

Interoffice Memorandum

DATE: November 14, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director, Planning, Environmental, and Development Services Department

CONTACT: Renée H. Parker, LEP, Manager, Environmental Protection Officer

PHONE: (407) 836-1420

DIVISION: Environmental Protection Division

ACTION REQUESTED:

Approval of Solid Waste Management Facility Permit Application (SW-24-05-001) for modification of the WM Orlando Transfer Station, subject to waivers and conditions of approval. District 6 (Environmental Protection Division)

PROJECT: Solid Waste Management Facility Permit Application (SW-24-05-001) for modification of the WM Orlando Transfer Station at 4978 LB McLeod Road, Orlando, Florida, Parcel ID No. 07-23-29-8630-00-010; District 6

PURPOSE:

The applicant, Waste Management Inc. of Florida, requests approval of permit application SW-24-05-001 for modification of Solid Waste Management Facility permit SW-22-05-001. The existing permit is for a transfer station for construction and demolition (C&D) debris, Class III, and Class I solid waste, known as WM Orlando Transfer Station. The property is approximately 10.3 acres in size and located at 4978 L.B. McLeod Road, between South Kirkman Road and President Barack Obama Parkway. The Parcel ID number for the site is: 07-23-29-8630-00-010. The subject property is within the City of Orlando limits and in District 6.

An existing 32,000 sq ft enclosed building with tipping floor under roof is currently used for managing the solid waste. The facility is proposing to construct a 57,300 sq ft area under canopy with leachate collection sumps for C&D debris recycling as a materials recovery facility (MRF). In accordance with County Code Sec. 32-214(n) the proposed change to the existing permit has been determined to be substantial and thus is being processed in the same manner as an application for an initial permit.

At a transfer station incoming solid waste is temporarily stored, and usually combined into larger loads, prior to transport to an approved processing or disposal facility. At a materials recovery facility (MRF) recyclable materials are sorted from incoming solid waste and are then transported to suitable recycling facilities. Residual solid waste is then transported to approved disposal facilities. No solid waste is disposed on site.

C&D debris consists of discarded materials generally considered to be not water soluble and nonhazardous in nature including steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure.

Class III waste includes combinations of yard trash and C&D debris along with other debris such as paper, cardboard, asbestos, cloth, processed tires, glass, plastic, furniture other than appliances, and other materials approved by FDEP that are not expected to produce leachate which poses a threat to public health or the environment.

Class I waste includes solid waste which is not hazardous waste, and which is not prohibited from disposal in a lined landfill under the rules of the Florida Department of Environmental Protection (FDEP). This generally includes household and other putrescible solid waste.

On August 22, 2017, the Board approved the initial solid waste permit for this facility. On August 8, 2023, the Board approved renewal of the permit, with an expiration date of August 7, 2028. There are currently no outstanding Notices of Violation for the facility.

On May 15, 2024, EPD received permit modification application SW-24-05-001. The complete application submittals are on file at EPD and available online through the FastTrack system. City records indicate on March 12, 2024, the City approved CUP2023 to expand/revamp an existing solid waste transfer station, and directed submittal of related building permit applications (BLD2024-12893, et. al.). Similarly, application (0176908-009-SO-30) to modify the facility's FDEP solid waste permit (Facility 86889) is also under review.

The review of submittals which included updates to their site layout and operations plan is now complete.

Waivers

The current permit includes three approved waivers. As the facility is located in the City of Orlando, the first two waivers address landscaping and extended hours of operation, subject to meeting City requirements. A third waiver addressed omitting three times per week detailed random load inspections as screening will be done at destination

permitted facilities. The proposed addition of the C&D debris recycling has no significant impact on these three waivers, and the screening during sorting for recycling will in effect provide detailed inspections for every C&D load.

Two additional waiver requests are being recognized at this time. These were not previously necessary as in accordance with Sec. 32-223, facilities existing prior to 2009 such as this one were exempt from certain setbacks and stormwater requirements. However, as the proposed modification is being evaluated as if it is a new facility, these waiver requests are now necessary.

The proposed C&D debris recycling area will be located in the central regions of the property and no closer to the property boundaries than the existing buildings. On the west and east sides, the setbacks of processing/storage areas from the property boundaries are and will continue to be approximately 90 feet and 100 feet, respectively; this is less than the Sec. 32-216(a)(11) setback of 150 feet. To the west is located the County's L.B. McLeod Transfer Station. Property to the east appears to be used as some type of bus parking and maintenance facility.

Minor modifications to the stormwater management system, such as relocation of stormwater drains, are proposed to accommodate this project and will be required to meet City of Orlando requirements.

Recommended Action:

Staff have no objections to the proposed waivers.

EPD staff determined that the modification application satisfactorily addresses current code requirements in conjunction with the attached permit conditions and waivers. The following conditions update and replace the permit conditions for SW-22-05-001. Upon approval by the Board this permit shall be modified, with an expiration date of August 7, 2028.

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. "Application of a Solid Waste Management Facility Permit to Construct/Operate a Class I Transfer Station And C&D Material Recovery

Facility,” dated May 15, 2024, prepared by Robert E. Mackey, P.E., S2L Incorporated, and prior permit documents cited by reference therein.

- b. “Response to June 5, 2024 Request for Additional Information,” dated July 10, 2024, prepared by Robert E. Mackey, P.E., S2L Incorporated.
 - c. “Response to August 9, 2024 Request for Additional Information”, dated August 28, 2024, prepared by Robert E. Mackey, P.E., S2L Incorporated.
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, or by action of the Board.
 4. 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, Florida Statutes, the applicant shall obtain all other applicable state or federal permits before commencement of development.
 5. 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 Board at the public hearing where this permit was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the permit, could have reasonably been expected to have been relied upon by the Board in approving the permit, or could have reasonably induced or otherwise influenced the Board to approve the permit. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or his or her authorized agent) if it was expressly made to the Board at a public hearing where the permit was considered or approved.
 6. 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.

7. 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.
8. The Hours of Operation, as approved by the Board, are:
 - Monday - Friday: 24 hours
 - Saturday and Sunday: 24 hours

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.

9. This facility may receive, temporarily store or hold, and transfer, but not dispose of onsite, up to a maximum of 3,000 tons per day average of construction and demolition debris, Class III, and/or Class I solid waste within the approved tipping floor(s).
10. The permitted haul routes (for vehicular travel to and from the site) are:
 - a. Interstate 4 to John Young Parkway to L.B. McLeod Road
 - b. L.B. McLeod Road to site
11. Any future ancillary operations are subject to review by the EPD.

Reporting and Record Keeping

12. The following items shall be maintained and available for review at the facility:
 - a. A copy of the complete permit including plans, reports, and other supporting documents.
13. The following items shall be maintained and available for review at the facility for a period of at least 3 years:
 - a. Unauthorized waste receipt logs maintained in an unauthorized waste receipt logbook.
 - b. Manifests and/or receipts for leachate tank pump-out.
 - c. Manifests for any hazardous waste, universal waste, or regulated nonhazardous waste shipped offsite.
 - d. Credentials for operators and spotters.
 - e. A record of stormwater management system inspections and any repairs.
14. The following items shall be submitted to the EPD on an annual basis:

- a. A report of solid waste type and quantity managed at the facility, including the amount and destination of treated, recycled, or recovered materials leaving the site for reuse, use as raw material, or disposal.
 - b. Cost estimates and proof of financial assurance shall be updated and submitted to EPD for review whenever relevant operations change, or annually at a minimum. This cost estimate should be accompanied by an estimate of the volume of waste and recovered/recycled materials currently stored onsite.
 - c. A report of annual leachate collection system and tank inspections and any repairs. This should also include a log of all leachate tank pump-out events.
15. Orange County shall be copied on all related correspondence with the Florida Department of Environmental Protection (FDEP).

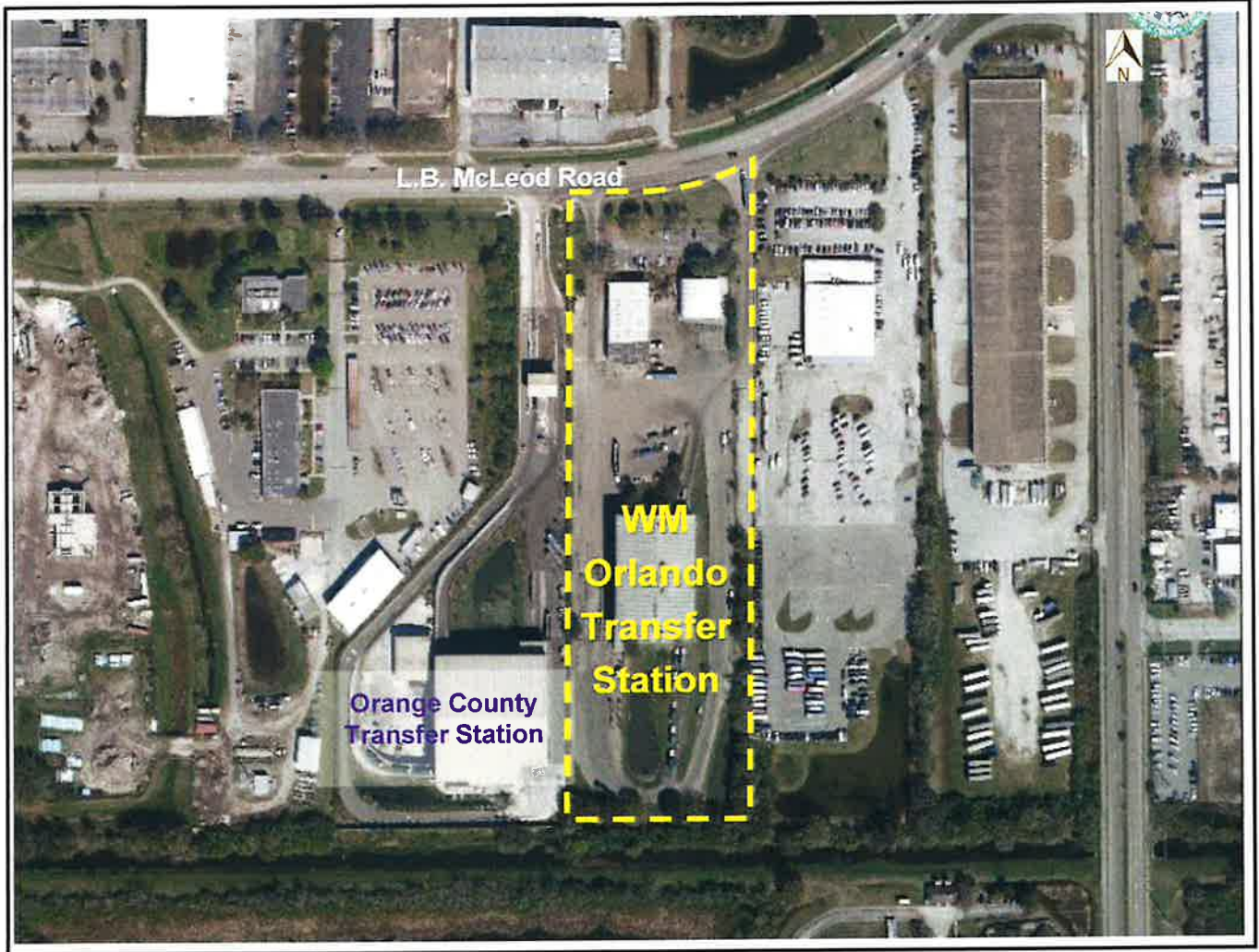
Waivers

16. A waiver has been approved from County Code Sec. 32-216(a)(11)d and (b)(3) to allow alternate landscape buffering, provided landscaping remains in compliance with any City of Orlando requirements.
17. A waiver has been approved from County Code Sec. 32-216(a)(19), to allow Hours of Operation outside of 7:00 a.m. – 7:00 p.m., provided they remain in compliance with any City of Orlando requirements.
18. A waiver has been approved from County Code Sec. 32-216(a)(14), to allow the omission of the (3) random load inspections provided all outgoing solid waste is sent to an FDEP permitted solid waste facility that will perform screening of the waste.
19. A waiver has been approved from County Code Sec. 32-216(a)(11)a to allow the setback from property boundaries on the west and east sides to be reduced from 150 feet to 90 feet and 100 feet respectively.
20. A waiver has been approved from County Code Sec. 32-216(b)(6) to allow stormwater to be managed by a system that remains in compliance with any City of Orlando requirements.

- End of Conditions -

BUDGET: N/A


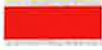
Attachment 1 – Aerial and Location Map

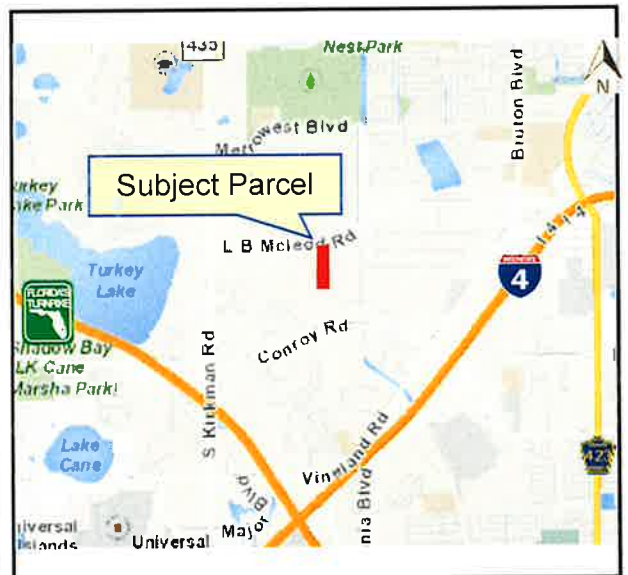


**Solid Waste Management Facility
Permit Modification Application
SW-24-05-001
District 6**

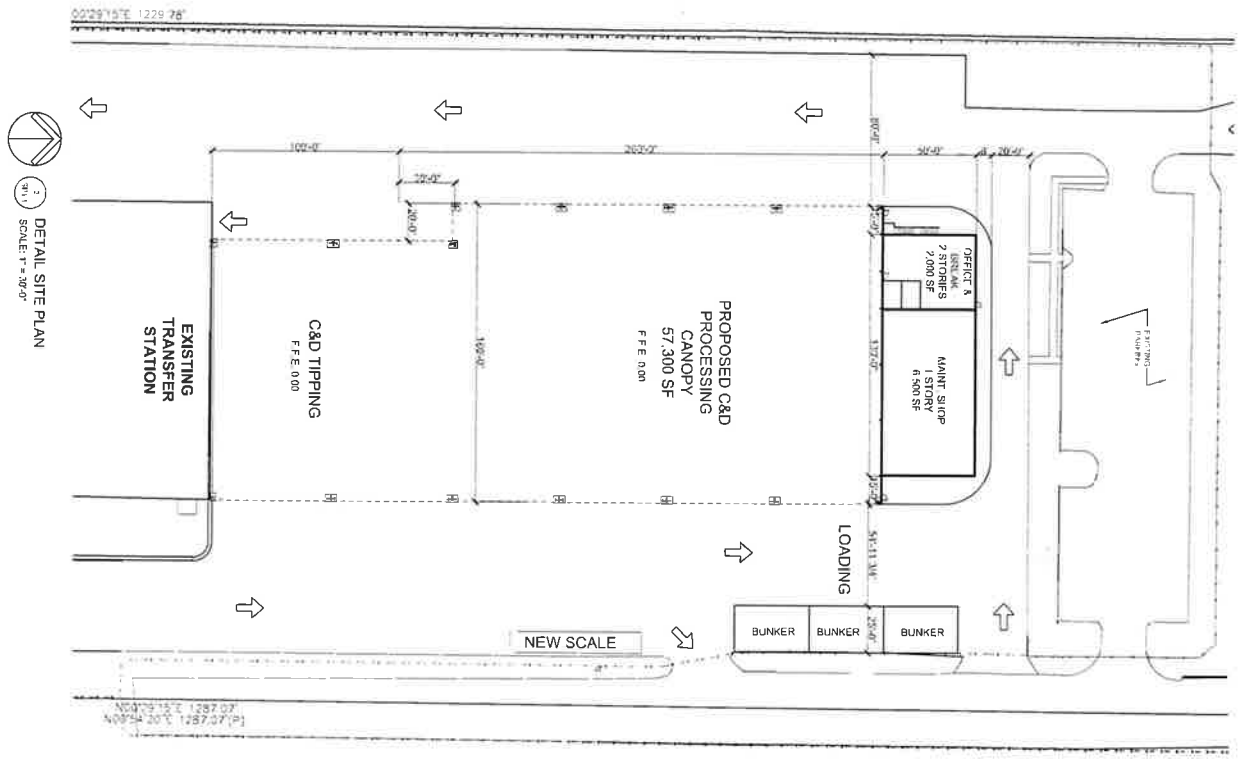
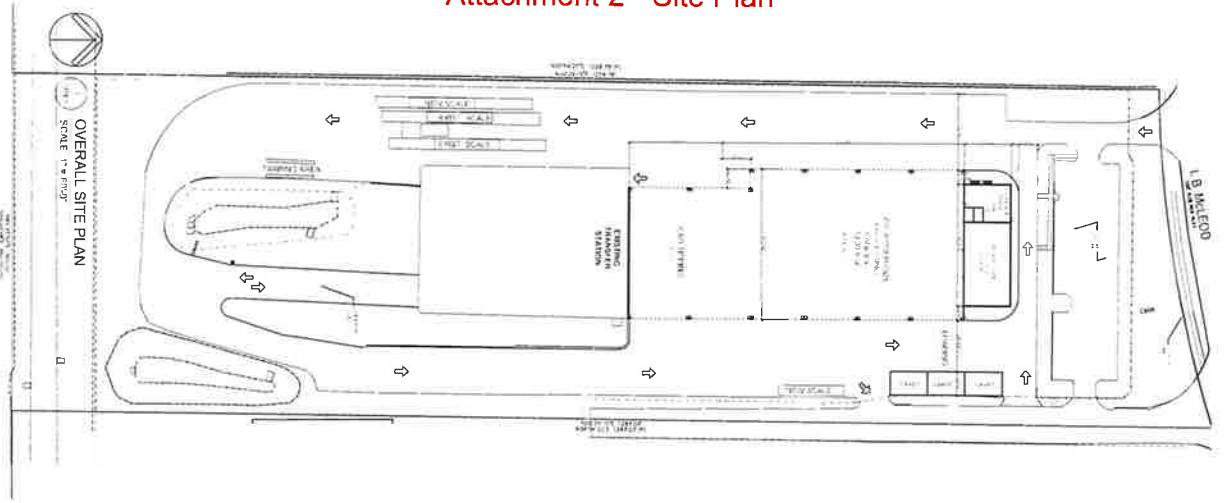
Applicant: **Waste Management Inc. of Florida**

Address: 4978 L.B. McLeod Road
Parcel ID: 07-23-29-8630-00-010

Project Site 
Property Location 



Attachment 2 - Site Plan



SCHEMATIC 11/2/2023

		PROPOSED C&D MRF WASTE MANAGEMENT INC. OF FLORIDA 4986 LB McLeod Road, Orlando, Florida	
		CMK Design Studio, Inc. 1100 E. Colonial Ave., Suite 100 Orlando, FL 32809 Phone: (407) 253-1100	Digitally signed by Marcos Ibarquien Date: 2024.05.03 15:04:36 -04'00'
DATE 2342	ISSUE DATE 11/2/2023	SCALE AS SHOWN	PROJECT TITLE SITE SKETCH SITE-1

Attachment 3 - Application Form

**APPLICATION FORM FOR A
SOLID WASTE MANAGEMENT FACILITY PERMIT
WASTE PROCESSING FACILITY
TRANSFER STATION • MATERIALS RECOVERY FACILITY**

Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803-3727
407.836.1400 • Fax 407.836.1499
www.ocfl.net



NOTE: THIS FORM DOES NOT SUPERSEDE THE REQUIREMENTS OF ORANGE COUNTY CODE.

A. GENERAL INFORMATION

1. Type of facility (check all that apply):

Transfer Station:

C&D Debris

Class III

Class I

Other Describe: _____

Materials Recovery Facility:

C&D Recycling

Class III MRF

Class I MRF

Other Describe: _____

Other Facility That Processes But Does Not Dispose Of Solid Waste On-Site:

Storage, Processing or Disposal for Combustion Facilities (not addressed in another permit)

Other Describe: _____

2. Type of application:

Construction / Operation

Operation without additional construction

Closure

3. Classification of application:

New

Minor Modification

Renewal

Major Modification (substantial deviation)

4. Facility name: WM Orlando Transfer Station

5. Facility ID:

EPD Permit #: SW-22-05-001 Expiration Date: 08/07/2028

FDEP Permit #: 0176908-008-SO-34 Expiration Date: 01/12/2036

6. Facility location (main entrance):

Address: 4978 L.B. McLeod Road, Orlando, FL 32811

Municipality: Orlando Orange County Commission District #: 6

7. Location coordinates:

Parcel IDs: 07-23-29-8630-00-010
Latitude: 28° 30' 09.89" Longitude: 81° 26' 44.26"
Datum: NGVD 29 Coordinate Method: Topographic Survey
Collected by: Steven Blankenship Company/Affiliation: Atlantic Surveying, Inc.

8. Applicant name (operating authority): Waste Management Inc. of Florida

Mailing Address: 1800 N. Military Trail, Suite 201 Boca Raton, FL 33431
Contact person: James Lambros Phone: (954) 648-8626
Title: Vice President E-mail: jlambros@wm.com

9. Authorized agent / Consultant: S2L, Incorporated

Mailing Address: 531 Versailles Drive, Suite 202 Maitland, FL 32751-7301
Contact person: Robert E. Mackey, P.E. Phone: (407) 475-9163
Title: Vice President E-mail: bmackey@s2li.com

10. Landowner (if different than applicant): N/A

Mailing Address: _____
Contact person: _____ Phone: _____
E-mail: _____

11. Cities, towns, and areas to be served (source of waste):

Orange County and surrounding communities.

Private use Public use

12. Estimated costs:

Total Construction: \$ 6,600,000 Closing Costs: \$ 165,042

13. Expected quantity (volume or weight) of waste to be received:

_____ yd³/day -or- 3000 tons/day

14. Provide a brief description of the operations planned for this facility:

Class I waste and Class III waste are accepted, weighed, unloaded, screened for non-complying materials, loaded, and transferred for disposal. C&D debris is also accepted at the facility and processed to recover materials from the waste stream for the purpose of recycling or is processed for disposal. Source-separated recovered materials will be accepted for the purpose of recycling as well.

15. Operational and storage areas:

Total parcel size: 10.33 acres

Existing outdoor area: .01 acres

Proposed outdoor area: 0.3 acres

Existing building: 32,000 sq ft

Proposed building: 56,628 sq ft

16. Haul route (from/to nearest arterial roads or collector highways):

Street segments: Interstate I-4 to John Young Parkway to L.B. McLeod Road

Residential roads: yes / no

Paved access: yes / no

17. Hours of Operation:

Mon - Fri: _____ - _____

Sun: _____ - _____

Sat: _____ - _____

Other: 24 hours per day, 7 days per week

B. ADDITIONAL INFORMATION

Please attach the following reports or documentation as required. References are to Orange County Code (O.C.C.) and Florida Administrative Code (F.A.C.) unless noted otherwise. (Application format see O.C.C. 32-214(d) and Rule 62-701.320(7) F.A.C.)

1. Provide a description of the operation of the facility that shall include (Rule 62-701.710(2)(a), F.A.C.):
 - (a) The types of materials, i.e., wastes, recyclable materials or recovered materials, to be managed or processed;
 - (b) The expected daily average and maximum weights or volumes of materials to be managed or processed;
 - (c) How the materials will be managed or processed;
 - (d) How the materials will flow through the facility including locations of the loading, unloading, sorting, processing and storage areas;
 - (e) The types of equipment that will be used;
 - (f) The maximum time materials will be stored at the facility;
 - (g) The maximum amounts of wastes, recyclable materials, and recovered materials that will be stored at the facility at any one time; and
 - (h) The expected disposition of materials after leaving the facility.
 - (i) *Provide a plan documenting maximum capacity and site plan showing location and maximum dimensions of temporary storage piles. [O.C.C. 32-215(f)(3)]*
2. Attach a site plan, signed and sealed by a professional engineer registered under Chapter 471, F.S., with a scale not greater than 200 feet to the inch, which shows the facility location, total acreage of the site, and any other relevant features such as water bodies or wetlands on or within 200 feet of the site, potable water wells on or within 500 feet of the site (Rule 62-701.710(2)(b), F.A.C.).
 - a) *Provide a plan showing the zoning of site and adjacent properties; [O.C.C. 32-215(a)(5)g.]*
 - b) *Provide a Landscape Buffer Plan that meets the requirements of O.C.C. 32-216(b)(3). [O.C.C. 32-215(a)(5)h.]*
 - c) *Delineate any environmentally sensitive areas such as any conservation areas, the Wekiva Study Area, and areas protected by the Wevika River Protection Area Ordinance or the Econolockhatchee River Protection Ordinance. [O.C.C. 32-215(a)(5)i., 32-216(c)]*
3. Provide a boundary survey and legal description of the property (Rule 62-701.710(2)(c), F.A.C.).
4. Provide a construction plan, including engineering calculations, that describes how the applicant will comply with the design requirements of subsection 62-701.710(3), F.A.C. (Rule 62-701.710(2)(d), F.A.C.).
 - a) *Provide a Litter Control Plan for the facility. [O.C.C. 32-215(a)(15)]*
5. Provide an operation plan that describes how the applicant will comply with subsections 62-701.710(4), F.A.C. and the recordkeeping requirements of subsection 62-701.710(8), F.A.C. (Rule 62-701.710(2)(e), F.A.C.).
 - a) *Access to the site shall be controlled via installation of a security chain link fence. [O.C.C. 32-216 (a)(13)]*
 - b) *Provide a Fire Fighting Agreement that has been approved by the local Fire Rescue service provider. [O.C.C. 32-215(a)(21)]*

6. Provide a closure plan that describes how the applicant will comply with subsections 62-701.710(6), F.A.C. (Rule 62-701.710(2)(f), F.A.C.).
7. Provide a contingency plan that describes how the applicant will comply with subsection 62-701.320(16), F.A.C. (Rule 62-701.710(2)(g), F.A.C.).
8. Unless exempted by subparagraph 62-701.710(1)(d)1., F.A.C., provide the financial assurance documentation required by subsection 62-701.710(7), F.A.C. (Rule 62-701.710(2)(h), F.A.C.).

Note: O.C.C. 32-216 (a)(27) requires financial assurance regardless of first-in first-out waste management. In the cost estimate include funds for up to 180 days of miscellaneous site maintenance (e.g. landscape and site access control).

9. Provide a history and description of any enforcement actions by the applicant described in subsection 62-701.320(3), F.A.C. relating to solid waste management facilities in Florida. (62-701.710(2) F.A.C. and 62-701.320(7)(i), F.A.C.).
10. Provide documentation that the applicant either owns the property or has legal authorization from the property owner to use the site for a waste processing facility (62-701.710(2), F.A.C. and 62-701.320(7)(g), F.A.C.)

Note: O.C.C. 32-215(a)(4) requires, "Proof of ownership of property. At minimum, applicants shall provide an opinion of title based upon a title search."

11. Provide a description of any ancillary operations. [O.C.C. 32- 215(a)(5)e., 32-216(a)(15)]
12. Provide documentation of the stormwater management system design and that the requirements of O.C.C. 32-216(b)(6) will be met.

a) For existing facilities, provide documentation that at least once every five (5) years maintenance activities shall including the removal of accumulated sediments from ponds, catch basins, and other control structures, and the restoration of control structures to design specifications, has been performed.

13. For facilities proposing outdoor storage and/or processing:

a) The facility accepts only construction and demolition debris and all areas where waste is stored are covered by a ground water monitoring system which meets the requirements of subsection 62-701.730(8), F.A.C. [F.A.C. 62-701.710(1)(d)2.]; or

b) The facility accepts only Class III wastes, the areas where waste is received is under roof and on an impervious surface, and all areas where waste is stored or processed are covered by a ground water monitoring system which meets the requirements of subsection 62-701.730(8), F.A.C. [F.A.C. 62-701.710(1)(d)3.]

14. Provide the proposed fee schedule. [O.C.C. 32- 215(a)(9)]
15. Provide a proposal for any additional controls, if applicable within the Wekiva Study Area. [O.C.C. 32-215(f)(4)]
16. Provide a description of any Waiver Requests and responses to the criteria used to evaluate such waivers. Identify the Code requirement for which the waiver is sought. [O.C.C. 32- 214(k)]
17. Demonstration of Need [O.C.C. 32-215(a)(18)] is not a required submittal, but need for the service may be a factor considered by the Board. [O.C.C. 32-214(j)(3)]

C. SUBMITTAL LOCATION INDEX IN APPLICATION PACKAGE

(S = Submitted; N/A = Not Applicable ; NSC = No Substantial Change)

Status	Location of submittal	Item	FAC 62-701	O.C.C. 32-	Summary
S	Appendix C	B.1	.710(2)(a)	215(a)(16) 215(a)(19) 215(f)	Description of the operation of the facility
S	Appendix A	B.2	.710(2)(b)	215(a)(5) g.,h.,i., j.* 215(f)(1)	Site plan; area map; zoning; wetlands; protected areas; setbacks; landscaping buffer
S	Appendix F	B.3	.710(2)(c)	215(a)(3) 215(f)(1)	Boundary survey and legal description
S	Appendix C	B.4	.710(2)(d)	215(a)(5) 215(a)(11) 215(a)(15) 215(a)(19) 215(f)(1)	Tipping, processing, sorting, storage and compaction areas; Litter control; Leachate control; Waste quantification
S	Appendix C	B.5	.710(2)(e)	215(a)(5)j.* 215(a)(19) 215(a)(21)* 215(f)(1)	Operational requirements; Operator and spotter training; Odor control; Fire protection; Access control; Hazardous waste; Record keeping;
S	Appendix C	B.6	.710(2)(f)	215(a)(5)k. 215(f)(1)	Closure plan
S	Appendix C	B.7	.710(2)(g)	215(f)(1)	Contingency plan
S	Appendix G	B.8	.710(7)	215(a)(14)	Financial assurance
S	Appendix E	B.9	.710(2) .320(7)(i)	214(j)(3) 215(f)(1)	Enforcement action history
S	Appendix F	B.10	.320(7)(g)	215(a)(4)	Proof of ownership; Opinion of Title; Authorization
N/A		B.11		215(a)(5)e.* 215(a)(19)	Ancillary operations (if needed)
NSC		B.12		215(a)(5)f.*	Stormwater management
N/A		B.13	.710(1)(d)2	215(a)(8)	Ground water monitoring plan (if needed)
N/A		B.14		215(a)(9)	Fee schedule
N/A		B.15		215(f)(4)	Wekiva Study Area controls
S	Appendix H	B.16	.710(9)	214(k)	Waiver Requests (if needed)
N/A				O.C.C. Sec. 2-354, 2-454;	Specific Project Expenditure Report; Relationship Disclosure Form; Agent Authorization
N/A				Florida Statute 163.3163	Acknowledgement of Contiguous Sustainable Agriculture Land

* These items are often addressed by the local municipality.

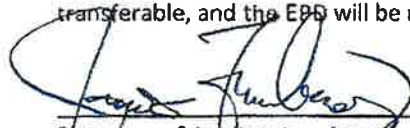
D. CERTIFICATION BY APPLICANT AND ENGINEER

1. Applicant:

The undersigned applicant or authorized representative of

Waste Management Inc. of Florida

is aware that statements made in this form and attached information are an application for a Solid Waste Management Facility Permit from the Orange County Environmental Protection Division (EPD) and certifies that the information in this application is true, correct and complete to the best of his/her knowledge and belief. Further, the undersigned agrees to comply with the provisions of Orange County Code, including any provisions of Chapter 403, Florida Statutes, and rules and regulations of the Florida Department of Environmental Protection adopted by reference. It is understood that the Permit is not transferable, and the EPD will be notified prior to the sale or legal transfer of the permitted facility.



 Signature of Applicant or Agent
James Lambros, VP

 Name and Title
jlambros@wm.com

 E-mail address

1800 N. Military Trail, Suite 201

 Mailing Address
Boca Raton, FL 33431

 City, State, Zip Code
(954) 648-8626

 Telephone Number
5/13/2024

 Date

2. 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 provisions of Orange County Code, including any provisions of Chapter 403, Florida Statutes, and rules and regulations of the Florida Department of Environmental Protection adopted by reference. It is agreed that the undersigned will provide the applicant with a set of instructions for proper maintenance and operation of the facility.



 Signature
 No. 40176
Robert E. Mackey

 Name and Title
Principal Engineer

40176

 Florida Registration Number
 (please affix seal)

531 Versailles Drive, Suite 202

 Mailing Address
Maitland, FL, 32751-7301

 City, State, Zip Code
bmackey@s2li.com

 E-mail address
(407) 475-9163

 Telephone Number
8/28/24

 Date

Attachment 4 - Waiver Requests

REQUEST FOR WAIVERS

Pursuant to the provisions of § 32-214(k), Orange County Code of Ordinances (Code), Waste Management (WM) requests a waiver from the requirements of the following sections of the Code:

- Section 32-216(a)(11)(a) of the Code provides several setbacks for solid waste disposal areas. Among these are 200 feet to a major highway, 150 feet to a property line or public road, and 250 feet to an existing structure that is the subject of a Certificate of Occupancy. WM's Orlando Transfer Station (WMOTS) currently processes waste within 150 feet of its property boundaries to the east and west of the facility. The proposed C&D canopy expansion area does not extend closer to the property boundaries on the east or west side of the facility. Because the facility has already been constructed, satisfying this setback requirement is not feasible. The WMOTS satisfies all other setback requirements of the Code. WM respectfully requests that operations be allowed to continue with the existing setbacks.
- Section 32-216(a)(14) of the Code requires random load inspections to be performed at the site as part of the waste stream quality control plan. The residue generated from the facility is sent to FDEP permitted facilities for disposal. These facilities are subject to at least three (3) random load inspections. Additionally, the WMOTS has space restrictions within the tipping floor area that inhibits the random inspection of loads. The facility is currently operating under a Florida Department of Environmental Protection (FDEP) Waste Processing Facility Permit, which does not require the facility to perform random load inspections. The proposed C&D canopy expansion area will provide additional detection of unauthorized waste since each load is screened for recycling. WM respectfully requests that operations be allowed to continue without performing random load inspections.
- Section 32-216(a)(19) of the Code limits hours of operation for solid waste management facilities. Specifically, the Code states that hours of operation must be set by the board and should be no earlier than 7:00 a.m. and no later than

7:00 p.m., unless properly waived by the board. WMOTS currently processes waste 24 hours per day, seven days per week as there is an existing wavier approval for these hours. WM respectfully requests that operations be allowed to continue within these operating hours.

- Section 32-216(b)(3) of the Code requires that setback areas shall be landscaped to provide a visual buffer from adjacent properties. The landscaping plan has been reviewed by the city and can be found in Appendix I of this application. The facility lies within an industrial zone to the north, east, and west and is located between a transfer station and transportation company. WM has an existing waver approval for this Section of the code and respectfully requests that operations be allowed to continue with the landscaping plan found in Appendix I.
- Section 32-216(b)(6) of the Code requires the design of a stormwater management system. WMOTS has a permitted stormwater collection system serving the existing solid waste processing facility. A copy of the current Environmental Resource Permit was provided in the Application for a Solid Waste Management Facility Permit dated April 16, 2012 and is not being submitted in this application. An updated stormwater management system design for this expansion has been reviewed by the city. The expansion proposed in this permit application will not result in a significant net increase in impervious area on site. WM respectfully requests that a new stormwater management system design be exempt from this application.

(1) Location of Real Property – The WMOTS, located at 4978 L.B. McLeod Road in Orlando, Florida has been an active waste processing facility for approximately 22 years. The industrially zoned property is located within a larger industrially zoned area to the north, east, and west.

(2) Distance From Improvements on Adjoining Property – The Orange County Solid Waste Management Ordinance, Chapter 32 of the Orange County Code of Ordinances, provides several setbacks for solid waste disposal areas. Among these are 200 feet to a major highway, 150 feet to a property line or public road, and 250 feet to an existing

structure that is the subject of a Certificate of Occupancy. The WMOTS processes waste within 150 feet of its property lines to the east and west, however it satisfies all other setback requirements of the Code.

(3) Effect of Waiver on Adjoining Property – The request for waiver addresses the operating hours of the WMOTS. The adjacent properties to the north, east, and west are zoned for industrial use. The properties to the south are zoned for conservation and residential uses. Because the facility has been operating for approximately 22 years with minimal impact on the surrounding properties, WM respectfully submits that continued operations will have a minimal effect on said properties.

(4) Current Physical Conditions – As previously indicated, the WMOTS is an existing waste processing facility. WM respectfully submits that the current physical conditions on the real property whereon the solid waste management facility is located are adequate for continued use of the facility during the requested hours of operation.

(5) Maintaining Public Health, Safety, and Welfare, and Adherence to the Code – WM respectfully submits that approval of this waiver poses no threat to public health, safety, or welfare. WM will continue to operate the WMOTS in compliance with all adopted plans, policies, and ordinances of Orange County.

(6) Special Conditions – Not addressed.

(7) Nullification – The intent and purpose of Chapter 32 of the Orange County Code of Ordinances is to minimize the threat to public health and the environment, and to protect the natural resources of Orange County through establishing standards of solid waste management facility construction, operation, and closure. WM respectfully submits that continuing waste processing operations at the WMOTS during the requested hours of operation will not nullify this intent.

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