



# Florida Department of Environmental Protection

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2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Mimi A. Drew  
Secretary

December 16, 2010

Mr. Mark Roberts, P.E.  
Senior Project Manager  
HDR Engineering, Inc.

RE: Alachua County Conceptual Solid Waste Management Projects Letter of  
Understanding

Dear Mr. Roberts:

Thank you for your letter dated November 12, 2010 in which you requested regulatory determinations concerning a conceptual organics recycling facility and a conceptual mixed-waste materials recovery facility (MRF). As I understand it, your questions have arisen because Alachua County is considering applying for a permit to construct and operate a facility for recycling organic material recovered from its mixed-waste stream. Since the recycling technology is a relatively new design in Florida, the County is seeking clarification on the applicability of the permitting requirements contained in Chapter 62-709, Florida Administrative Code (F.A.C.).

Chapter 62-709, F.A.C., is generally applicable to an owner or operator of a solid waste facility intended for *processing and recycling* of organic solid waste as opposed to a facility intended for *disposal* of organic solid waste. In the referenced letter and accompanying report, you have presented a conceptual organics recycling facility that "will utilize composting technologies to generate compost for use as a soil amendment." Therefore, I concur that permitting this organics recycling facility under Chapter 62-709, F.A.C., is appropriate, and I do not see any problem if the application for construction and operation of the proposed facility is submitted on Form 62-709.901(1), F.A.C.

This determination is conditioned upon the applicant providing supporting documentation sufficient to provide reasonable assurance that the construction, operation and closure of the facility will not be expected to cause adverse environmental or human health impacts. The applicant is encouraged to arrange a pre-application meeting with the Department to discuss what will be required since it appears certain construction, operation and financial assurance requirements of Chapter 62-701, F.A.C. are applicable. It is possible that the applicant may also be required to obtain an approval of alternate procedures and requirements under Rule 62-701.310, F.A.C., since some of the details for construction, operation and closure of the proposed facility may be significantly different from what is require in Chapter 62-709, F.A.C.

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You have also presented a draft feasibility analysis for a conceptual MRF that you intend to locate at an existing permitted solid waste transfer station. You stated in your letter, "it is our understanding that the percentage of recovery is not a factor in determining if the facility is permissible as a materials recovery facility." While I am aware of certain local ordinances elsewhere in the state that stipulate *percentage of recovery* requirements for MRFs, there is no such requirement contained in the Florida Statutes or the Department's rules. I therefore concur that you could modify your existing waste processing facility permit and change the facility from a transfer station to a MRF without having to specify a minimum percentage recovery of recyclables. When you submit the modification application you can simply indicate the application is for a MRF rather than a transfer station on Form 62-701.900(4), F.A.C., and, of course, submit any other necessary information in support of the modification.

I hope this information is helpful. If I can be of further assistance please feel free to contact me at (850) 245-8735 or Mr. Daniel Kuncicky at (850) 245-8786.

Sincerely,

A handwritten signature in blue ink that reads "Richard B. Tedder" followed by a horizontal flourish.

Richard B. Tedder, P.E.  
Program Administrator  
Solid Waste Section

RBT/dk

cc: Chris McGuire, FDEP Tallahassee  
Emerson Raulerson, FDEP Northeast District  
Sally Palmi, Alachua County  
Sylvia Torres, Alachua County  
Ron Bishop, Alachua County  
John Locklear, HDR