

*Sent by Electronic Mail – Received Receipt Requested*

## NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

In the Matter of an Administrative Correction to Air Permit 0951334-002-AV:

Mr. David McConnell, Area Vice President – Florida Waste Management Inc., of Florida 6501 Greenland Road Jacksonville, FL 32258	Project 0951334-003 Orange County Project: Administrative Correction
---	--

Enclosed is an Administrative Correction to permit 0951334-002-AV, for Keene Road Landfill, Inc., and Vista Landfill LLC. The facility is located in Orange County at 242 West Keene Road in Apopka, Florida. This correction is issued pursuant to Rule 62-210.360(3), Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). The facility notified the Orange County Environmental Protection Division (EPD) of a transfer of title for Parcel 3, EU 002 to Breen Taxacq, Inc. in a letter dated May 8, 2014. This corrective action does not alter the effective dates or conditions of the existing permit.

### **Administrative Correction:**

Pursuant to Rule 62-210.360(3), F.A.C., the facility description in Section 1, Subsection A, is changed by adding a paragraph describing the change in Parcel 3 title, as follows:

### **Subsection A. Facility Description.**

This facility consists of two landfills, the Keene Road Recycling and Disposal Facility (Keene Road Landfill) and the Vista Landfill. The landfills are contiguous and controlled by Waste Management of Florida, Inc., making them one source for air permitting purposes. The Keene Road Landfill and Vista Landfill are both Class III landfills that accept construction and demolition waste, along with wood, plastic, metal, yard waste, and asbestos.

Keene Road Landfill has three closed cells (Parcels 1, 2 and 3) that are capped and no additional waste will be added to them. Parcels 1 and 2 were closed on June 30, 2010 and Parcel 3 was closed on August 31, 2009. The gas capture systems and flares at Keene Road Landfill were installed between 2006 and July 2010.

Waste is being deposited into Vista Landfill, and a gas collection system is being constructed as the waste is being deposited. Landfill gas generated at Vista Landfill is piped to the flare for Parcels 1 and 2 of the Keene Road Landfill.

On May 2, 2014, Keene Road Landfill, Inc., conveyed title to the land of Parcel 3 to Breen Taxacq, Inc. c/o Robert Aebersold, 1446 N.W. 2<sup>nd</sup> Avenue, Boca Raton, Florida 33432. The facility still consists of Keene Road Landfill Parcels 1, 2 and 3, and Vista Landfill, including gas collection systems and flares. **Keene Road Landfill, Inc., and Vista Landfill LLC remain the facility operator and responsible for complying with the conditions of this permit.**

The EPD will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of the Orange County Attorney, 201 South Rosalind Avenue, Third Floor, Orlando, Florida 32801, within 14 days of receipt of this correction. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person 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 Section 120.57, F.S.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name, address and e-mail address of each agency affected and each agency's file or identification number, if known; (b) The name, address, e-mail address and telephone number of the petitioner; the name, address, e-mail 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 will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed 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 the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes 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 the petitioner wishes the agency to take with respect to the agency's proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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 pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Office of the Orange County Attorney at the above address; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Order is filed with the Clerk of the EPD.

Executed in Orlando, Florida.

_____ Reneé H. Parker, Environmental Program Supervisor Air Quality Management Orange County Environmental Protection Division	_____ Date
--	---------------

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on

\_\_\_\_\_ to the persons listed below. The letter was mailed to Mr. Robert Aebersold, Breen Taxacq, Inc.

- Al Lacsamana, P.E., Keene Road Landfill, Inc.: ALacsama@wm.com
- David McConnell, Waste Management Inc. of Florida: dmcconnell@wm.com
- Sheree Grant, Waste Management Inc. of Florida: sgrant@wm.com
- Ray Dever, P.E., SCS Engineers: rdever@scsengineers.com
- Robert Aebersold, Breen Taxacq, Inc., 1446 N.W. 2<sup>nd</sup> Avenue, Boca Raton, FL 33432 (mailed only)
- Tom Lubozynski, P.E. Central District FDEP: tom.lubozynski@dep.state.fl.us
- Katy Forney, U.S. EPA Region 4: forney.kathleen@epamail.epa.gov
- Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
- Reneé Parker, OCEPD: renee.parker@ocfl.net

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

\_\_\_\_\_  
(Clerk) (Date)