GRID C = LEE COUNTY COMPOST FACILITY</u> <u>GRID D = CLASS III LANDFILL</u>				
KEY	DESCRIPTION	PRIMARY GRID	SECONDARY GRID	<u>NEVER TO THIS GRID</u>
CFM SLUDGE	Nonhazardous wastewater treatment plant residuals generated by City of Ft. Myers Central or South WRF.	C	A	D
CONT SOIL	Special waste, including soil, mulch, dredge sediment contaminated with non-hazardous pollutant, including petroleum contaminated soil.	A		C,D
COVERGLASS	Screened recycled glass.	D	A	C
H ASBEST	Manifested asbestos generated in Hendry County; also used for other special wastes requiring a hole and cover.	D		A,B,C
H C&D	C & D generated in Hendry County	D		A,B,C
H HORT	Horticultural waste generated in Hendry County.	D		A,B,C
HBOAT/RV	Boats/RVs generated in Hendry County, drained of fluids and with salvage title.	D		A,B,C
HMSW	MSW generated in Hendry County	B	A	C,D
HSAND	Non-hazardous, manifested Special Wastes including granular fertilizer, grit and screen material, spent activated carbon, sand blast media, dry lime, tank cleaning material, or street sweeping material – generated in Hendry County.	A	B	C,D
HTIRE XL	Off road tires generated in Hendry County	A		C
L ASBEST	Manifested asbestos generated in Lee County; also used for other special wastes requiring a hole and cover.	D		A,B,C

L C&D	C & D generated in Hendry County	D		A,B,C
L HORT	Horticultural waste generated in Lee County.	D		A,B,C
L HORT RES	Non-commercial horticultural waste generated in Lee County.	D		A,B,C
LASH	Combined ash from the Lee County Resource Recovery Facility.	A	B	C,D
LBOAT/R V	Boats/RVs generated in Lee County, drained of fluids and with salvage title.	D		A,B,C
LCLASSIII	Class III generated in Lee County.	D		A,B,C
LMSW	MSW generated in Lee County	B	A	C,D
LTIRECHIPS	Shredded tires, may be used as initial cover if rule requirements are met.	B		C
RSM	Recycled recovered screen material from the Lee County C&D Recycle Facility	D		A, B
SAND	Non-hazardous, manifested Special Wastes including granular fertilizer, grit and screen material, spent activated carbon, sand blast media, dry lime, tank cleaning material, or street sweeping material – generated in Lee County.	A		C,D
SLUDGE HEN	Non-hazardous, manifested Special Waste including water and wastewater treatment residuals, alum sludge, lime sludge, other dewatered sludges – generated in Hendry County	A		B, D
SLUDGE LEE	Non-hazardous, manifested Special Waste including water and wastewater treatment residuals, alum sludge, lime sludge, other dewatered sludges – generated in Lee County	C	A	B, D
TIRE XL	Off road tires generated in Lee County	A		C
LSHIN	Dedicated loads of roof demolition materials.	D	A,B	C
Notes on Inbound Materials: All inbound materials need to have a grid assigned by scale house staff. Contract Administrator must approve sending a material to a secondary grid.				

APPENDIX 12
ADMINISTRATIVE FINES

ADMINISTRATIVE FINES

If the Company fails to apply cover materials in accordance with Operational Permits, the County shall provide notice to the Company. If the Company fails to remedy the issue within 48-hours of Notice from the County, Administrative Fines in the amount of \$900 per day will be assessed.

If the Company fails to keep and utilize on site the levels of manpower required to provide the Operation Services in accordance with the Agreement, the County shall provide notice to the Company. If the Company fails to remedy the issue within 72 hours of Notice from the County, Administrative Fines in the amount of \$900 per day will be assessed.

If the Company fails to provide and maintain Landfill Equipment in working order, the County shall provide Notice to the Company. If the Company fails to remedy the issue within 72 hours of Notice from the County, Administrative Fine in the amount of \$900 per day will be assessed until such time that the County determines the issue has been resolved.

If the Company is notified of a permit condition violation and fails to remedy the violation within 72 hours of such Notice from the County, Administrative Fines of \$1,800 per day will be assessed until such time as the County determines that the issue has been resolved. This does not relieve Company of financial or legal obligations under Section 2.15.

If the Company fails to place waste loads in the Landfill Operations Area designated as “primary” for that Material Type in Appendix 11, without approval from the Contract Administrator, Administrative Fines of \$2,000 per occurrence will be assessed.

APPENDIX 13
BID SCHEDULE



PROCUREMENT MANAGEMENT DEPARTMENT BID/PROPOSAL FORM

COMPANY NAME: Waste Management Inc. of Florida

SOLICITATION: RFP240453BJB - Landfill Operating Agreement

Having carefully examined the Contract Documents, Contractor/Vendor proposes to furnish the following which meeting these specifications.

Proposed Pricing shall be inclusive of all labor, equipment, supplies, overhead, profit, material, and any other incidental costs required to perform and complete all work as specified in the Contract Documents. All unit prices will be submitted at the nearest whole penny. In the event there is a discrepancy between a subtotal or total amount and the unit price and extended amounts, the unit prices will prevail and the corrected extension(s) and total(s) will be considered the price. The County will only accept pricing submitted on proposal forms provided by the County. Proposed pricing submitted on other forms, other than those provided by the County, will be deemed non-responsive and ineligible for award. Estimated Quantities are for evaluation purposes only. ****Proposers shall not adjust or modify any amounts or County authored data provided within this pricing proposal form. Proposals received with modified data or quantities may deem the Proposer as non-responsive and ineligible for award.****

LANDFILL OPERATING AGREEMENT

OPERATING RATES

Item	Description	Unit of Measure	Estimated Quantity	Unit Price	Extended Amount
1	Base Fee (see note # 1 below)	Monthly	12	\$ 508,000.00	\$ 6,096,000.00
SUBTOTAL: BASE FEE					\$ 6,096,000.00
2	Class I MSW and Class I C&D Tonnage Rate (See note # 2 below)	Ton	85,579	\$ 4.00	\$ 342,316.00
3	Class III Tonnage Rate (See note # 3 below)	Ton	59,156	\$ 3.00	\$ 177,468.00
4	Ash Tonnage Rate (See note # 4 below)	Ton	86,474	\$ 3.00	\$ 259,422.00
5	"Other" Tonnage Rate (See note # 5 below)	Ton	10,543	\$ 3.00	\$ 31,629.00
SUBTOTAL: TONNAGE RATE					\$ 810,835.00

PRICING PROPOSAL SUMMARY

PROJECT TOTAL	\$6,906,835.00
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NOTES

Note # 1 - As per Section 3.1 (C) of agreement - Base Fee is monthly lump sum inclusive of the following:

* First 10,000 tons of Class I MSW / Class I C&D per month

* First 5,000 tons of Class III per month

* First 3,000 tons Ash per month

Note # 2 - As per Section 3.1 (D) of agreement - Tons over 10,000 tons per month

Note # 3 - As per Section 3.1 (D) of agreement - Tons over 5,000 tons per month

Note # 4 - As per Section 3.1 (D) of agreement - Tons over 3,000 tons per month

Note # 5 - As per Section 3.1 (D) of agreement - For all tons each month

Consolidated to one Bill

Item	Description	Unit of Measure	Estimated Quantity	Unit Price	Extended Amount
1	Base Fee (see note # 1 below)	Monthly	12	\$ -	TBD
SUBTOTAL: BASE FEE					\$ -
2	Class I MSW and Class I C&D Tonnage Rate (See note # 2 below)	Ton	122,220	\$ -	TBD
4	Ash Tonnage Rate (See note # 4 below)	Ton	123,349	\$ -	TBD
5	"Other" Tonnage Rate (See note # 5 below)	Ton	9,064	\$ -	TBD
SUBTOTAL: TONNAGE RATE					\$ -
PRICING PROPOSAL SUMMARY					
PROJECT TOTAL					\$0.00

ACTUAL (a)		PROJECTED (b)	
FY24 tons (Total)	FY24 tons for Tonnage Rate (c)	FY26 tons (Total)	FY26 tons for Tonnage Rate (c)
200,354	80,354	213,382	85,579
115,545	55,545	123,058	59,156
117,195	81,195	124,815	86,474
9,900	9,900	10,543	10,543
(a) See Tab "FY24 Tons" for scale report			
(b) Tons projected assume a 3.2% growth rate per year			
(c) Tons for Tonnage Rate are used to calculate the additional payment over the tons			

MAXIMUM POTENTIAL BONUS FOR CLASS I

	MSW	C&D
BONUS PARAMETERS: >=1800, Max 2000	>=1800, Max 2000	>=1850, Max 1850
NO BONUS:	1400-1800	1400-1850
POINT OF CALCULATION	1600	1525
PENALTY PARAMETER:	<=1400	<=1400

ACHIEVED CLASS I OPERATIONAL DENSITY (LB/CY)	2000.0	Max Density for Max Bonus calculation
TONS WASTE MATERIALS PLACED IN CLASS I MSW LF	85579.0	FY26 Class I Projected
VOLUME CONSUMED CLASS I MSW LF (CY)	85579.0	
DENSITY POINT OF CALCULATION (LBS/CY)	1600	
POINT OF CALCULATION VOLUME (CY)	106973.8	
VOLUME SAVED/(LOST) BY COMPANY	21394.8	
TONNAGE SAVED/(LOST) BY COMPANY	21394.8	
LEE COUNTY CLASS I MSW GATE RATE	\$ 63.56	
30% VALUE/PENALTY SHARE TO COMPANY	\$ 407,955.09	
CLASS I MSW LANDFILL PERFORMANCE INCENTIVE ALLOWED PENDING TRUE-UP (50%)	\$ 203,977.55	

MAXIMUM POTENTIAL BONUS FOR CLASS III

	MSW	C&D
BONUS PARAMETERS: >=1800, Max 2000	>=1800, Max 2000	>=1850, Max 1850
NO BONUS:	1400-1800	1400-1850
POINT OF CALCULATION	1600	1525
PENALTY PARAMETER:	<=1400	<=1400

ACHIEVED CLASS III OPERATIONAL DENSITY (LB/CY)	1850.0	Max Density for Max Bonus calculation
TONS WASTE MATERIALS PLACED IN CLASS III LANDFILL	59156.0	FY26 Class III Projected
VOLUME CONSUMED CLASS III LF (CY)	63952.4	
DENSITY POINT OF CALCULATION (LBS/CY)	1525	
POINT OF CALCULATION VOLUME (CY)	77581.6	
VOLUME SAVED/(LOST) BY COMPANY	13629.2	
TONNAGE SAVED/(LOST) BY COMPANY	12607.0	
LEE COUNTY CLASS III GATE RATE	\$ 63.94	
20% VALUE/PENALTY SHARE TO COMPANY	\$ 161,218.53	
CLASS III LANDFILL PERFORMANCE INCENTIVE ALLOWED PENDING TRUE-UP (50%)	\$ 80,609.26	

TOTAL PROPOSED INCENTIVE/PENALTY EARNED:	\$ 569,173.62
Base Fee, Tonnage Fee	\$6,906,838.89
TOTAL PROPOSED BILLING (BASE FEE, TONNAGE FEE, AND PERFORMANCE INCENTIVE/PENALTY ONLY)	\$ 7,476,012.50
COST SUBSTANTIATED OPERATING COSTS (10%)	\$ 747,601.25
NTE	\$8,223,613.75

APPENDIX 14
LANDFILL EQUIPMENT LIST

The following is a comprehensive list of rolling stock that shall be used by the Company for Landfill operations by disposal area or assignment. Changes to the Landfill Equipment List shall be updated on an annual basis. No amendment to the contract is necessary for updates to the list. However, the swap out or replacement of any equipment must be preapproved by the County prior to the activities being performed at the disposal area or assignment.

EQUIPMENT

- (2) Volvo or CAT excavators (Model EC300 or 325) / 2016 or newer
- (1) CAT 836 Compactor / 2016 or newer
- (1) CAT 826 Compactors / 2016 or newer
Note: CAT 826 may be upgraded to a larger 836 as needed by WM.
- (2) CAT D6 Dozers / 2016 or newer
Note: An additional CAT D8 may be provided should the need be warranted by WM due to additional volume at LHLF facilities.
- (1) Volvo L120 Loader / 2022 or newer
- (1) Volvo A30 Articulated Dump Truck (ADT) / 2016 or newer
- (1) CAT 613 Water Truck / 2010 or newer
- Various site pickup trucks and side-by-side UTVs / 2010 or newer

APPENDIX 15 – COST SCHEDULE

Lee / Hendry County Landfill
RFP240453BJB - Landfill Operating Agreement



PROCUREMENT MANAGEMENT DEPARTMENT
ADDENDUM 5 REVISED PRICE PROPOSAL FORM

COMPANY NAME: _____

SOLICITATION: RFP240453BJB - Landfill Operating Agreement

Having carefully examined the Contract Documents, Contractor/Vendor proposes to furnish the following which meeting these specifications.

PRICING

Items and/or Labor rates listed in the category below are used for negotiated and construction-related Cost-Substantiated Special Projects only. All Items and/or Labor rates are to be fully burdened to include all taxes, benefits, handling charges, overhead and profits. Per diem and fuel is to be included in hourly labor rates. All Unit Prices will be proposed at the nearest whole penny. Items listed below will be ordered at the unit prices provided, should they be required. All activities listed below require a specific task authorization and include all labor and management of tasks.

The County will only accept proposals submitted on the forms provided by the County. Proposals submitted on other forms, other than those provided by the County, will be deemed non-responsive and ineligible for award. Proposers may not adjust or modify data provided within this Price Proposal Form. Proposals received with modified data may deem the Proposer as non-responsive and ineligible for award.

PLEASE ENSURE you have provided a printed copy of Categories A and B within Tab 5 of the Financial Proposal section of your hard copy submission packages and provided the excel version with your digital submission package. Pricing submitted on the worksheet below, identified as Category B, will not be utilized for evaluation purposes and will not be considered as a basis of award.

LANDFILL OPERATING AGREEMENT

CATEGORY B: COST SCHEDULE - APPENDIX 15 (SPECIAL PROJECTS LESS THAN \$50,000)

Item	Item / Labor Description	Rate	Unit Price
1	Surface Emission Monitoring, per NSPS Standards	Per day	\$ 12,600.00
2	Groundwater monitoring well installation, 20 - 40 feet bls	LF	\$ 1,050.00
3	Landfill gas well raising (above ground)	LF	\$ 77.00
4	60 mil HDPE liner repair above ground, clean and prep, test and provide repair report	Per day	\$ 7,000.00
5	60 mil HDPE liner repair material	SF	\$ 0.60
6	Slope earthwork crew (light grading) - dozer, operator	Per day	\$ 3,816.00
7	Slope earthwork crew (excavation and grading) - dozer, excavator, end dump, operators and material removal	Per day	\$ 8,204.00
8	Leachate foremain jetting and cleaning	Per day	\$ 7,000.00
9	Cover soil, supply and stockpile	Per ton	\$ 24.64
10	Drainage sand, supply and stockpile	Per ton	\$ 32.34
11	Baseroack, supply and stockpile	Per ton	\$ 36.54
12	Operate for Extended Delivery Hours (above four hours per week for more than two continuous weeks)	Per Hour	\$ 960.00
13	Leachate collection and removal system troubleshooting	Per Hour	\$ 700.00
14	Silt fence, supply and install	LF	\$ 3.50
15	Supplemental mowing	Per Day	\$ 1,680.00
16	Day Labor	Per Day / Per Person	\$ 441.00
17	Lined Pond Sediment Removal	Per Day	\$ 8,400.00
18	Sod, delivered and installed	SF	\$ 0.56
19	Seed and Mulch	SF	\$ 0.35
20	Stormwater ditch clean-out	LF	\$ 30.80

** Equipment rental reimbursement shall be at cost, no markup