

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Certificate of Public Convenience and Necessity

DEPARTMENT: Environmental Services DIVISION: Solid Waste Management

AUTHORIZED BY: *[Signature]* CONTACT: *[Signature]* EXT. 2022
John Cirello, PhD., P.E., Director David Gregory, Manager

| |
|---|
| Agenda Date <u>06-13-06</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> |
| Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/> |

MOTION/RECOMMENDATION:

Approve and authorize Chairman to execute Certificate of Public Convenience and Necessity for ACME Recycling Industries, LLC., to operate a recycling facility as described on the Certificate.

BACKGROUND:

Chapter 235 of the Seminole County Code requires a company to obtain a Certificate of Public Convenience and Necessity from the Board of County Commissioners to operate a recycling facility in unincorporated Seminole County. The Certificate shall specifically designate the operations and waste types to be managed at the facility. The Certificate shall be issued upon a finding including that there exists a public need for the services which is not currently being met.

ACME Recycling Industries, LLC., (ACME) submitted an application to operate a metals recycling facility on Dolinger Pl. in unincorporated Sanford. ACME's application indicates that the company intends to accept non-ferrous metals and process them for off-site processing by other recycling firms.

ACME's on-site processing includes:

- Accepting ferrous and non-ferrous materials from the public
- Compacting material into bales
- Simply placing smaller items into larger containers for shipment
- Palletizing and securing materials for shipment

Environmental Services initially inspected ACME's facility and interviewed the company's principals in April 2006. The initial interview and subsequent interviews have been satisfactory.

| | |
|--------------|---------------------------|
| Reviewed by: | <u><i>[Signature]</i></u> |
| Co Atty: | <u><i>[Signature]</i></u> |
| DFS: | <u>N/A</u> |
| Other: | <u>N/A</u> |
| DCM: | <u><i>[Signature]</i></u> |
| CM: | <u><i>[Signature]</i></u> |
| File No. | <u>CESS01</u> |

5-24-06

A Certificate of Public Convenience and Necessity is attached that includes specific conditions which will apply to ACME's recycling operation. Additionally, ACME will be required to comply with all requirements of the Seminole County Land Development Code and all other applicable rules and regulations (per Seminole County Code Section 235.52(d)).

Sec 235.52 (e) states,

Certificates of Public Convenience and Necessity shall be issued upon a finding that:

- (1) There exists a public need for the services which is not being met by holders of outstanding Certificate of Public Convenience and Necessity;
- (2) Proof of ability to serve the proposed Customers of the applicant;
- (3) Proof of financial responsibility; and
- (4) Posting of required bonds or letters of credit.

Sec 235.52 (g) states ,

Upon the completion of its investigation and finding that the application meets the requirements of this Chapter and all resolutions promulgated hereunder, the Board shall grant a Certificate of Public Convenience and Necessity for a period which shall expire on the last day of September following the date of issuance. If the Board determines that the applicant does not meet the criteria for the issuance of a Certificate of Public Convenience and Necessity, it shall make a report of its findings which shall be filed with its clerk. A copy of the report shall be mailed to the applicant at its last known address.

Attachments:

1. ACME's application for a COPCN
2. Solid Waste Management Division statement concerning ACME
3. Certificate of Public Convenience and Necessity, with specific conditions, for execution.

ENVIRONMENTAL SERVICES DEPARTMENT
SOLID WASTE MANAGEMENT DIVISION



Certificate Of Public Convenience and Necessity

LET IT BE KNOWN, the holder of this Certificate of Public Convenience and Necessity ("the Holder") has read and agreed to comply with the requirements and standards of service set forth in Seminole County Code Chapter 235, and all other local, state and federal regulations that apply to the proper collection and disposal of waste. The Holder has acknowledged that failure to comply with any or all of the standards or requirements set forth in Seminole County Code Chapter 235 will result in termination of this Certificate of Public Convenience and Necessity.

This Certificate is issued on the condition of compliance with the following:

1. The facility shall process only ferrous and non-ferrous metals as indicated on the COPCN application.
2. All material shall be processed and moved off site in a timely manner.
3. Any incidental garbage or other waste materials shall be properly disposed of.
4. The facility shall register with the Florida Department of Environmental Protection as a Recovered Material Processing Facility as required by State law (per Chapter 62-722 F.A.C.).
5. The facility shall comply with all Federal, State, and local requirements, and regulations including submission of required state and local recycling activity reports and compliance with the Seminole County Land Development Code.

Company Name: ACME Recycling Industries, LLC.

Street Address: 1430 Dolgner Place

City, State & Zip: Sanford, Florida 32771

Type of Operation: Facility Operations: Recycling Facility

This Certificate of Public Convenience and Necessity is valid from execution through September 30, 2006, and is applicable to a Recycling facility at the address indicated, only.

ATTEST:

Board of County Commissioners
Seminole County, Florida

Maryanne Morse

Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____

Carlton D. Henley, Chairman

Date: _____

As authorized for execution by the Board of County
Commissioners at their _____, 20 ____,
regular meeting.



ENVIRONMENTAL SERVICES
Solid Waste Management Division
500 W. Lake Mary Blvd.
Sanford, Florida 32773
Phone: (407) 665-2010
FAX: (407) 665-2019

MEMORANDUM

TO: File

FROM: David Gregory, Solid Waste Manager

RE: ACME Recycling Industries, LLC

DATE: May 16, 2006

This memo documents the Solid Waste Management Division's investigation of ACME Recycling Industries, LLC application for a Public Convenience and Necessity (COPCN) to operate a metal recycling facility at 1430 Dolinger Pl., Sanford, FL 32771.

The information in this memo is based on the company's COPCN application, a site inspection of the facility by Solid Waste Management Division staff, and interviews conducted of the applicants.

ACME provides scrap ferrous and non-ferrous metal recycling services to the public. The facility accepts materials delivered to it. Materials are separated, baled, and otherwise prepared for shipment off-site. The facility manager states that no material remains on site longer than 30 days. At the time of inspection, operations were found to be well maintained and adhering to good management practices for metal recycling.

There is only one other company that holds a COPCN for metal recycling in unincorporated Seminole County (ARCA Recycling on Ronald Regan Blvd.). Having an additional metal recycler in Seminole County will provide more opportunity for companies and individuals to recycle in the County.

The information compiled by the Solid Waste Management Division is only related to the issuance of a COPCN. Firms are required to comply with all other federal, state, and local rules and regulations as a condition stated on their Certificate. ACME has completed all appropriate paperwork for a COPCN. As a recycling facility, ACME will not make use of the County's disposal facilities, so no payment bond, etc. is needed.

Any questions on this matter may be directed to me at 407-665-2022.

SEMINOLE COUNTY
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Company Information

ACME RECYCLING INDUSTRIES LLC

(Company Name)

Seminole County Code, Section 235.51 requires firms that collect waste, operate a landfill, disposal facility, recycling facility, or incinerator to possess a COPCN issued by the Board of County Commissioners. The COPCN is valid from October 1, 2005 through September 30, 2006.

Please complete all application items enclosed and return with a check to cover the \$100.00 application fee and \$20.00 for each vehicle identified on the form included. Make checks payable to Seminole County BCC-COPCN and mail to address below. Firms not meeting these requirements will no longer be authorized to work in Seminole County. If you have any questions, please contact Carol Norwood at 407-665-2023.

Date: 2-22-06
Company Name: ACME RECYCLING INDUSTRIES LLC
(Ensure corporate name matches name filed with Florida Dept. of State, Division of Corporations)
Company Address: 1430 DOLGNER PI
City: SANFORD State: FL Zip: ~~32711~~ 32711
Local Telephone Number: 407-322-7718 Fax: 407-322-3463
Contact Person: LINDA LANDRY
Email Address: LINDALANDRY@CFI.RR.COM
Prior Companies & Form of Business: _____
Owners/Stockholders/5% or more: LINDA LANDRY, MICHAEL HAGLEY

Number of years in business: NEW COMPANY

Statement of Capability and Financial Responsibility

I certify that ACME RECYCLING INDUSTRIES LLC is capable of performing the service(s) applied for and is Financial Responsible.

Linda Landry 2-22-06
Signature Date

Rec'd 2/23/06
check 100.00

SEMINOLE COUNTY
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Operation Type

ACME RECYCLING INDUSTRIES, LLC
(Company Name)

COLLECTION SERVICES:

Materials Collected:

SOLID WASTE:

Furniture _____
Garbage _____
Rubbish _____
Sludge _____

CONSTRUCTION & DEMOLITION DEBRIS:

Concrete, brick and fines _____
Wood _____
Land Clearing Debris _____
Asphalt _____
Drywall _____
Roofing Shingles _____

RECYCLABLE MATERIALS:

Newspaper _____
Glass _____
Aluminum Cans _____
Plastic Bottles _____
Steel Cans _____
Other Plastics _____
Ferrous Metals _____
Non-Ferrous Metals _____
Corrugated Cardboard _____
Office Paper _____
Food Waste _____
Textiles _____
Other (specify) _____

SPECIAL WASTES:

Yard Trash _____
White Goods _____
Tires _____
Other (specify) _____

HAZARDOUS WASTES:

Biological Waste _____
Biohazardous Waste _____
Other (specify) _____

FACILITY OPERATIONS:

Address: 1430 Dolgner Pl
San

Type of Facility:

LANDFILL:

Class 1 _____
Class 2 _____
Class 3 _____
C&D _____

RECYCLING FACILITY:

C&D processing _____
Materials Recovery _____
Yard Waste/Tree Debris _____

INCINERATOR:

Specify _____

Materials handled at facility (list all)

NON-FERROUS METALS
FERROUS METALS

Tons handled annually

(per material, if applicable)

***INCLUDE COPIES OF ALL
PERTINENT REGULATORY AGENCY
OPERATION PERMITS***

**SEMINOLE COUNTY
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
Affidavit of Corporate Identity/Authority**

(Company Name - filed with Florida Department of State, Division of Corporation)

STATE OF FL
COUNTY OF SEMINOLE

COMES NOW, HINDA LANDRY, being first duly sworn, who
deposes and says:

(1) That he/she is the OWNER / PARTNER, an officer
of ACME RECYCLING INDUSTRIES, LLC corporation existing
under the laws of the State of FL;

(2) That he/she is authorized to execute the Certificate Of Public
Convenience And Necessity Application on behalf of the above named corporation; and

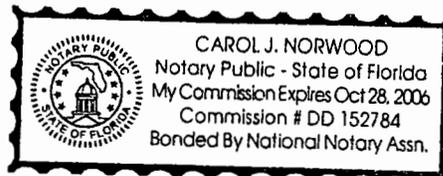
(3) That this Affidavit is made to induce Seminole County to issue a
Certificate of Public Convenience and Necessity for solid waste commercial collection
services to the above-named corporation.

FURTHER AFFIANT SAYETH NAUGHT

Linda Landry
HINDA LANDRY, Affiant

| | | | | |
|--|----------------|----|--------|-----------------|
| The following Affidavit was signed, acknowledged and sworn to by | | | | |
| | before me this | 23 | day of | February, 20.06 |

| | |
|--|----------|
| <u>Carol J. Norwood</u> Notary Public, State of Florida | |
| My commission expires: | 10-28-06 |



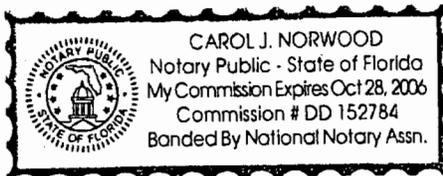
SEMINOLE COUNTY
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
Compliance Agreement

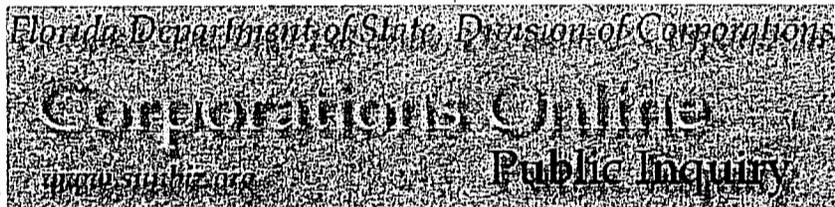
ACME RECYCLING INDUSTRIES, LLC
(Company Name)

I/We have received and read Chapter 235 of the Seminole County Code. I/We fully understand that I/We must abide by and incorporate the requirements and standards of service set forth in this chapter in each agreement to provide service in Seminole County. I/We understand that failure to comply with any or all of the standards or requirements set forth in Chapter 235 of the Seminole County Code will result in termination of the Certificate of Public Convenience and Necessity.

Owner: Linda Landry
Date: 2-23-06

Notary: Carol J. Norwood
Date: 2/23/06





Florida Limited Liability

ACME RECYCLING INDUSTRIES, LLC

PRINCIPAL ADDRESS

1430 DOLGNER PLACE
SANFORD FL 32771

MAILING ADDRESS

1430 DOLGNER PLACE
SANFORD FL 32771

Document Number
L06000005611

FEI Number
NONE

Date Filed
01/17/2006

State
FL

Status
ACTIVE

Effective Date
01/18/2006

Total Contribution
0.00

Registered Agent

| Name & Address |
|---|
| HAGLEY, MICHAEL E 1430 DOLGNER PLACE SANFORD FL 32771 |

Manager/Member Detail

| Name & Address | Title |
|---|-------|
| HAGLEY, MICHAEL E 1430 DOLGNER PLACE SANFORD FL 32771 | MGRM |
| LANDRY, LINDA T 1430 DOLGNER PLACE SANFORD FL 32771 | MGRM |

Annual Reports

| Report Year | Filed Date |
|-------------|------------|
|-------------|------------|

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

| |
|---|
| 01/17/2006 -- Florida Limited Liability |
|---|

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

| <p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p> | | | | | | | | | | | | | | | | | | | | | | | |
|---|---------------|--|------------|---------------|------------|-------------------|------------|---------------|------------|---------------|-----------------------------|----------|-----------|---|----------|---------------|------|---|-------|---|-------------------|-----------|-----------|
| <p>GENERAL</p> <p>Parcel Id: 16-19-30-5AB-0100-1430</p> <p>Owner: SEMINOLE COUNTY PORT AUTHORITY</p> <p>Own/Addr: C/O ACME INDUSTRIES INC</p> <p>Mailing Address: 1430 DOLGNER PL</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address: 1430 DOLGNER PL SANFORD 32771</p> <p>Facility Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 48-WAREHOUSE-DISTR & ST</p> | | <p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$119,129</p> <p>Depreciated EXFT Value: \$9,085</p> <p>Land Value (Market): \$18,513</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$146,727</p> <p>Assessed Value (SOH): \$146,727</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$146,727</p> <p>Tax Estimator</p> | | | | | | | | | | | | | | | | | | | | | |
| <p>SALES</p> <p>Deed Date Book Page Amount Vac/Imp Qualified</p> <p>Find Sales within this DOR Code</p> | | <p>2005 VALUE SUMMARY</p> <p>2005 Tax Bill Amount: \$2,435</p> <p>2005 Taxable Value: \$148,605</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p> | | | | | | | | | | | | | | | | | | | | | |
| <p>LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>SQUARE FEET</td> <td>0</td> <td>0</td> <td>37,026</td> <td>.50</td> <td>\$18,513</td> </tr> </tbody> </table> | | Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | SQUARE FEET | 0 | 0 | 37,026 | .50 | \$18,513 | <p>LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>BLDG 1430 & .85 ACRES SANFORD FARMS PB 1 PG 128</p> | | | | | | | | | |
| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | | | | | | | | | | | | | | | | | | |
| SQUARE FEET | 0 | 0 | 37,026 | .50 | \$18,513 | | | | | | | | | | | | | | | | | | |
| <p>BUILDING INFORMATION</p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Class</th> <th>Year Blt</th> <th>Fixtures</th> <th>Gross SF</th> <th>Stories</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>STEEL/PRE ENG</td> <td>1989</td> <td>6</td> <td>5,000</td> <td>1</td> <td>METAL PREFINISHED</td> <td>\$119,129</td> <td>\$152,730</td> </tr> </tbody> </table> | | | | | | Bld Num | Bld Class | Year Blt | Fixtures | Gross SF | Stories | Ext Wall | Bld Value | Est. Cost New | 1 | STEEL/PRE ENG | 1989 | 6 | 5,000 | 1 | METAL PREFINISHED | \$119,129 | \$152,730 |
| Bld Num | Bld Class | Year Blt | Fixtures | Gross SF | Stories | Ext Wall | Bld Value | Est. Cost New | | | | | | | | | | | | | | | |
| 1 | STEEL/PRE ENG | 1989 | 6 | 5,000 | 1 | METAL PREFINISHED | \$119,129 | \$152,730 | | | | | | | | | | | | | | | |
| <p>EXTRA FEATURE</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>COMMERCIAL CONCRETE DR 4 IN</td> <td>1989</td> <td>7,900</td> <td>\$9,085</td> <td>\$15,800</td> </tr> </tbody> </table> | | | | | | Description | Year Blt | Units | EXFT Value | Est. Cost New | COMMERCIAL CONCRETE DR 4 IN | 1989 | 7,900 | \$9,085 | \$15,800 | | | | | | | | |
| Description | Year Blt | Units | EXFT Value | Est. Cost New | | | | | | | | | | | | | | | | | | | |
| COMMERCIAL CONCRETE DR 4 IN | 1989 | 7,900 | \$9,085 | \$15,800 | | | | | | | | | | | | | | | | | | | |
| <p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p> | | | | | | | | | | | | | | | | | | | | | | | |