





Interoffice Memorandum

AGENDA ITEM

December 20, 2021

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

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

CONTACT PERSON: David D. Jones, P.E., CEP, Manager
Environmental Protection Division 
(407) 836-1406

SUBJECT: January 25, 2022 — Consent Item
Request for Renewal of Solid Waste Management Facility
Permit SW-142429-MRF/TS-07/1608 for a Materials
Recovery Facility and Transfer Station by Republic Services
of Florida, LP

The applicant, Republic Services of Florida, LP, requests approval of permit application SW-21-08-001 for renewal of Solid Waste Management Facility permit SW-142429-MRF/TS-07/1608. The permit is for a Materials Recovery Facility (MRF) and Transfer Station for Class I and Class III solid waste. The facility, known as the Rocket Boulevard Materials Recovery Facility, includes approximately 22,000 square feet of building space and adjacent storage areas on a property that is approximately 13.9 acres in size. The property is located at 11273 (11255) Rocket Boulevard, Orlando and lies within unincorporated Orange County, approximately ¼ mile south of Central Florida Parkway in District 4. The Parcel ID number is 14-24-29-0000-00-006.

On November 13, 2007, the Board approved the initial solid waste permit for this facility. The facility currently has Class III solid waste MRF operations in an existing building that is 10,000 square feet (sq. ft.) in size. An approximately 12,000 sq. ft. building for Class I solid waste operations that was approved at the same time has not yet been constructed. In the interim, the facility has proposed to utilize the area for this future building for outdoor yard trash recycling on an as needed basis.

At a MRF, recyclable materials are sorted from incoming solid waste and are then transported to approved recycling facilities. Residual solid wastes are transported to approved disposal facilities. 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.

Class I solid waste is solid waste which is not hazardous waste, and which is not prohibited from disposal in a lined landfill under the rules of the State of Florida Department of Environmental Protection (FDEP). Class I waste typically includes household and commercial garbage. Class III solid waste includes combinations of yard

waste and construction and demolition debris along with other debris such as paper, cardboard, asbestos, cloth, cut tires, glass, plastic, and other materials approved by the FDEP that are not expected to produce leachate that poses a threat to public health or the environment.

There are currently no outstanding Notices of Violation for the facility. Over the past permit period, the facility operators have worked with the Environmental Protection Division (EPD) staff to resolve any issues that have arisen. These have generally been minor, including repairing fences and maintaining storm drains. The facility has been operating with little or no throughput of solid waste in recent years.

On August 2, 2021, EPD received permit renewal application SW-21-08-001. The current permit had an expiration date of August 15, 2021. In accordance with Orange County Code Section 32-214(g), the facility has operated under an extension during the renewal application review period. The review of submittals, which included minor updates to their operations plan, is now complete. The complete application forms are available on file at EPD.

A previously approved waiver for reduced setbacks from the property boundaries is documented in permit condition number 45. No change is proposed to the previously approved waiver and no additional waivers are being requested as part of the requested permit renewal.

EPD staff determined that the renewal application satisfactorily addresses current code requirements in conjunction with the permit conditions. Minor updates to the permit conditions will reflect the renewal submittals. Upon approval by the Board, this permit shall be renewed for five years with an expiration date of January 24, 2027.

ACTION REQUESTED: Approval of a five-year renewal of Solid Waste Management Facility Permit No. SW-142429-MRF/TS-07/1608 through January 24, 2027 for Republic Services of Florida, LP for the Rocket Boulevard Materials Recovery Facility, subject to the waiver and conditions of approval. District 4

JVW/DDJ: jk

Attachment

Attachment – Aerial and Location Map



Solid Waste Management Facility
Permit Renewal Application
SW-21-08-001
District 4

Applicant: **Republic Services of
Florida, LP**

Address: **11273 (11255) Rocket Blvd**
Parcel ID: **14-24-29-0000-00-006**

Project Site 
Property Location 



ROCKET BOULEVARD MATERIALS
RECOVERY FACILITY
REPUBLIC SERVICES OF FLORIDA, LP
ORANGE COUNTY, FLORIDA

OVERALL SITE PLAN

DATE: 07/26/2017
PROJECT NO.: 0221.032
SCALE: 1"=50'

DATE: 3/15/18
PROJECT NO.: 0221.032
SCALE: 1"=50'

DESIGN: JMM
PROJECT NO.: 0221.032
SCALE: 1"=50'

DATE: 3/15/18
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Attachment - 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. This permit includes, at a minimum, the following documents:
 - a. "Permit Application: Class I and III Waste Processing Facility," dated March 14, 2006, and submitted by Jennifer L. Deal, P.E., Tetra Tech HAI.
 - b. The Environmental Protection Division (EPD) "Request for Additional Information," dated October 2, 2006.
 - c. "Response to Request for Additional Information," dated November 20, 2006, and submitted by Jennifer L. Deal, P.E., Tetra Tech HAI.
 - d. "Rocket Boulevard Haul Routes" including revised application page 4, dated September 28, 2007, submitted by Jennifer L. Deal, P.E., Tetra Tech HAI.
 - e. "Permit Renewal Application" dated August 14, 2012, received August 14, 2012, submitted by Jennifer L. Deal, P.E., Tetra Tech.
 - f. "Permit Renewal Application" (Technical Review Response) dated April 27, 2016, received April 28, 2016, submitted by Jennifer L. Deal, P.E., Tetra Tech.
 - g. Email titled "RE: Rocket Blvd Permit Renewal - Review of RAI Response" (with revisions to Operation Plan) dated May 4, 2016, received May 4, 2016, submitted by Jennifer L. Deal, P.E., Tetra Tech.
 - h. "Application for Permit Renewal" dated August 2, 2021, received August 2, 2021, submitted by Jennifer L. Deal, P.E., Tetra Tech.
 - i. "Engineering Report" addendum dated August 12, 2021, received August 12, 2021, submitted by Jennifer L. Deal, P.E., Tetra Tech.
 - j. Response to Request for Additional Information #1, dated September 28, 2021, received September 28, 2021, submitted by Jennifer L. Deal, P.E., Tetra Tech.
3. 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 authorized agent) to the Board of County Commissioners (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 authorized

agent) if it was expressly made to the BCC at a public hearing where the permit was considered or approved.

4. 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.
5. This permit does not relieve the permittee from the responsibility of obtaining and maintaining any/all other applicable federal, state, or local permits and renewals thereto required for the site. ~~The permittee is required to maintain, current and valid, any permit(s) required in Sections 62-701 through 62-722, Florida Administrative Code (FAC).~~
6. No solid waste may be stored, processed, or disposed of in a manner or location that will cause air quality, water quality, or receiving water standards to be violated.
7. The permittee shall maintain and provide to the EPD evidence of financial responsibility, and financial assurance, using an approved method, in an amount equivalent to the County's total cost of closure for the facility for the period of time when the extent and manner of operation make the closing most expensive.
8. After all proposed construction has been completed, and before acceptance of any solid waste in the proposed construction area, the engineer of record shall certify to the EPD that the permitted construction is complete and that it was done in accordance with the plans submitted to the EPD except where minor deviation was necessary. All deviations shall be described in detail and the reasons therefore enumerated. The permittee shall provide at least 14 days advance notice to the EPD prior to accepting solid waste in the proposed construction area so that the EPD has the opportunity to inspect the site.
9. All activities at the facility shall be performed in accordance with the operation and maintenance manual and plans for the facility. Manuals and plans shall be updated whenever relevant operations change.

Security and Access

10. 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.
11. The Hours of Operation, as approved by the BCC, are:

Monday - Friday: 7:00 a.m. - 7:00 p.m.
Saturday: 7:00 a.m. - 7:00 p.m.
Sunday: None

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.

12. A sign listing the approved Hours of Operation shall be posted and maintained in a manner that is clearly visible upon approach to the main entrance(s) to the facility.

13. Site access shall be controlled by at least a 6-foot-high security chain link fence, or equivalent approved method. Fences or walls shall comply with Sections 32-216(a)(13) and 38-1408, Orange County Code (OCC). Site access control shall be inspected at least quarterly and maintained at all times by the permittee. Gates shall be locked when the site is not open for business.

Waste Quality Control

14. The facility may receive, extract recyclable materials from, and temporarily store or hold, but not dispose of onsite, the following materials:
 - up to a weekly average of 500 tons per day Class III waste, including construction and demolition debris waste, within the approved tipping floor(s);
 - up to a weekly average of 600 tons per day Class I waste within the approved tipping floor(s).

Wastes shall only be unloaded or loaded within the approved tipping floors. Temporary storage of wastes onsite shall not exceed the quantities covered in latest approved Financial Assurance mechanism.

15. A sign listing waste material acceptable to the site shall be posted and maintained in a manner that is clearly visible upon approach to the main entrance(s) to the facility.
16. Each shipment of incoming waste must be inspected by a spotter, or interim spotter, trained and performing duties in accordance with Rule 62-701.320(15), FAC. 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.
17. Hazardous wastes, universal wastes, and regulated nonhazardous wastes shall be managed in accordance with Resource Conservation and Recovery Act and the FAC, as appropriate. Manifests for the shipment of all such wastes must be maintained onsite.
18. The operator shall inform the County immediately of the inadvertent receipt of any shipment containing greater than 25 gallons or 220 pounds of hazardous waste, or of the greater than de minimis discharge of any hazardous waste in the facility, and provide a written plan within 5 days advising the date of discovery and how the hazardous waste was properly disposed. If laboratory confirmation is needed, the laboratory results shall be provided to the County. Once waste is confirmed to be hazardous, it shall be properly managed within 5 days. In the case of release or discharge above threshold quantities, the Florida State Watch Office (1-800-320-0519) shall be notified.

19. Lumber that has been pressure treated with chromated copper arsenate (CCA) or creosote will not be recovered from the waste stream for chipping or mulching, but will be transported offsite for proper disposal.
20. All putrescible wastes shall be removed from the facility within 48 hours. Upon demonstration of adequate additional controls, including odor and vector controls, EPD may extend this period to a maximum of 7 days, on a case by case basis.
21. Rejected wastes must be promptly removed and shipped offsite for management at an appropriate facility. Rejected waste must be removed within 1 week.
22. Recovered materials must be shipped out within 1 year of processing.

Ancillary Operations

23. Any future ancillary operations are subject to review by the EPD.

Community Issues

24. The only permitted routes for vehicular access to and from the site are those approved by the BCC. Those are:
 - a. Central Florida Parkway to Rocket Boulevard to the facility entrance
 - b. S.R. 441 to Central Florida Parkway
 - c. Orange Avenue to Taft-Vineland Road to General Drive to Central Florida Parkway
 - d. Orange Avenue to Zell Drive to United Way to Central Florida Parkway

No vehicular access to and from the site is allowed through the parcel(s) located south of the facility.

At least once per quarter, the permittee shall notify customers of routes that are approved and not approved, and of their obligations under this permit and Section 32- 111 "Loads on vehicles," OCC.

25. The permittee shall be responsible for cleanup of all litter generated from the permittee's operation per Sections 32-113 and 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 Rocket Boulevard between Central Florida Parkway and the facility entrance.

Cleanup shall take place along publicly accessible rights-of-way and with all necessary safety precautions.

26. Driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized in accordance with Section 32-216(a)(18) and Chapter 38, OCC.
27. Excessive growth of grass, weeds, and brush on property shall be minimized in accordance with Chapter 28, Article II, OCC.

28. Landscaping shall be evaluated at least quarterly and any damaged vegetation replaced in accordance with the approved landscape plan.
29. In areas not approved for processing of wastes or storage of recovered materials, accumulation of trash, junk, debris, and nonliving plant material shall be minimized in accordance with Chapter 28, Article II, OCC.
30. Vectors and pests shall be controlled through the appropriate use of pesticides or other approved methods to minimize impact on adjacent properties.
31. Fugitive dust emissions shall be controlled per Section 38-1452 and Chapter 15, Article 111, of OCC.
32. Any wood chipping operations must meet the performance standards in Section 38- 79(96).
33. Recovered materials may only be stored within approved storage areas. Neither the front yard setback area (35 feet from western boundary), nor any landscape buffer area, may be used for open storage. Storage of recovered materials is limited to the quantities covered in latest approved Financial Assurance mechanism.
34. The permittee shall conduct weekly inspections of the stormwater management system, and any required maintenance or repairs will be conducted within 7 days or other EPD approved schedule.

Reporting and Record Keeping

35. The following items shall be maintained and available for review at the facility for a period of at least 3 years:
 - a. A copy of the complete permit including plans, reports, and other supporting documents
 - b. Unauthorized waste receipt logs maintained in an unauthorized waste receipt logbook
 - c. Manifests and/or receipts for leachate tank pump-out
 - d. Manifests for any hazardous waste, universal waste, or regulated nonhazardous waste, shipped offsite
 - e. Credentials for operators and spotters
 - f. A list of customers notified about haul routes and restrictions
 - g. A record of stormwater management system inspections and any repairs
 - h. A record of site access control (gate and fence) inspections and any repairs
36. 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 the department 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.

Transfer of Permit/Closing

- 37. This permit may be transferred only upon approval by the BCC as outlined in Section 32- 214(i).
- 38. If the facility temporarily ceases accepting waste, the EPD shall be notified, and all solid waste (unprocessed, rejected, etc.) shall be removed within 1 week or other EPD approved schedule.
- 39. If the facility permanently ceases accepting waste prior to the expiration of this permit, it shall close in accordance with the provisions of this permit. Closure shall take place as documented in the application and:
 - a. The owner or operator shall notify the EPD in writing prior to ceasing operations, and shall specify a closing date. No waste shall be received by the facility after the closing date.
 - b. Within 30 days after receiving the final solid waste shipment, the owner or operator shall remove or otherwise dispose of all solid waste or residue in accordance with the approved closure plan.
 - c. Closure must be completed within 180 days after receiving the final solid waste shipment. Closure will include removal of all recovered materials from the site.
 - d. Regardless of any financial assurance, the permittee is responsible for all costs to properly close operations at the facility.

Fires, Emergency Preparedness, and Continuity of Operations

- 40. Burning of solid waste is prohibited.
- 41. A fire-fighting agreement signed by the solid waste management facility operator and the Orange County Fire Chief, as outlined in 32-215(a)(21), OCC, shall be maintained and updated whenever relevant operations change.
- 42. The operator shall inform the EPD immediately of any fires that persist longer than 1 hour.
- 43. Class I waste shall not be accepted at any time there is a reasonable anticipation by the permittee or that:
 - a. Due to equipment failure, capacity, or any other reason, the waste or its residue cannot be shipped out within 48 hours; or
 - b. Electricity, whether utility or back-up generator supplied, will not be available to properly operate the leachate collection system or odor control system.
- 44. Once approved recovered materials storage limits are reached, no additional recovery of that item can occur. No wastes shall be accepted at any time there is a reasonable anticipation that

the lesser of either approved tipping floor space or available processing capacity for that waste will be exceeded.

Waivers

45. As required, the following items have been properly waived by the BCC:
- a. An operational setback of 93 feet, rather than 150 feet, from the south property boundary for the existing (eastern) processing building.
 - b. An operational setback of 50 feet, rather than 150 feet, from the east property boundary for the existing (eastern) processing building.
 - c. An operational setback of 77 feet, rather than 150 feet, from the south property boundary for the proposed (western) processing building.

Board of Zoning Adjustment Conditions

46. Development in accordance with the site plan, dated Received May 7, 2007, the November 1, 2006, Development Review Committee conditions, and all other applicable governmental rules and regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another public hearing.
47. All outdoor lighting in accordance with Chapter 9, OCC.
48. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department.
49. Landscaping in accordance with Chapter 24, OCC.
50. Open or outdoor storage of Class I waste overnight (after operating hours) on the ground or in the building is prohibited. In the event of inclement weather during operating hours, the applicant shall secure all Class I waste with industrial-rated tarps or other similar application to contain waste and prevent fly-away litter from the building and haul vehicles. Overnight parking of haul vehicles containing uncovered Class I waste is prohibited.
51. Install odor-neutralizing system inside proposed addition. System shall be functional and operational prior to obtaining final building inspection.
52. Hours of operation in accordance with Chapter 32, OCC.
53. Haul route, dust emissions, and detailed litter/odor/screening controls shall be subject to EPD review and BCC approval of the permit.
54. Building design per drawings, dated received September 6, 2007.
55. Obtain a floodplain permit prior to construction.

Development Review Committee Conditions

56. Development shall conform to the Rocket Boulevard Materials Recovery Facility Expansion - Special Exception for Class I Facility Site Plan, dated "Received May 7, 2007," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the Planned Development may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities.
57. Billboards and pole signs shall be prohibited.
58. Outdoor storage of Class I solid waste is prohibited. This shall include the overnight parking of vehicles containing uncovered Class I solid waste.
59. Prior to earth work or construction, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the EPD NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection.
60. The applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to certificate of occupancy. However, nothing in this condition and nothing in the decision to approve this development plan shall be construed to mean that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

Other

61. 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.