



Interoffice Memorandum

January 4, 2019

TO: Mayor Jerry L. Demings
- AND -
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON: David D. Jones, P.E., CEP, Manager
Environmental Protection Division
(407) 836-1405**

SUBJECT: January 29, 2019 – Public Hearing
Request for Transfer, Renewal, and Modification of the Solid
Waste Management Facility Permit No. SW-072228-YT-12/1210
for a Yard Trash Processing Facility by Raynor Shine Services,
LLC and Raynor Shine Recycling Solutions, LLC

The Environmental Protection Division (EPD) has received a request to transfer Solid Waste Management Facility Permit No. SW-072228-YT-12/1210, for an existing yard trash processing facility, from Raynor Shine Recycling Solutions, LLC to Raynor Shine Services, LLC. Raynor Shine Services, LLC has acquired the assets of Raynor Shine Recycling Solutions, LLC and is also requesting renewal and modification of the permit. In accordance with County Code Sections 32-214(i) and (n), this request to transfer permit and permit renewal application are being brought to the Board for consideration.

The site is approximately 9.9 acres located on the west side of Ocoee-Apopka Road (CR 437), approximately ½ mile north of Silver Star Road, at 850 Ocoee-Apopka Road, Ocoee, Florida. The Parcel ID number for the site is 07-22-28-0000-00-021. The subject property is located within the City of Ocoee and is in District 2.

History

On October 30, 2012, the Board approved a solid waste management facility permit for this yard trash processing facility. The facility has operated under their permit since then. There are currently no outstanding Notices of Violation for the facility. During the permit period, the facility operators have worked with EPD staff to resolve any issues that have arisen, including reducing any excess volume of material stored at the site.

Description of Operations

This facility accepts yard trash for recycling and processing into firewood, fines, mulch, and colored mulch.

“Yard trash” is defined in County Code Section 32-213 as vegetative matter resulting from landscaping maintenance or land clearing operations, and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, and associated rocks and soils. For yard trash processing facilities this term also includes clean wood, including unpainted and untreated lumber. A “yard trash processing facility” is defined as a yard trash transfer station or a facility at which yard trash is processed into a size-reduced, usable material or is composted, but does not include a facility used for the disposal of yard trash.

The facility is located within the City of Ocoee, and therefore does not require review by the Orange County Development Review Committee, nor an Orange County Zoning Special Exception. However, per County Code Section 32-214(a)(5), “it shall be the responsibility of the applicant to obtain any and all applicable zoning and land use approvals from the municipality. Issuance of a county permit pursuant to this article does not relieve the permittee from complying with all other applicable federal, state, and local rules and regulations, including, but not limited to, any applicable municipal zoning or land use regulations.”

Application Review

On July 28, 2017, EPD received application SW-17-07-001 for permit renewal. Since its initial submittal, the application has undergone a series of revisions, including the addition of a request to transfer permit, in response to EPD’s requests for additional information. These revisions were necessary to ensure compliance with requirements under County Code Chapter 32, Article V. The current permit has an expiration date of October 29, 2017. In accordance with County Code Section 32-214(g), while under review for renewal the permit was extended until such time as the County takes final action. The complete application forms are available on file at EPD. The review is now complete.

Transfer of Permit

Raynor Shine Services, LLC has in effect been overseeing operations for Raynor Shine Recycling Solutions, LLC since 2014. It was a newly formed corporation without compliance history. Most of the prior staff members were retained at that time. Both companies are State of Florida registered corporations and concur with the request to transfer. Raynor Shine Recycling Solutions, LLC is now an inactive corporation.

Modification

The applicant is proposing to increase the maximum storage pile volume from 10,000 to a maximum 30,000 cubic yards combined total of yard trash and yard trash derived materials during normal operations. In addition, the applicant has proposed “Hurricane and Storm Preparedness Guidelines” that would allow storage of up to a maximum of 55,000 cubic yards, and hours of operation of 7:00 a.m. - 7:00 p.m., seven days a week, during a “State of Emergency” declared by Executive Order by the Governor of the State of Florida. In accordance with County Code Section 32-214(n), this proposed increase in

Page Three

January 29, 2019 – Public Hearing

Request for Transfer, Renewal, and Modification of the Solid Waste Management Facility Permit No. SW-072228-YT-12/1210 for a Yard Trash Processing Facility by Raynor Shine Services, LLC and Raynor Shine Recycling Solutions, LLC

volume was determined to be a substantial deviation from the terms of the existing permit necessitating a public hearing. The City of Ocoee has reviewed the proposed modification and indicated that they have no issues with the request for expansion of volume.

Waiver Requests

The facility has five existing waivers from County Code Chapter 32 Article V memorialized as permit conditions. No changes are proposed to the existing waivers.

Staff Recommendation

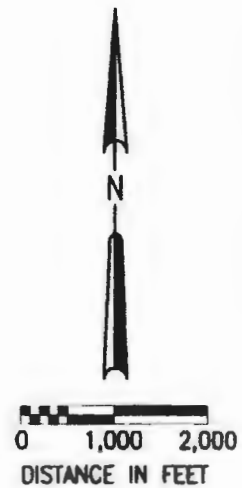
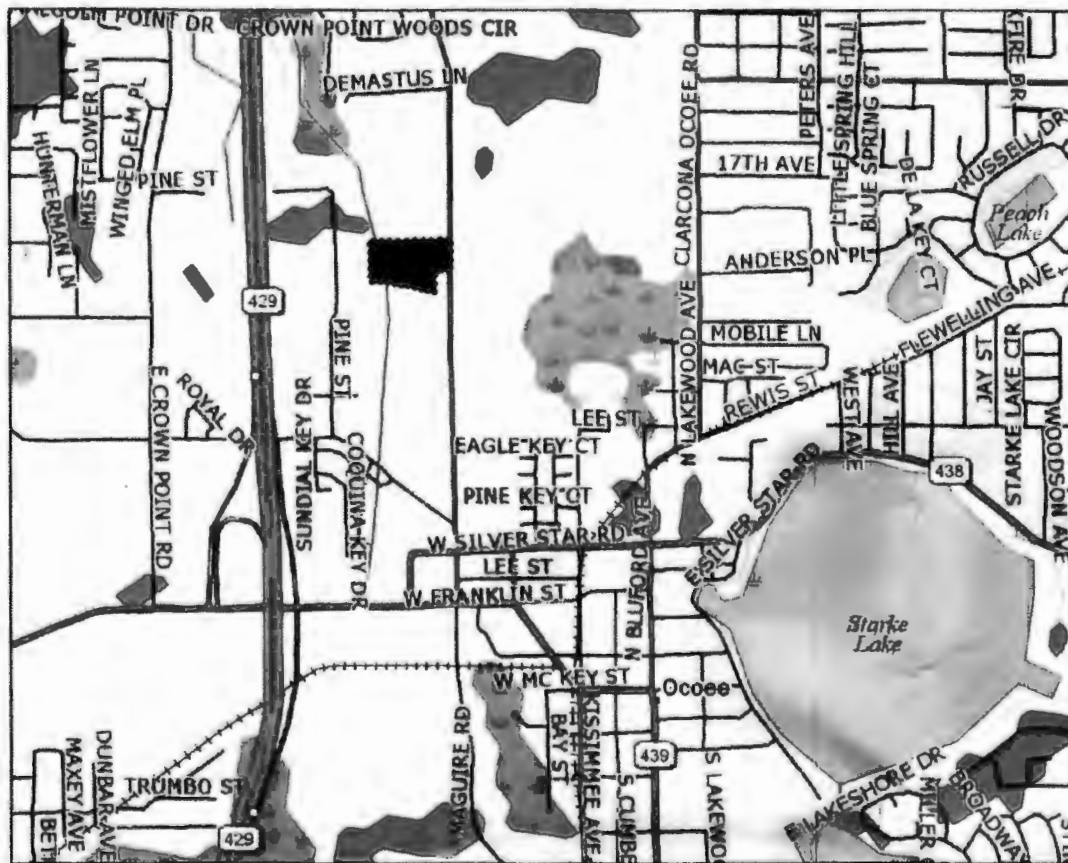
In accordance with County Code Section 32-214(f), the Board may approve permit applications for a maximum period of five (5) years. Upon approval, the permit shall be renewed for a period of five years with a new expiration date of January 28, 2024. The proposed updates to the Board conditions of approval are attached, and include updates to reflect the latest submittals and proposed modifications to operations.

ACTION REQUESTED: Approval of the Transfer of Solid Waste Management Facility Permit No. SW-072228-YT-12/1210 from Raynor Shine Recycling Solutions, LLC to Raynor Shine Services, LLC and Approval for Five Years of Solid Waste Management Facility - Yard Trash Processing - Permit Renewal Application (SW-17-07-001), by Raynor Shine Services, LLC, subject to waivers and conditions listed in the staff report. District 2

DB/AM/DJ/JVW: mg

Attachments

LOCATION MAP



SOURCE: LABINS USGS TOPOGRAPHIC QUADRANGLE MAP WINTER GARDEN, FLORIDA
SECTION 7 TOWNSHIP 22 EAST RANGE 28 SOUTH

Attachment - Location Map

Attachment - Request to Transfer Permit

Request to Transfer Solid Waste Management Permit

I, Michael Dinkel, as the authorized representative of Raynor Shine Services LLC, a Florida corporation, am requesting that Orange County Permit No. SW-072228-YT 12 1210, currently issued to Raynor Shine Recycling Solutions LLC, be transferred to Raynor Shine Services LLC (the corporation) under section 32-214(i) of the County Code. I do hereby acknowledge, by my signature below, that I have thoroughly reviewed all permit conditions and applicable ordinances, and that I am familiar with all field aspects of the site required to conduct a safe operation in compliance with the County's solid waste management ordinance. Raynor Shine Services LLC (the corporation) agrees to comply with the terms and conditions of solid waste management Permit No. SW-072228-YT 12 1210 and the Orange County solid waste management ordinance and to operate the site in full accordance with all present and future requirements imposed by Orange County.

Furthermore, I acknowledge that the permit shall not be transferred to Raynor Shine Services LLC (the corporation) until: (1) the transfer has been approved by the Orange County Board of County Commissioners; (2) the County has approved all financial assurance documents required under the ordinance; and (3) all necessary and pre-approved financial assurance documents have been submitted to the Orange County Environmental Protection Officer.

Michael Dinkel (Name) [Signature]

[Signature] (Title)

100 Hermit Smith Rd Apopka FL 32703 (mail address) (Address line 1)

550 Ulcer Apopka Rd Ocoee FL 34761 (site) (Address line 2)

(Address line 3)

STATE OF FLORIDA COUNTY OF Orange

The foregoing instrument was acknowledged before me this 10 day of November, 2017, by Michael Dinkel as mm (title) of Raynor Shine Services, LLC, a Florida corporation, who [X] is personally known to me, or [] has produced [] as identification and did did not (circle one) take an oath.

(NOTARY SEAL)



[Signature] Notary Public, State of Florida Printed Name: John Shigley Notary Commission No. FF194304 My Commission Expires: 1/29/2018

Attachment - Application Form
**INSTRUCTIONS TO APPLY FOR A SOLID WASTE
MANGEMENT FACILITY (OTHER
THAN LANDFILLS) PERMIT**

I. General

Private Solid Waste Management Facilities in the areas of Orange County that are not within the boundaries of any municipality shall be permitted pursuant to the Orange County "Solid Waste Management Ordinance" Chapter 32, Article V of the Orange County Code. Four (4) copies of the application shall be submitted to the Orange County Environmental Protection Division (EPD).

Complete all sections for the type of facility for which application is made. Entries shall be typed. All blanks shall be filled in or marked "not applicable" or "no substantial change". Information provided in support of the application shall be marked "submitted" and the location of this information in the application package indicated. The application shall include all information, drawings, and reports necessary to evaluate the facility.

I. Application Codes

S	-	Submitted
Location	-	Physical location of information in application
N/A	-	Not Applicable
NSC	-	No Substantial Change



**ORANGE COUNTY
ENVIRONMENTAL PROTECTION DIVISION**



**CHECKLIST FOR PERMIT TO CONSTRUCT / OPERATE,
MODIFY OR CLOSE A SOLID WASTE MANAGEMENT
FACILITY OTHER THAN LANDFILLS**

A. General Information

This page revised November 13, 2017

1.	Type of facility: <input type="checkbox"/> Composting <input type="checkbox"/> Used oil recycling <input type="checkbox"/> Solid waste transfer station <input type="checkbox"/> Materials recovery <input type="checkbox"/> Other _____ <input type="checkbox"/> Waste tire processing <input type="checkbox"/> Incinerator <input checked="" type="checkbox"/> Yard waste and land clearing debris recycling
2.	Type of application: <input checked="" type="checkbox"/> Construction / Operation <input type="checkbox"/> Closure
3.	Classification of application: <input type="checkbox"/> New <input type="checkbox"/> Substantial Modification <input checked="" type="checkbox"/> Renewal <input checked="" type="checkbox"/> Minor Modification
4.	Facility name: <u>Raynor Shine Services, LLC (RSS)</u>
5.	EPD permit number: <u>SW-072228-YT-12/1210</u> District number: <u>2</u>
6.	Facility location (main entrance): <u>850 Ocoee-Apopka Road</u> <u>Ocoee, Florida 34761</u> _____ _____ _____
7.	Location coordinates: Section: <u>7</u> Township: <u>22 S</u> Range: <u>28 E</u> UTM's: Zone _____ km E _____ km N Latitude: <u>28</u> ° <u>34</u> ' <u>57.05</u> " Longitude: <u>81</u> ° <u>33</u> ' <u>08.6</u> "

8.	Applicant name (Operating Authority): <u>Raynor Shine Services, LLC (RSS)</u>	
	Mailing address:	<u>100 Hermit Smith Road, Apopka, Florida 32703</u>
	Contact person:	<u>John Shigley</u> Telephone: <u>407-595-5332</u>
	Title:	<u>Manager Human Resources</u>
9.	Authorized agent / Consultant:	<u>HSA Golden</u>
	Mailing address:	<u>11 Lake Gatlin Road, Orlando, FL 32806</u>
	Contact person:	<u>John P. Smith, PE</u> Telephone: <u>407-649-5475</u>
	Title:	<u>Vice President, Principal Engineer</u>
10.	Landowner (if different from applicant):	<u>Thomas West</u>
	Mailing address:	<u>324 East Orlando Avenue, Ocoee, Florida 34761-2900</u>
	Contact person:	<u>Thomas West</u> Telephone: <u>407-656-3223</u>
11.	Volume of solid waste to be received:	<u>1,400</u> yds ³ /day <input checked="" type="radio"/> tons/day <input type="radio"/> (circle one)
12.	Date site will be ready to be inspected for completion:	<u>N/A</u>
13.	Estimated life of the facility:	<u>N/A</u> years
14.	Estimated closure costs:	\$ <u>\$116,415.75</u>
15.	Anticipated construction starting and completion dates:	
	From: <u>N/A</u>	To: <u>N/A</u>

B. Solid Waste Management Facility General Information

1.	Provide a brief description of the facility design and operation planned by this application: RSS plans to continue to lease this land in the City of Ocoee to use as a wood recycling facility. This renewal application also includes a minor modification to change the facility name from Raynor Shine Recycling Solutions, LLC (RSRS) to Raynor Shine Services, LLC (RSS). The Engineering Report and Operations Plan have been updated with this change as well as other minor modifications, including changes to contact personnel. <hr/> <hr/> <hr/> <hr/>						
2.	Facility site supervisor: <u>John Shigley</u> Title: <u>Manager Human Resources</u> Telephone: <u>407-595-5332</u>						
3.	Operational area (indicate square feet for housed operations or acres for field operations): Total: <u>+/- 10 acres</u> Used: _____ Available: _____						
4.	Source of waste: <u>yard trash from private individuals or commercial companies</u>						
5.	Haul route: <u>West Colonial Drive (SR 50) to north on Maguire Road, which changes name to Ocoee-Apopka Road (SR 437); or SR 429 to East Franklin Street (SR 438) to north on Ocoee-Apopka Road.</u>						
6.	Paved access: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
7.	Weighing scales used: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
8.	Security chain link fence (minimum 6 ft. tall), with locking gates, around the site to prevent unauthorized use: <div style="display: flex; justify-content: space-between; align-items: center;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Number of gates <u>1</u> </div>						
9.	Surrounding land use, zoning: <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> Residential</td> <td><input checked="" type="checkbox"/> Industrial</td> </tr> <tr> <td><input checked="" type="checkbox"/> Agricultural</td> <td><input type="checkbox"/> None</td> </tr> <tr> <td><input checked="" type="checkbox"/> Commercial</td> <td><input type="checkbox"/> Other _____</td> </tr> </table>	<input checked="" type="checkbox"/> Residential	<input checked="" type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> None	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Other _____
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<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> None						
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Other _____						

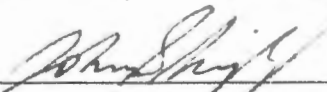
C. Permit Required Submittals

S	Location	N/A	NSC	Section 32-215	Required submittals
X	This form			(a)(1)	Original and three copies of the completed application with all supporting data and reports.
			X	(a)(2)	Certified current topographic survey.
			X	(a)(3)	Certified boundary survey.
			X	(a)(4)	Proof of ownership of property.
			X	(a)(5)	Engineering plans:
			X	(a)(5)e.	Design of ancillary facilities.
			X	(a)(5)f.	Stormwater management plan.
			X	(a)(5)g.	Zoning of property and adjacent properties.
			X	(a)(5)h.	Landscape buffer plan
			X	(a)(5)j.	Setbacks and access control
X	Attached			(a)(6).	Processing fee.
			X	(a)(9)	Proposed fee schedule.
			X	(a)(10)	Proposed hours of operation.
			X	(a)(11)	Proposed method of quantifying waste.
			X	(a)(13)	Aerial photograph.
X	Attached			(a)(14)	Evidence of financial assurance.
			X	(a)(15)	Litter control.
			X	(a)(16)	Waste stream quality control.
X	Attached			(a)(19)	Operations plan
			X	(a)(20)	Description of how the facility will comply with mandatory recycling.
			X	(a)(21)	Fire fighting agreement.

D. Certification by Applicant and Engineer

I. Applicant:

The undersigned applicant or authorized representative of Raynor Shine Services, LLC is aware that statements made in this form and attached information are an application for a Yard Waste Recycling Permit from the Orange County Environmental Protection Division and certified that the information in this application is true, correct and complete to the best of his knowledge and belief. Further, the undersigned agrees to comply with the provisions of the Orange County Code, Florida Statutes, and all applicable rules and regulations of the Environmental Protection Division. It is understood that the Permit is not transferable, and the Division will be notified prior to the sale or legal transfer of the permitted facility.



Signature of Applicant or
Authorized Representative

John Shigley HR Manager

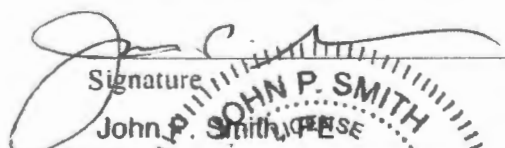
Name and Title

7/26/17

Date

II. Professional Engineer Registered in Florida:

This is to certify that the engineering features of this solid waste management facility have been designed / examined by me and found to conform to engineering principals applicable to such facilities. In my professional judgment, this facility, when properly maintained and operated, will comply with all applicable parts of the Orange County Code, State of Florida Statutes, and rules and regulations of the Environmental Protection Division. It is agreed that the undersigned will provide the applicant with a set of instructions of proper maintenance and operation of the facility.

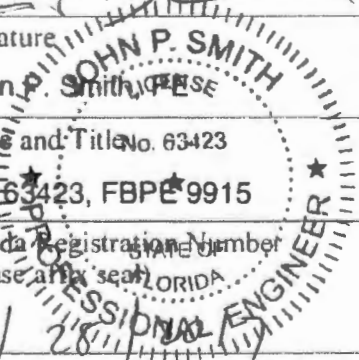


Signature
John P. Smith

Name and Title
PE 63423, FBPE 9915

Florida Registration Number
(please affix seal)
7/28/17

Date



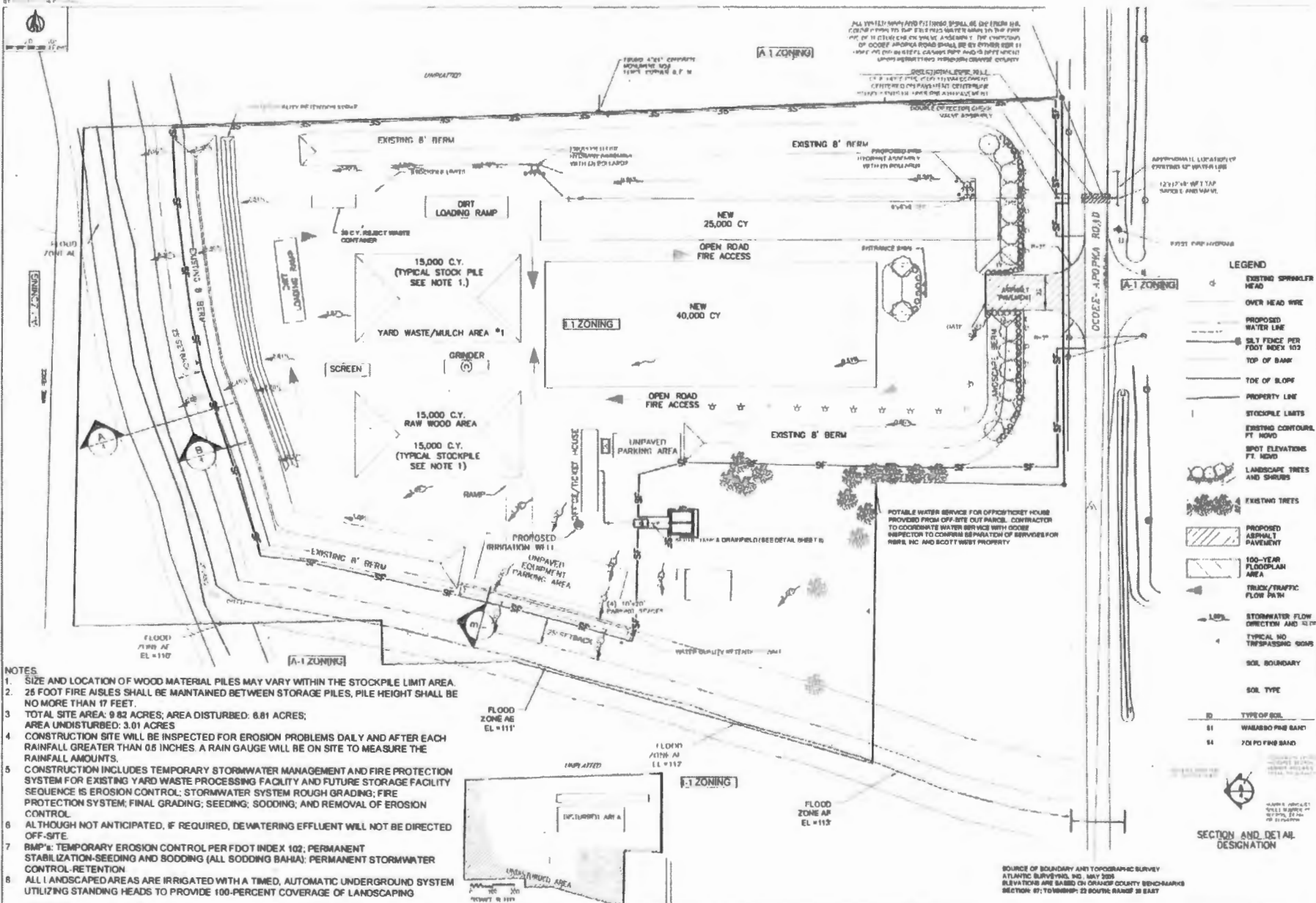
HSA Golden, 11 Lake Gatlin Rd

Mailing Address
Orlando, FL 32806

City, State, Zip Code
(407) 649-5475

Telephone Number

Attachment - Site Plan (Post-Hurricane)



- NOTES
1. SIZE AND LOCATION OF WOOD MATERIAL PILES MAY VARY WITHIN THE STOCKPILE LIMIT AREA. 26 FOOT FIRE AISLES SHALL BE MAINTAINED BETWEEN STORAGE PILES, PILE HEIGHT SHALL BE NO MORE THAN 17 FEET.
 2. TOTAL SITE AREA: 9.82 ACRES; AREA DISTURBED: 6.81 ACRES; AREA UNDISTURBED: 3.01 ACRES
 3. CONSTRUCTION SITE WILL BE INSPECTED FOR EROSION PROBLEMS DAILY AND AFTER EACH RAINFALL GREATER THAN 0.5 INCHES. A RAIN GAUGE WILL BE ON SITE TO MEASURE THE RAINFALL AMOUNTS.
 4. CONSTRUCTION INCLUDES TEMPORARY STORMWATER MANAGEMENT AND FIRE PROTECTION SYSTEM FOR EXISTING YARD WASTE PROCESSING FACILITY AND FUTURE STORAGE FACILITY SEQUENCE IS EROSION CONTROL; STORMWATER SYSTEM ROUGH GRADING; FIRE PROTECTION SYSTEM; FINAL GRADING; SEEDING; SODDING; AND REMOVAL OF EROSION CONTROL.
 5. ALTHOUGH NOT ANTICIPATED, IF REQUIRED, DRAINAGE EFFLUENT WILL NOT BE DIRECTED OFF-SITE.
 6. BMP'S: TEMPORARY EROSION CONTROL PER FDOT INDEX 102; PERMANENT STABILIZATION-SEEDING AND SODDING (ALL SODDING BAHIA); PERMANENT STORMWATER CONTROL-RETENTION
 7. ALL LANDSCAPED AREAS ARE IRRIGATED WITH A TIMED, AUTOMATIC UNDERGROUND SYSTEM UTILIZING STANDING HEADS TO PROVIDE 100-PERCENT COVERAGE OF LANDSCAPING

hsngolden
 H. S. NGOLDEN & ASSOCIATES, INC.
 1000 W. UNIVERSITY BLVD.
 SUITE 200
 GAITHERSBURG, MD 20878
 P: 410-286-1234
 F: 410-286-1235

RAYNOR SHINE SERVICES, LLC
 YARD WASTE PROCESSING FACILITY
 850 OCOCEE-APOPKA ROAD
 OCOCEE ORANGE COUNTY FLORIDA

HURRICANE PLAN

PROJECT #
 17-912.001
FIGURE
 1

Attachment - City of Ocoee - No Objection

Bromfield, David

From: Rumer, Michael <MRumer@ocoe.org>
Sent: Wednesday, October 10, 2018 11:23 AM
To: Bromfield, David
Cc: Shadrix, Craig
Subject: RE: Permit SW-072228-YT-12/1210

David,

The City of Ocoee has met with the applicant and has a better understanding of the application request and how the site will facilitate the expansion in material onsite. Raynor Shine has assured the Assistant City Manager that under the permit to expand, that company vehicles will be utilizing the Apopka location for staging and vehicle storage. This will reduce the amount of trips to the site even though more materials will be stored within the existing foot print. Also, there is no expansion to the foot print of the facility with respect to where piles will be located and all spacing for emergency access will still be in place.

With this understanding, the City wishes to rescind the original comments dated 09/13/2018, and provide that the City has no issues with the request for expansion on Permit SW-072228-YT-12/1210.

Sincerely,

Michael Rumer
City Planner



City of Ocoee
150 N. Lakeshore Drive
Ocoee, FL 34761
Phone: (407) 905-3100 ext. 1018
mrumer@ocoe.org

From: David.Bromfield@ocfl.net [mailto:David.Bromfield@ocfl.net]
Sent: Thursday, September 06, 2018 2:24 PM
To: Rumer, Michael
Subject: FW: Permit SW-072228-YT-12/1210

Mike-

Please let me know if you have any feedback on the "post-hurricane storage volume" - now they are proposing 55,000 cu yds - but still staged beyond the previous "stockpile limits" dashed line area. Also if you have any other feedback.

David

David Bromfield, P.E.
Engineer III
Orange County Environmental Protection Division
Compliance and Waste Management Section
* 3165 McCrory Place, Suite 200, Orlando, FL 32803 *
office: 407-836-1527
fax: 407-836-1499
e-mail: <mailto:David.Bromfield@OCFL.net>
web: <http://www.ocepd.org/>



Click [here](#) for directions to our office

From: Jack Smith [mailto:jsmith@hsagolden.com]
Sent: Tuesday, July 31, 2018 12:15 PM
To: Bromfield, David <David.Bromfield@ocfl.net>
Cc: Mercado, Arnaldo <Arnaldo.Mercado@ocfl.net>; Michael W. Rumer Jr. <mrumer@ci.ocoe.fl.us>; Mike Dinkel <mdinkel@goraynorshine.com>
Subject: Permit SW-072228-YT-12/1210

Attached is the response to the RAI letter dated June 2, 2018.

Thank you,
Jack Smith, P.E.
Vice President, Principal Engineer
11 Lake Gatlin Road
Orlando, FL 32806
407.649.5475 (p)
407.649.6582 (f)
www.hsagolden.com

hsagolden

engineering | environmental solutions

PLEASE NOTE: Florida has a very broad public records law (F. S. 119).
All e-mails to and from County Officials are kept as a public record.
Your e-mail communications, including your e-mail address may be
disclosed to the public and media at any time.

Attachment - Updated Permit Conditions

General

1. In the case of any conflict among these conditions, or between these conditions and applicable laws, the more extensive and restrictive requirements shall apply.
2. All plans, reports and other supporting documents submitted with the permit application, as approved, are incorporated as part of this permit, and operation shall proceed in accordance with these documents and the permit conditions. This permit includes, at a minimum, the following documents:
 - a. Permit Application, dated May 16, 2011, prepared by Andrew J. Schier, P.E. and James E. Golden P.G., HSA Golden
 - b. Specific Project Expenditure Report dated May 2011
 - c. Environmental Protection Division (EPD) Completeness Review 1 (CR1) dated August 11, 2011
 - d. Response to CR1, dated October 10, 2011, prepared by John P. Smith, P.E. and James E. Golden P.G., HSA Golden
 - e. EPD Request for Additional Information (email) dated February 2, 2012
 - f. Response to EPD questions dated February 7, 2012, prepared by John P. Smith, P.E. and James E. Golden P.G., HSA Golden
 - g. Preliminary/Final Site Plan (draft) dated April 2012 submitted to EPD
 - h. Preliminary/Final Site Plan dated April 2012 (as approved by the City of Ocoee by action of the City Commission on October 2, 2012)
 - i. Permit Renewal Application, dated July 28, 2017, prepared by John P. Smith, P.E., HSA Golden
 - j. Response to Renewal Application- Completeness Review 1 and Technical Review 1, dated November 13, 2017, prepared by John P. Smith, P.E., HSA Golden
 - k. Follow up to Response to Renewal Application - Completeness Review 1 and Technical Review 1, dated February 12, 2018, prepared by John P. Smith, P.E., HSA Golden
 - l. Response to Renewal Application – Technical Review 2, dated July 31, 2018, prepared by John P. Smith, P.E., HSA Golden
3. Facility construction and operations based upon this approval shall comply with all applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC.
4. Facility construction and operations shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or his or her authorized agent) to the BCC at the public hearing where this permit was approved, where such promise or representation, whether oral or written, was relied upon by the BCC in approving the permit, could have reasonably been expected to have been relied upon by the BCC in approving the permit, or could have reasonably induced or otherwise influenced the BCC to approve the permit. For purposes of this condition, a “promise” or “representation” shall be deemed to have been made to the BCC by the applicant (or his or her authorized agent) if it was expressly made to the BCC at a public hearing where the permit was considered or approved.
5. Any modifications to or deviations from this permit must be submitted to the EPD for review. The EPD shall determine if the modification or deviation is minor, or is major or substantial. The EPD may approve or deny minor modifications or deviations. Only the BCC may approve substantial deviations from, or major modifications to, this permit.

6. It shall be the responsibility of the applicant to obtain any and all applicable zoning and land use approvals from the municipality. Issuance of a county permit pursuant to this article does not relieve the permittee from complying with all other applicable federal, state, and local rules and regulations, including, but not limited to, any applicable municipal zoning or land use regulations.
7. Cost estimates for financial assurance shall be revised at least annually and also whenever changes in operation would cause a revised cost estimate to exceed the amount available through the financial assurance mechanism. Cost estimates shall be based upon the time period in the facility operation when the extent and manner of its operation make closing most expensive, subject to EPD approval.
8. The facility shall be open to the County for the purpose of inspection during normal working hours of the facility and at any other time when work is in progress. During periods of inactivity, upon request, the County shall be provided access to the site within one business day.
9. The Hours of Operation, as approved by the BCC, are:
 - Monday - Friday: 7:00 a.m. – 5:00 p.m. (see Post-Hurricane Plan below)
 - Saturday and Sunday: None (see Post-Hurricane Plan below)

Receipt or shipment of waste and waste processing are limited to within the Hours of Operation. Activities such as maintenance and cleaning are not considered operation and may be scheduled at the facility's discretion.
10. This facility may receive, temporarily store or hold, transfer, and/or process, but not dispose of onsite, up to a weekly average of 1,400 cubic yards per day of yard trash within the approved areas.

Waste Quality Control

11. ~~7.~~ Each shipment of incoming waste must be inspected by a spotter, or interim spotter, trained and performing duties in accordance with (Florida Administrative Code) FAC 62-701. Spotters shall perform their duties from a location where they can thoroughly inspect each shipment of waste for prohibited materials. The spotter(s) shall have the authority and responsibility to reject unauthorized loads. If unauthorized waste is identified during or after unloading, the spotter(s) shall have the authority and responsibility to reload the customer's vehicle for removal from the site. Finally, if reloading is not feasible, the spotter(s) shall have the authority and responsibility to assess appropriate surcharges and have the unauthorized material removed by on-site personnel. In all instances, the transporter and generator of the unauthorized solid waste must be notified to prevent future occurrences, and a log of all such unauthorized waste shipments shall be maintained at the site.

Community Issues

12. ~~8.~~ The permitted routes for vehicular access to and from the site are those approved by the BCC. Those are:
 - a. On Ocoee-Apopka Road ((County Road) CR 437) south of the site to/from Franklin Street ((State Road) SR 438).
 - b. On Ocoee-Apopka Road ((County Road) CR 437) south of the site, and Maguire Road, to/from Colonial Drive ((State Road) SR 50).
 - c. On Ocoee-Apopka Road ((County Road) CR 437) north of the site to/from Fullers Cross Road.

The permittee shall be responsible for cleanup of all litter generated from the permittee's operation per Section 32-216(a)(13), OCC. In addition, on an as needed basis, but not less than once per week, the permittee shall be responsible for cleanup of customer-generated litter from Ocoee-Apopka Road, between W Silver Star Road and Fullers Cross Road. Cleanup shall take place along publicly accessible rights-of-way and with all necessary safety precautions.

13. ~~9.~~ The applicant may be required to construct improvements (such as the addition of turning lanes) to public roads used for site access if the City of Ocoee determines that the facility will significantly impede the flow of traffic on the public roads used for site access.

Reporting and Record Keeping

14. ~~10.~~ The following items shall be maintained and available for review at the facility:
15. ~~11.~~ A copy of the complete permit including plans, reports, and other supporting documents
16. ~~12.~~ The following items shall be maintained and available for review at the facility for a period of at least 3 years:
- Unauthorized waste receipt logs maintained in an unauthorized waste receipt logbook
 - Manifests for any hazardous waste, universal waste, or regulated nonhazardous waste, shipped offsite.

Fires, Emergency Preparedness, and Continuity of Operations

17. ~~13.~~ The operator shall inform the EPD immediately of any fires that persist longer than 1 hour.
18. Post-Hurricane Plan. During a State of Emergency declared by Executive Order by the Governor of the State of Florida the following shall apply:
- The stockpile of yard trash and yard trash derived materials may be temporarily increased to 55,000 cubic yards.
 - The Hours of Operation may be expanded to between 7:00 a.m. to 7:00 p.m., seven days a week.

Waivers

19. ~~14.~~ A waiver from Section 32-216 (a)(11), to allow a reduction of setback from the required 150 feet, in accordance with the City of Ocoee approved site plan.
20. ~~15.~~ A waiver from Section 32-216 (a)(11) and (b)(3), to allow reduced landscaped buffering in accordance with the City of Ocoee approved site plan.
21. ~~16.~~ A waiver from Section 32-216 (b)(6), to allow a stormwater management system in accordance with the City of Ocoee approved site plan.
22. ~~17.~~ A waiver from Section 32-216 (a)(13)a., to not require a 6-foot chain link fence around the entire facility, but allow site access to be controlled by the use of a combination of fencing and other physical barriers as approved by EPD and in accordance with the City of Ocoee approved site plan.
23. ~~18.~~ A waiver from Section 32-215 (a)(21), to not require a signed fire fighting agreement, but allow fire fighting services provided by Ocoee Fire/Rescue to be in accordance with the City of Ocoee approved site plan.

Other

24. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.