

## EXHIBIT I

### GREENLAND BIOMASS SITE CLEAN DEBRIS & YARD TRASH RECYCLING FACILITY CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY SPECIFIC OPERATING CONDITIONS

#### **Specific Condition 1: Application**

The Certificate of Public Convenience and Necessity (“CON”) is issued based upon the information submitted by Greenland Biomass, LLC in the renewal and modification application for a CON for the Greenland Biomass Site (herein after referred to as the Facility), dated January 2023, including the plans, revisions and all other additional information submitted to and approved by the City of Jacksonville (City). The Facility is located at 11651 Davis Creek Road East, Jacksonville, Duval County, Florida 32256 and shall be operated in compliance with all local, state and federal rules and regulations.

#### **Specific Condition 2: Entrance Sign**

The Greenland Biomass Site must display a prominent sign at the entrance of the Facility indicating its registered business name, address and telephone number and the phrase “Clean Debris & Yard Trash Recycling Facility Operated under City of Jacksonville Certificate No. \_\_\_\_\_”.

#### **Specific Condition 3: Authorized Materials and Capacity of Facility**

The Greenland Biomass Site will accept and process at the Facility only clean concrete, brick, ceramics, rock and other items that meet the definition of clean debris as defined in City of Jacksonville Ordinance 380, Part 1. Greenland Biomass, LLC is also permitted to accept and process at the Facility yard trash and clean wood as defined in City of Jacksonville Ordinance 380, Part 1. The Facility may accept up to a total of 3,000 tons of clean debris, yard trash and clean wood per operating day. The amount of material accepted at the Facility shall be delivered, stored and processed in a manner consistent with the Facility’s engineering plan submitted as part of the CON application.

#### **Specific Condition 4: Origin of Wastes**

The Greenland Biomass Site will post a prominent sign at the Facility scale house requiring all haulers to identify the origin (city, county) of materials transported to the Facility. The Facility shall have a process in place to document the hauler’s attestation of the waste’s origin. All wastes and their origin shall be reported in the monthly tonnage and waste analysis report to the City of Jacksonville’s Solid Waste Division (SWD) required under Specific Condition Number 9 of this Certificate.

#### **Specific Condition 5: Personnel Training**

The Greenland Biomass Site shall comply with Chapter 62-701.320(15) and 62-701.710(4)(c), Florida Administrative Code (FAC) to ensure that all employees are properly trained.

The Facility Training Plan, including training distinguishing between treated and untreated wood accepted at the site, shall be kept at the Facility at all times and shall be made available for inspection during normal hours of operation upon request by the representative(s) of the City. Training records shall include a time table when training is required for each employee and the qualifications of all persons providing training to employees.

**Specific Condition 6: Waste Control**

The Greenland Biomass Site shall post trained spotter(s) at the unloading area(s) during all hours of operation in order to ensure that only those solid wastes specified in Specific Condition 3 are accepted at the Facility.

“Unacceptable Waste” is defined as:

- **Hazardous Waste**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code.
- **Special Waste**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code, excluding any special wastes authorized for acceptance in Condition 3.
- **Sludge**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code.
- **Hazardous Regulated Substances**, as defined in Chapter 365, Part 1 of the City of Jacksonville Ordinance Code.
- **Class I Waste**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code, except clean debris, yard trash and clean wood.
- **Class III Waste**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code, except clean debris, yard trash and clean wood.
- **Construction & Demolition Debris**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code, except clean debris, land clearing debris, within the definition of yard trash, and clean wood.

Mixing of clean debris, yard trash or clean wood with other types of solid waste will cause it to be classified as other than the authorized waste, except for *de minimis* amounts of nonhazardous waste that are generated at construction and demolition projects or landscaping and land clearing operations, provided such amounts are consistent with the best management practices of those industries.

The spotter shall also ensure that any Unacceptable Waste is correctly identified and handled appropriately. When incoming Unacceptable Waste is spotted at the entrance, Facility staff will document the occurrence and refuse entry of the waste into the Facility. In the event such waste is spotted during processing, Facility staff shall isolate such waste and, at their discretion, either return it to the generator and/or transporter, or transport the waste to a permitted facility in

accordance with all local, state and federal regulations. Putrescible waste received at the facility shall not be stored at the site longer than 48 hours and non-putrescible waste shall not be stored longer than 30 days.

Unacceptable Waste must not exceed one-half of one percent (.50%) of the total weight received at the Facility. Receipt of more than one-half of one percent (.50%) of Unacceptable Waste in any month which is transported for disposal rather than being returned to the generator and/or transporter, shall constitute a violation of this condition.

**Specific Condition 7: Other Permits**

The Greenland Biomass Site shall obtain all other required local, state, and federal permits. It shall be the responsibility of Greenland Biomass, LLC to determine what permit(s) is/are required. The City shares no responsibility if Greenland Biomass, LLC fails to obtain all required permits. The City of Jacksonville reserves the right to require the Facility to cease operations if it is determined to be in violation of this CON or in violation of any other local, state or federal permits.

**Specific Condition 8: Financial Assurance**

The Greenland Biomass Site shall comply with Chapter 380, Part 1, City of Jacksonville Ordinance Code. The Facility shall provide proof of financial assurance via a method described in Chapter 62-701.630, FAC. Financial assurance should be reviewed annually with a copy of up-to-date information provided to the SWD.

**Specific Condition 9: Reports**

By the nineteenth (19<sup>th</sup>) day of each month, the Facility shall submit a monthly Waste Analysis Report of its operations for the preceding month to the SWD. At a minimum, the report shall contain the facility name, address, and telephone number, current contact person, the reporting period (e.g., January 1-31, 2024), tons received from within Duval County, tons received from outside Duval County, tons received from within the City of Jacksonville, tons received from outside the City of Jacksonville, tons recycled, tons disposed and tons of unacceptable wastes that were transferred to another facility. The report form to be used for the monthly reporting is contained in Exhibit III.

The Greenland Biomass Site shall notify the SWD within twenty-four (24) hours of learning that hazardous waste has been accepted at the Facility. This notice shall include the types of waste and the name of the customer who delivered the waste, if known. Within five (5) days, of the receipt of such material, the Greenland Biomass Site shall send a written notification to the SWD confirming the information communicated by phone and all additional pertinent information, including the name of the final disposal facility where the waste was accepted.

**Specific Condition 10: Storage Time of Material**

Yard Trash and Clean Wood received for processing at the Facility shall be stored in accordance with Chapter 62-709.320, FAC. Processed and unprocessed Yard Trash, Clean Wood and Clean Debris shall not be stored on the site for longer than six (6) months, except that logs with a diameter of six (6) inches or greater may be stored for up to twelve (12) months provided that the logs are stored apart from other materials on the site. At no time may the height of the storage

piles exceed thirty (35) feet above ground surface or have side slopes greater than 2 horizontal: 1 vertical.

**Specific Condition 11: Operating Hours**

The standard hours of operation shall be from 6:00 A.M. to 7:00 P.M., Monday through Saturday, excluding Thanksgiving and Christmas. The Facility may receive and process materials during the standard hours of operation consistent with its engineering plan documented in the CON application. At all times outside of the standard hours of operation, excluding Thanksgiving and Christmas, the Facility may receive and stockpile incoming materials. All conditions surrounding the receipt of materials outside of the standard operating hours shall apply, including but not limited to, weighing and proper inspection of incoming material.

**Specific Condition 12: Minimum Recycling Percentage**

The Facility shall at all times comply with the minimum recycling requirements of the City of Jacksonville Ordinance Code Chapter 380, Part 1 and any subsequent changes therein. A description of the materials recycled, and the recycling process shall be included in the monthly waste report. If, on a semi-annual basis, the Facility fails to maintain the required recycling rate, the Facility shall reduce the volume of waste accepted at the Facility to a quantity sufficient to achieve the required recycling rate.

**Specific Condition 13: Hold Harmless**

By accepting the CON, the Greenland Biomass Site, its successors and assigns, agree to hold the City harmless from any liability related to all work performed at the Facility and/or actions performed that are not in compliance with the City, state and federal guidelines, except for work or actions negligently performed by City representatives, agents or third parties.

**Specific Condition 14: Term of Certificate**

This CON shall be valid for a period of five (5) years from the effective date (date signed). The Certificate is granted based upon the need for the Facility at the time of issuance and does not constitute any guarantees that the CON will be renewed upon expiration. If Greenland Biomass, LLC desires to renew, it shall submit an application to the SWD no later than six (6) months prior to the certificate expiration date. The renewal application shall be prepared in accordance with the requirements of Chapter 380, Part 1, City of Jacksonville Ordinance Code and other applicable laws at the time of application for renewal.

**Specific Condition 15: Air Permits**

If required currently or in the future, the Facility shall obtain an air pollution construction permit and an air pollution operating permit to be issued under the provisions of Chapter 403, Florida Statutes (FS), and FAC Chapters 62-4, 62-210, 62-296, and 62-297. The certificate holder shall ensure that any temporary crushing equipment brought on site has an air pollution source general permit for a nonmetallic mineral processing plant in accordance with Rule 62-210.310(5)(e), FAC and Rule 2, Jacksonville Environmental Protection Board (JEPB).

The certificate holder shall use reasonable precautions to prevent unconfined emissions of particulate matter, in accordance with Chapter 62-296.320(4)(c), FAC and JEPB Rule 2, Air Pollution Control.

**Specific Condition 16: Compliance**

The Facility shall operate in conformity with all information contained in the Application and attached plans and all subsequent information submitted in response to requests for additional information by all reviewing agencies, a complete list of which is attached hereto as Exhibit II. The Facility will notify the City of Jacksonville's SWD within forty-eight (48) hours of learning that it has failed to comply with any of the material conditions of this Certificate. The Facility shall at all times operate in conformance with the property's current zoning requirements.

The Facility agrees to allow duly authorized representatives of the City of Jacksonville access to the Facility at reasonable times, upon presentation of credentials or other documents as may be required by law, to conduct monthly and/or follow up compliance inspections.

**Specific Condition 17: Water Supply and Wells**

The potable water supply for this facility is to be supplied by bottled water. The Facility also has an on-site Limited Use Public Water System regulated by FAC Chapter 64E-8. Appropriate permits shall be kept up to date and maintained in accordance with the guidelines established by the Florida Department of Health in Duval County.

**Specific Condition 18: Wastewater and Sewage Disposal/Treatment**

The wastewater and sewage disposal/treatment needs of the Facility are currently being met by an existing On-Site Sewage Treatment and Disposal System (OSTDS) permitted with the Florida Department of Health in Duval County. Wastewater and sewage disposal/treatment must comply with all applicable rules and guidelines established by the Florida Department of Health in Duval County. Annual permitting of this system is required and shall remain current.

**Specific Condition 19: Scales**

Scales certified for commercial transactions must be utilized to weigh all waste delivered to and shipped from the Facility. All incoming and outgoing materials shall be weighed and reported to the SWD pursuant to Specific Condition 9 of this certificate. Sections 531.60-66, FS requires all businesses that use weighing or measuring devices for commercial purposes to obtain a current annual permit for those devices from the Department of Agriculture and Consumer Services. A valid annual permit must be displayed in a prominent place in full view at the facility.

**Specific Condition 20: Noise Control**

This CON does not relieve the Facility from the responsibility of complying with JEPB Rule 4, Noise Pollution Control at all times.

**Specific Condition 21: Odor Control**

The Facility shall not cause or contribute to an objectionable odor or to an odor nuisance, as defined in Chapter 376, City of Jacksonville Ordinance Code.

**Specific Condition 22: Litter Control**

The Facility will be responsible for removing litter on portions of the areas of the nearby public roadways. The Facility will be responsible for removing litter a distance of 100 yards each side of the entrance to the Facility off Davis Creek Road East.

**Specific Condition 23: Sediment and Erosion Control**

This CON does not relieve the Facility from the responsibility of complying with soil erosion and sediment control regulations contained in Section 5.12, Erosion and Sediment Control of the City of Jacksonville Planning and Development Department, Development Services Division, Land Development Procedures Manual (March 18, 2022 edition and subsequent updates) during the operation of this facility. In accordance with JEPB Rule 3.604 Erosion and Sediment Control, the Facility is also responsible for ensuring that soil erosion and sediment control measures shall conform to the standards described in the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual published by the Florida Department of Environmental Protection (FDEP), Division of Environmental Assessment and Restoration, October 2018 edition (and subsequent updates). The Facility is responsible for ensuring that soil and sediment are not tracked off of the project property site by vehicles exiting from the Facility. Any soil and sediment tracked off of the property site shall be swept back onto the property in a timely fashion.

**Specific Condition 24: Stormwater Management**

Greenland Biomass, LLC is responsible for ensuring that the Facility does not adversely impact the City of Jacksonville Stormwater Management System. During all facility operations, compliance shall be maintained in accordance with Chapter 754, Stormwater Management Utility Code, Part 2, Violations and Prohibited Activities.

**Specific Condition 25: Contingency Plan**

The Contingency Plan submitted with the CON application shall be updated and revised as needed to address emergency situations, including but not limited to medical, fire, disaster, weather, spill or unintended release of hazardous chemical(s), and/or major breakdown of equipment.

**Specific Condition 25: Jacksonville Emergency Management Plan**

In accordance with City of Jacksonville Ordinance Code, Section 365.109, the Facility shall maintain a written Jacksonville Emergency Management Plan (JEMP) at the facility during all operations. Initial and annual training of all employees working at the Facility, on implementation and usage of the JEMP, shall be provided, documented and maintained at the Facility.

**Specific Condition 26: Release of Hazardous Regulated Substances**

In accordance with City of Jacksonville Ordinance Code Section 365.401, and JEPB Rule 7, Hazardous Materials, the Facility shall notify the City of Jacksonville, Neighborhoods Department, Environmental Quality Division (EQD), of the release of any hazardous regulated substances (as defined by Section 365.102(j), City of Jacksonville Ordinance Code) at this facility. Notification is required immediately following discovery of the release of any hazardous regulated substances. The telephone number for providing this release notification is (904) 255-7171.

An emergency situation that has a potential off-site effect or which requires assistance from outside responders shall be immediately reported to the SWD at telephone number (904) 255-7500, followed by a detailed written report within five (5) days.

**Specific Condition 27: Disposal of Hazardous Materials**

Greenland Biomass, LLC shall arrange for the removal and disposal of any hazardous materials and hazardous wastes (as defined by Sections 365.102(j)(1) and 365.102(k), City of Jacksonville Ordinance Code) that are transported to the Facility, and are not removed immediately from the Facility by the party that delivered them, through a state-registered commercial hazardous waste transporter. A list of registered transporters shall be kept at the Facility, and updated periodically, and as necessary.

**Specific Condition 28: Reclaimed Water**

Greenland Biomass, LLC currently uses water drawn from a private on-site pond for dust control. The St. Johns River Water Management District (SJRWMD) advises that the usage is compliant with their regulations and does not require any additional SJRWMD permits. The facility also uses water from an on-site well for sanitary purposes and in mulch dyeing operations at a combined rate of approximately 3,000 gallons annually. The facility does not use water from any other source for irrigation or for commercial or industrial purposes where potable quality water is unnecessary. In the event that site operations change from the current sources of water or that there is a significant increase from the current quantities from those sources, the facility must notify the City of Jacksonville Environmental Quality Division for reassessment of the applicability of and the need to comply with the requirements of Chapter 752, City of Jacksonville Ordinance Code, Jacksonville Reuse of Reclaimed Water Program.

**Specific Condition 29: Groundwater Wells**

This Facility shall not adversely impact groundwater wells on the project property or on properties in the site vicinity. If any groundwater wells are discovered on the property, the existence of which had not been previously reported to the EQD, the Facility shall notify the EQD, Groundwater Resources Section, in accordance with Section 366.305(d) of the City of Jacksonville Ordinance Code, and JEPB Rule 8, Groundwater Resource Management. This information shall be provided in writing, within thirty (30) days of discovery of the well, and mailed to Environmental Quality Division, 214 Hogan Street, Suite 5000, Jacksonville, Florida, 32202. Any groundwater wells that are discovered on the facility property must be protected during construction and site modification activities. Wells shall be properly abandoned under a permit issued by the EQD, Groundwater Resources Section, when abandonment is required by local regulations and warranted by site conditions. Well construction permits issued by EQD are required for any newly proposed wells less than six (6) inches in diameter. The contact telephone number for the EQD, Groundwater Resources Section is (904) 255-7100.

**Specific Condition 30: Site Security**

The Facility site shall be secured in such a manner to prevent unauthorized access and dumping of materials during non-operational hours.

**Specific Condition 31: Securing of Incoming Material and Processed Mulch**

The certificate holder is responsible for employing measures necessary for ensuring that incoming materials and processed mulch are maintained and secured on the subject property site until they are transported for use elsewhere, and do not leave the site by stormwater runoff and/or wind.

**Specific Condition 32: Host Fee**

Host fee payment shall not be required for those materials that are recycled per current FDEP guidelines which result in county recycling credit, nor is a host fee payable on residual waste disposed of at solid waste disposal facilities in Duval County where the host fee is paid at the time of disposal. Host fees are also not required for construction and demolition debris generated within the City of Jacksonville. The Facility shall at all times comply with the host fee requirements of the City of Jacksonville Ordinance Code, Chapter 380 and any subsequent changes therein.