



# FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office  
13051 North Telecom Parkway #101  
Temple Terrace, Florida 33637-0926

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

May 9, 2022

W. Michael Daniel, President  
M. Daniel Construction, Inc.  
4435 Baseball Pond Road  
Brooksville, Florida 34602  
[Michael@mdanielinc.com](mailto:Michael@mdanielinc.com)

Re: Sunshine Grove Road C&D Debris Disposal Facility  
WACS ID No. 40924  
Hernando County

Dear Mr. Daniel:

Department personnel conducted a compliance inspection of the above-referenced site on February 25, 2022. Based on the information provided following the inspection, the site was determined to be in compliance. A copy of the inspection report is attached for your records and any non-compliance items which may have been identified at the time of the inspection have been corrected.

The Department appreciates your compliance efforts. Should you have any questions or comments, please contact Ryan McMillan at (813) 470-5793, or via e-mail at: [Ryan.D.McMillan@FloridaDEP.gov](mailto:Ryan.D.McMillan@FloridaDEP.gov).

Sincerely,

A handwritten signature in blue ink that reads "Hannah Westervelt".

Hannah Westervelt  
Environmental Manager  
Compliance Assurance Program  
Southwest District  
Florida Department of Environmental Protection

Enclosures: Inspection Report

cc: Ryan McMillan, FDEP Southwest District, [Ryan.D.McMillan@FloridaDEP.gov](mailto:Ryan.D.McMillan@FloridaDEP.gov)  
Hannah Westervelt, FDEP Southwest District, [Hannah.Westervelt@FloridaDEP.gov](mailto:Hannah.Westervelt@FloridaDEP.gov)  
Brian MacSweeney, Sunshine Grove Road, [bfm1958@gmail.com](mailto:bfm1958@gmail.com)



**Florida Department of  
Environmental Protection  
Inspection Checklist**

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**FACILITY INFORMATION:**

**Facility Name:** SUNSHINE GROVE RD PHASE I (C & D)

**On-site Inspection Start Date:** 02/25/2022

**On-site Inspection End Date:** 02/25/2022

**WACS No.:** 40924

**Facility Street Address:** SUNSHINE GROVE RD

**City:** BROOKSVILLE

**County Name:** HERNANDO

**Zip:** 34613

**INSPECTION PARTICIPANTS:**

(Include ALL Landfill and Department Personnel with Corresponding Titles)

**Principal Inspector:** Ryan D Mcmillan, Inspector

**Other Participants:** Melissa Madden, Senior Programs Analyst; Justin Chamberlain, Professional Geologist; Brian MacSweeney, Facility Representative;

**INSPECTION TYPE:**

Routine Operation Inspection for C&D Debris Disposal Facility

**ATTACHMENTS TO THE INSPECTION CHECKLIST:**

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

**Note: Checklist items with shaded boxes are for informational purposes only.**

1.0 - SECTION 1.0 - FILE REVIEW

5.0 - SECTION 5.0 - C&D DEBRIS DISPOSAL FACILITIES

## SUNSHINE GROVE RD PHASE I (C &amp; D)

Inspection Date: 02/25/2022

## 1.0 - SECTION 1.0 - FILE REVIEW

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	FILE REVIEW (Pre- or Post-Inspection, as appropriate.)	Ok	Not Ok	Unk	N/A
1.1	For landfills and C&D disposal facilities, does the facility have a current plan for the method and sequence of filling wastes? 62-701.500(2)(f) for landfills; 62-701.730(7)(a) for C&D debris sites	✓			
1.2	For landfills, are the following records being reported to the Department?(Check any that are Not OK) <input type="checkbox"/> Waste reports (annually) 62-701.500(4) <input type="checkbox"/> Annual estimate of remaining life 62-701.500(13)(c)				✓
1.3	Is gas monitoring being performed as required by the permit? 62-701.500(9), 62-701.530(2)				✓
1.4	Are the results of the gas sampling reported to the Department quarterly? 62-701.530(2)(c)				✓
1.5	Is water quality sampling and testing performed according to standard procedures and at the required frequencies? 62-701.510(2) for landfills; 62-701.730(8) and 62-701.730(10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.	✓			
1.6	Do the results of the water quality testing suggest there may be adverse impacts to water quality from the operation of the solid waste facility? 62-701.510(3) and (4); 62-701.730(4)(c) and (10) for C&D debris sites; 62-713.400(3) for stationary soil treatment facilities.			✓	
1.7	For closed landfills and C&D disposal facilities with final elevations higher than 20 feet above grade, has a final survey report verifying the final elevations and contours of the facility been submitted to the Department? 62-701.600(6)(b), 62-701.730(9)(e)				✓
1.8	Is financial assurance adequate? 62-701.630 for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(a) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities. NOTE: The Solid Waste Financial Coordinator in Tallahassee can assist with this information.		✓		
1.9	Are cost estimates current and adjusted every year? 62-701.630(4) for landfills; 62-701.710(7)(a) and 62-701.710(1)(d)1. for waste processing facilities; 62-701.730(11)(a) for C&D debris facilities; 62-713.600(6)(b) and 62-713.600(6)(c) for stationary soil treatment facilities; 62-711.500(3) for waste tire facilities.		✓		
1.10	For C&D debris disposal and disposal with recycling facilities, is an Annual Report submitted to the Department for the disposal operation by February 1st of each year? 62-701.730(12)	✓			
1.11	For C&D recycling facilities with no disposal, is an Annual Report for the recycling facility submitted to the Department by February 1st of each year? 62-701.710(8)(b)				✓
1.12	For compost facilities, has the compost product been sampled and analyzed every 20,000 tons or every 3 months (whichever is sooner)? 62-709.530(1)				✓
1.13	For compost facilities, has the annual report been submitted by June 1st? 62-709.530(3)				✓

## SUNSHINE GROVE RD PHASE I (C &amp; D)

Inspection Date: 02/25/2022

## 5.0 - SECTION 5.0 - C&amp;D DEBRIS DISPOSAL FACILITIES

## Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a **potential violation** of the corresponding rule or an **area of concern that requires more attention**. Both potential violations and areas of concern are discussed further at the end of this inspection report.

Item No.	SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(18))	Ok	Not Ok	Unk	N/A
5.1.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted solid waste management facility or other exempt facility? 62-701.300(1)(a)		✓		
5.1.2	Unauthorized disposal or storage prohibited, except yard trash, within 500 feet of a potable water well? 62-701.300(2)(b)	✓			
5.2	Unauthorized storage or disposal of yard trash prohibited within the minimum setbacks of (Check any that are Not OK) 62-701.300(12) <input type="checkbox"/> 100 feet from potable water wells (except on-site)? <input type="checkbox"/> 50 feet from water bodies?	✓			
5.3	Unauthorized disposal or storage prohibited in any natural or artificial body of water including ground water and wetlands? (Does not apply to standing water after a storm event.) 62-701.300(2)(d)		✓		
5.4	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e)		✓		
5.5	Unauthorized open burning of solid waste prohibited except in accordance with Department requirements? 62-701.300(3)	✓			
5.6	Are the following unauthorized wastes or special wastes properly managed? (Check any that are Not OK) <input type="checkbox"/> Hazardous waste 62-701.300(4) <input type="checkbox"/> Biomedical waste 62-701.300(6) <input type="checkbox"/> Regulated asbestos wastes 62-701.520(3), 62-701.730(19) <input type="checkbox"/> Used oil and oily wastes, except as exempted 62-701.300(11) <input type="checkbox"/> PCB wastes 62-701.300(5) <input type="checkbox"/> Liquids 62-701.300(10) <input type="checkbox"/> CCA treated wood 62-701.300(14)	✓			
Item No.	C&D DEBRIS DISPOSAL FACILITY OPERATION AND MAINTENANCE	Ok	Not Ok	Unk	N/A
5.7	Is the facility only disposing of C&D debris? 62-701.730(4)(a), 62-701.730(7)(d) and 62-701.730(7)(k)		✓		
5.8	Are groundwater wells intact and properly maintained? 62-701.510(2)(b), 62-701.730(8)	✓			
5.9	Is stormwater effectively controlled? 62-701.730(5)		✓		
5.10	Are waste slopes no greater than 3 feet horizontal to 1 foot vertical rise, unless otherwise stated in the Operation Plan? 62-701.730(7)(b)		✓		
5.11	Are wastes compacted and graded according to the requirements of the Operation Plan? 62-701.730(7)(b)		✓		
5.12	Is access to the facility properly controlled? 62-701.730(7)(c)	✓			
5.13	Is a trained operator on duty at the facility at all times the facility is operating? 62-701.730(7)(d)	✓			
5.14	Are there a sufficient number of spotters on duty at the working face to inspect the incoming wastes at all times waste is being accepted? 62-701.730(7)(d)	✓			
5.15	Are training records current and available on-site at the facility? 62-701.730(7)(d), 62-701.320(15)(a)	✓			
5.16	Are objectionable odors controlled in accordance with Department requirements? 62-	✓			



## SUNSHINE GROVE RD PHASE I (C &amp; D)

Inspection Date: 02/25/2022

Item No.	C&D DEBRIS DISPOSAL FACILITY OPERATION AND MAINTENANCE	Ok	Not Ok	Unk	N/A
	701.730(7)(e)				
5.17	Are fuels, solvents, lubricants, and other maintenance materials securely stored in areas separate from disposal or sorting areas? 62-701.730(7)(f)	✓			
5.18	Are buckets accepted for disposal at the facility that contain liquids, other than water, hardened paint, tar, cement, or similar non-hazardous materials? 62-701.730(7)(g)	✓			
5.19	Are areas of the facility requiring final cover properly closed? 62-701.730(9)	✓			
5.20	If an air curtain incinerator is used at the facility, is it properly operated? 62-701.730(14)				✓
5.21	Is the facility operated so that blowing litter and vectors are minimized? 62-701.730(18)	✓			
5.22	Are the following records or plans current and available on-site? (Check any that are Not OK) <input type="checkbox"/> Operation Plan 62-701.730(7)(a) <input type="checkbox"/> Contingency Plan 62-701.320(16)(a) <input type="checkbox"/> Operational Records (if materials are recovered for the purpose of recycling) 62-701.730(13)(a), 62-701.710(9)(a) <input type="checkbox"/> CCA Treated Wood Management Plan, at unlined facilities 62-701.730(20)	✓			
5.23	Are all additional specific conditions (not otherwise addressed above) in the permit, Department order, or certification, if any, for the disposal operation being followed? 62-701.320(1), 403.161, F.S.		✓		

**SUNSHINE GROVE RD PHASE I (C & D)**

Inspection Date: 02/25/2022

**Current Violations:**

Rule: 62-701.300(2)(d)

Question Number: 5.3

Explanation: During inspection, Department staff observed waste in the storm water ditch to the east of the working face.

Corrective Action: Remove all waste from this area and provide the Department with photographic documentation demonstrating this area has been cleared of all waste within 30 days of the date on the attached Cover Letter.

**Attachments:**

Waste in Drainage Ditch



Waste in Drainage Ditch



Rule: 62-701.730(5)

Question Number: 5.9

Explanation: During site visit, Department staff observed standing water in the drainage swale. Due to dry conditions in the days prior to site visit, it appears the water has been standing in excess of 72 hours, which does not adhere to Item 5.e of the Operations plan, which states "The stormwater from the eastern dewatering sump/ditch is pumped to the south stormwater pond if the stormwater in the east ditch has not sufficiently percolated into the soil within 72 hours." Additionally, Item 5.e also states pumping must occur if the water is contacting exposed waste, which was observed during this inspection.

Corrective Action: Please provide the Department with photographic documentation demonstrating the drainage swale has been pumped into the south stormwater pond.

**Pre-existing Violations:**

Rule: 62-701.300(1)(a)

Question Number: 5.1.1

Explanation: At the time of inspection, unacceptable waste was noted at both the working face as well as pushed down the side slope. Unacceptable waste observed by Department staff included two whole waste tires, a bucket of wet tar, putrescible wastes, and assorted domestic waste items.

Corrective Action: Within 30 days of receiving this inspection report, please provide the Department with additional clarification as to how the facility plans to adequately manage incoming waste.

**Attachments:**

Inspection Date: 02/25/2022

Unacceptable Waste



Unacceptable Waste



Unacceptable Waste



Unacceptable Waste



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**Current Areas of Concern:**

Rule: 62-701.630, 62-701.710(1)(d)1., 62-701.710(7)(a), 62-701.730(11)(a), 62-711.500(3), 62-713.600(6)(a)

Question Number: 1.8

Explanation: During file review, it was observed that the annual Financial Assurance/Cost Estimate (FACE) was due between January 1 and March 1, 2022. As of 3/17/2022, this does not appear to have been submitted.

Corrective Action: Please provide the annual FACE to the Department within 15 days of the date listed on the attached Cover Letter.

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Rule: 62-701.630(4), 62-701.710(1)(d)1., 62-701.710(7)(a), 62-701.730(11)(a), 62-711.500(3), 62-713.600(6)(b), 62-713.600(6)(c)

Question Number: 1.9

Explanation: See Item 1.8.

Corrective Action: See Item 1.8.

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Rule: 62-701.730(7)(b)

Question Number: 5.10

Explanation: During inspection, Department staff observed slopes that did not meet the 3:1

**SUNSHINE GROVE RD PHASE I (C & D)**

Inspection Date: 02/25/2022

slope grade requirements.

**Corrective Action:** Please provide the Department with photographic documentation demonstrating all slopes are meeting the 3:1 grade requirements within 30 days of the date listed on the attached Cover Letter.

**Attachments:**

Improper Slopes



Improper Slopes



**Rule:** 62-701.730(7)(b)

**Question Number:** 5.11

**Explanation:** See Item 5.10.

**Corrective Action:** See Item 5.10.

**Rule:** 403.161, 62-701.320(1)

**Question Number:** 5.23

**Explanation:** See Item 5.9.

**Corrective Action:** See Item 5.9.

**Rule:** 62-701.300(2)(e)

**Question Number:** 5.4

**Explanation:** See Item 5.3.

**Corrective Action:** See Item 5.3.

**Rule:** 62-701.730(4)(a), 62-701.730(7)(d), 62-701.730(7)(k)

**Question Number:** 5.7

**Explanation:** See Item 5.1.1.

**Corrective Action:** See Item 5.1.1.

**COMMENTS:**

Item 1.5: During file review, Department staff observed the 1st SA 2022 Groundwater Monitoring Report does not appear to have the Ground Water Monitoring Certification, using Department Form #62-701.900(31).



Inspection Date: 02/25/2022

Please ensure all future submittals include this form.

Item 1.6: Groundwater monitoring data was reviewed for groundwater standard exceedances, completeness, and quality assurance/quality control (QA/QC); however, a review of historical data trending was not performed.

Item 5.8: During inspection, Department staff observed overgrown vegetation around some of the monitoring wells. On March 7, 2022, facility staff provided Department staff with photo documentation demonstrating the vegetation had been mowed back.

During inspection, Department staff was unable to locate several edge-of-waste markers. Please ensure edge-of-waste markers are present and upright on site.

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**ATTACHMENTS:**

MW-9 Unlocked and Overgrown Veg



MW-9 Locked and Mowed



Non-Potable Signs at Bathroom



Facility Overview-Drainage Slope



Inspection Date: 02/25/2022

Contents of Rolloff



Contents of Rolloff



Inspection Date: 02/25/2022

**Signed:**

Ryan D Mcmillan \_\_\_\_\_

Inspector \_\_\_\_\_

**PRINCIPAL INSPECTOR NAME**

**PRINCIPAL INSPECTOR TITLE**



DEP \_\_\_\_\_

03/28/2022 \_\_\_\_\_

**PRINCIPAL INSPECTOR SIGNATURE**

**ORGANIZATION**

**DATE**

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Melissa Madden \_\_\_\_\_

Senior Programs Analyst \_\_\_\_\_

**INSPECTOR NAME**

**INSPECTOR TITLE**

NO SIGNATURE REQUIRED \_\_\_\_\_

DEP \_\_\_\_\_

**INSPECTOR SIGNATURE**

**ORGANIZATION**

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Justin Chamberlain \_\_\_\_\_

Professional Geologist \_\_\_\_\_

**INSPECTOR NAME**

**INSPECTOR TITLE**

NO SIGNATURE REQUIRED \_\_\_\_\_

DEP \_\_\_\_\_

**INSPECTOR SIGNATURE**

**ORGANIZATION**

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Brian MacSweeney \_\_\_\_\_

Facility Representative \_\_\_\_\_

**REPRESENTATIVE NAME**

**REPRESENTATIVE TITLE**

NO SIGNATURE REQUIRED \_\_\_\_\_

Sunshine Grove Rd C&D Disposal

Facility \_\_\_\_\_

**REPRESENTATIVE SIGNATURE**

**ORGANIZATION**

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NOTE: By signing this document, the Site Representative only acknowledges receipt of this Inspection Report and is not admitting to the accuracy of any of the items identified by the Department as "Not Ok" or areas of concern.

**Report Approvers:**

**Approver:** Hannah Westervelt \_\_\_\_\_

**Inspection Approval Date:** 03/28/2022 \_\_\_\_\_