

**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 10-11-05 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Approve and authorize Chairman to execute Certificate of Public Convenience and Necessity for ARCA Recycling, Inc. 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.

ARCA Recycling, Inc. (ARCA) submitted an application to operate a non-ferrous metals recycling facility on CR 427 in unincorporated Longwood. ARCA's application indicates that the company intends to accept non-ferrous metals and process them for off-site processing by other recycling firms.

ARCA's on-site processing includes:

- Accepting non-ferrous materials from the public
- Compacting material into bales
- Reducing material in size by means of shears, torches, or saws so material fits into shipping boxes or containers
- Simply placing smaller items into larger containers for shipment
- Palletizing and securing materials for shipment

Environmental Services initially inspected Arca in August 2004. The initial and subsequent inspections of the facility have been satisfactory.

Reviewed by:	<u>9-23-05</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>

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

Chapter 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 service that is not being met by outstanding holders of Certificates 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.

Chapter 235.52 (g) states ,

Upon 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. ARCA's application for a COPCN
2. Certificate of Public Convenience and Necessity, with specific conditions, for execution.



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 subject to Holder's compliance with the following:

1. The facility shall process only ferrous and non-ferrous metals and cardboard 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 (Section 62-722, Florida Administrative Code).
5. The facility shall comply with all Federal, State, and local requirements and regulations including submission of required State and local recycling activity reports.

Company Name: ARCA Recycling, Inc.

Street Address: 289 Lyman Road

City, State & Zip: Casselberry, Florida 32707

Type of Operation: Recycling Facility

This Certificate of Public Convenience and Necessity is valid from execution through September 30, 2006, and is applicable to the named company, ARCA Recycling, Inc., for 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.

SEMINOLE COUNTY
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Company Information

ARCA Recycling Inc.
(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: August 18, 2005

Company Name: ARCA Recycling, Inc.
(Ensure corporate name matches name filed with Florida Dept. of State, Division of Corporations)

Company Address: 289 Lyman Rd.

City: Casselberry State: FL Zip: 32907

Local Telephone Number: 407-834-5928 Fax: 407-834-3072

Contact Person: William Hixson

Email Address: ARCA12565@AOL.COM

Prior Companies & Form of Business: East Colonial Buy-Sell Shop Inc. / ARCA Holdings Inc.
Recycling Company / Recycling Company

Owners/Stockholders/5% or more: William R. Hixson ; Anna M. Hixson

Number of years in business: 7

Statement of Capability and Financial Responsibility

I certify that ARCA Recycling Inc. is capable of performing the service(s) applied for and is Financial Responsible.

[Signature]
Signature

8/18/05
Date

SEMINOLE COUNTY CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Operation Type

ARCA Recycling Inc.

(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: 289 Lyman Rd
Casselberry, FL 32707

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)

All secondary Metals - Aluminum
Copper, Brass, Lead, Magnesium, steel

Tons handled annually
(per material, if applicable)

Aluminum 520 Copper 439
Brass 24 Lead 2.5
Magnesium <1 steel 80

*INCLUDE COPIES OF ALL
PERTINENT REGULATORY AGENCY
OPERATION PERMITS*

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
Compliance Agreement**

ARCA Recycling, Inc.
(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.

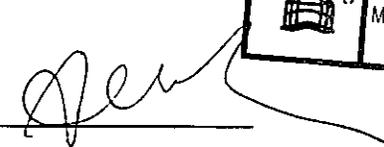
Owner:

William R. Hissaw 

Date:

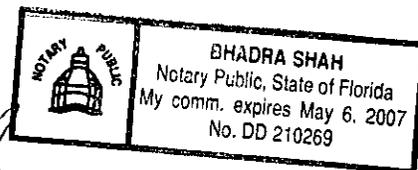
8/22/05

Notary:

Bhadra Shah 

Date:

08-22-05



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

ARCA Recycling, Inc.

(Company Name, This should match name filed with Florida Dept. of State, Division of Corporations)

STATE OF Florida
COUNTY OF Seminole

COMES NOW, William R. Hixson, being first duly sworn, who deposes and says:

(1) That he/she is the President, an officer of ARCA Recycling, Inc. corporation existing under the laws of the State of Florida;

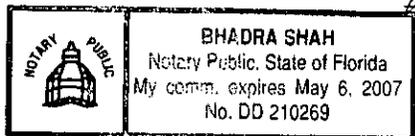
(2) That he/she is authorized to execute the Certificate Of Public Convenience And Necessity Application on behalf of the above named corporation; and

(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 William R. Hixson

[Signature], Affiant

The following Affidavit was signed, acknowledged and sworn to by William R. Hixson before me this 22nd day of Aug., 2005



[Signature]
Notary Public, State of Florida
My commission expires: 05/06/07



Florida Profit

ARCA RECYCLING, INC.

PRINCIPAL ADDRESS

289 LYMAN RD
 CASSELBERRY FL 32707
 Changed 05/04/1999

MAILING ADDRESS

6139 E COLONIAL DRIVE
 ORLANDO FL 32807

Document Number
 P98000029235

FEI Number
 593506129

Date Filed
 03/27/1998

State
 FL

Status
 ACTIVE

Effective Date
 NONE

Registered Agent

Name & Address
HIXSON, WILLIAM R 6139 E COLONIAL DRIVE ORLANDO FL 32807
Name Changed: 03/03/2005

Officer/Director Detail

Name & Address	Title
HIXSON, WILLIAM R 6139 E COLONIAL DRIVE ORLANDO FL 32807	PSTV

Annual Reports

Report Year	Filed Date
2003	04/07/2003

2004	03/05/2004
2005	03/03/2005

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

[03/03/2005 -- ANNUAL REPORT](#)
[03/05/2004 -- ANNUAL REPORT](#)
[04/07/2003 -- ANN REP/UNIFORM BUS REP](#)
[07/03/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
[03/08/2001 -- ANN REP/UNIFORM BUS REP](#)
[03/04/2000 -- ANN REP/UNIFORM BUS REP](#)
[05/04/1999 -- ANNUAL REPORT](#)
[03/27/1998 -- Domestic Profit](#)

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

[Corporations Inquiry](#)[Corporations Help](#)