

## **EXHIBIT 1**

### **GFL SOLID WASTE SOUTHEAST, LLC JACKSONVILLE TRANSFER STATION CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY SPECIFIC CONDITIONS**

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

The Certificate of Public Convenience and Necessity (CON) is issued based upon the information submitted by GFL Solid Waste Southeast, LLC in the initial application for a CON for the Jacksonville Transfer Station (Facility), received September 20, 2024, including the plans, revisions and all other additional information submitted to and approved by the City of Jacksonville (City). The Facility is located at 7580 Philips Highway, Jacksonville, Florida 32256 and shall be operated in compliance with all local, state and federal rules and regulations.

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

GFL Solid Waste Southeast, LLC must display a prominent sign at the entrance of the Facility indicating its registered business name, address and telephone number and the phrase "Transfer Station Operated under the City of Jacksonville Certificate No. \_\_\_\_\_."

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

GFL Solid Waste Southeast, LLC will accept at the Facility only Class III Waste, as defined in Chapter 380, Part 1, City of Jacksonville Ordinance Code, that is generated from inside or outside of Duval County and certain waste required to be disposed of in a Class I facility generated within Duval County. The Facility may accept up to 600 tons of waste for any one workday, based upon 311 working days per year. The material accepted at the Facility shall be delivered, stored and processed in a manner consistent with the Facility's operation plan submitted as part of the CON application.

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

GFL Solid Waste Southeast, LLC 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 Solid Waste Division (SWD) required under Specific Condition 9 of this certificate.

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

GFL Solid Waste Southeast, LLC shall comply with Chapters 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 along with the personnel training folder or file shall be kept at the Facility at all times and will be available for inspection during normal hours of operation upon request by representative(s) of the City. The Facility shall maintain a record of personnel training for a period of no less than five years.

**Specific Condition 6: Waste Control**

GFL Solid Waste Southeast, LLC will post a trained spotter(s) at the unloading area(s) during all hours of operation in order to ensure that only those solid wastes specified in 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, except construction and demolition debris and yard trash.
- ***Category I Special Waste***, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code.
- ***Category II Special Waste***, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code.
- ***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.

Mixing of Class I and Class III Waste and other types of solid waste may cause it to be classified as other than Class I or Class III Waste, except for de minimis amounts of nonhazardous waste that are generated at construction and demolition projects, provided such amounts are consistent with the best management practices of the construction and demolition industries as defined in Chapter 62-701.200, FAC.

No wastes required to be disposed of in a Class I facility shall be received from outside Duval County per Section 380.108, City of Jacksonville Ordinance Code.

The spotter shall also ensure that any Unacceptable Waste is correctly identified and handled appropriately. When incoming Unacceptable Waste is spotted at the entrance, the 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 the Facility's 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.

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**

GFL Solid Waste Southeast, LLC shall obtain all other required local, state, and federal permits. It shall be the responsibility of GFL Solid Waste Southeast, LLC to determine what permit(s) is/are required. The City shares no responsibility if GFL Solid Waste Southeast, LLC fails to obtain all required permits. A copy of all required permits shall be kept on file at the Facility at all times. Copies of all such permits shall be provided to the SWD upon initial receipt, modification or renewal. 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**

GFL Solid Waste Southeast, LLC shall comply with Chapter 62-701.630, FAC and 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. The Facility shall provide proof of financial assurance to the SWD prior to receiving waste.

**Specific Condition 9: Reports**

By the nineteenth (19<sup>th</sup>) 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, telephone number, current contact person, the reporting period (e.g., January 2025), tons received from Duval County, tons received from outside Duval County, construction and demolition debris (C&DD) tons received from within the City of Jacksonville, C&DD 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.

GFL Solid Waste Southeast, LLC will 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, the approximate amount 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 Facility 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**

The temporary storage of putrescible Class I Waste shall be as described in the facility's approved operations plan and shall not exceed forty-eight (48) hours, except as allowed for in the Facility's Florida Department of Environmental Protection (FDEP) permit and Chapter 62-701, FAC. At no time may the temporary storage of waste in vehicles or containers exceed seven (7) days.

**Specific Condition 11: Operating Hours**

The maximum allowable hours of operation shall be 5:00 A.M. to 9:00 P.M., Monday through Saturday. The Facility shall not be operated on Sundays, Thanksgiving Day or Christmas Day. There shall be no truck traffic to and from this site outside the maximum hours of operation.

**Specific Condition 12: Host Fee**

Except as otherwise set forth below, GFL Solid Waste Southeast, LLC shall pay a "host fee", as described in Chapter 380, Part 4, City of Jacksonville Ordinance Code, to the SWD for each ton of solid waste received at the Facility. Host fee payment shall not be required for those materials that are recycled per current FDEP guidelines which result in county recycling credit, and no ton of solid waste shall have imposed upon it more than one host fee pursuant to Section 380.405, City of Jacksonville Ordinance Code. Host fees are also not required for dedicated loads of C&DD generated within the City of Jacksonville. The Facility shall at all times comply with the host fee requirements of Chapter 380, Part 1, City of Jacksonville Ordinance Code and any subsequent changes therein.

For the purposes of the host fee and as outlined in the operations plan, there will be two waste streams leaving this facility as follows: 1) waste required to be disposed of in a Class I facility generated within Duval County and, 2) Class III waste (which may include C&DD waste co-mingled with Class III wastes) generated inside or outside Duval County. As such, waste required to be disposed of in a Class I facility shall be directed to a Class I solid waste disposal facility owned by the City of Jacksonville (currently Trail Ridge Landfill) and the host fee on these wastes as outlined in Chapter 380, Part 4, City of Jacksonville Ordinance Code shall be paid upon delivery of wastes to this facility. The Class III waste stream exiting the facility shall pay the Class III waste host fee rate as described in Chapter 380, Part 4, City of Jacksonville Ordinance Code upon delivery to a privately owned facility within Duval County (currently \$0.74 per ton) or the transfer station operator (GFL) shall pay the host fee to the SWD (currently \$7.16 per ton) if the wastes are delivered to a disposal facility outside of Duval County.

The City retains the right to conduct an annual audit to verify payments of host fees. At least 30 days written notice will be provided to GFL Solid Waste Southeast, LLC prior to conducting an audit. Upon request, the Facility shall provide and/or make available all substantiating scale tickets and other documents upon which the calculations were based to establish the monthly host fees. GFL Solid Waste Southeast, LLC shall provide suitable workspace and a room for the audit team, which shall be composed of at least one City Certified Accountant and a City solid waste employee. The City shall be allowed to copy documents for the purpose of the audit. The original documents will remain with the Facility operator. All substantiating scale tickets, corresponding receipts and other pertinent documents will be retained at the Facility for a period of no less than three (3) consecutive fiscal years, starting on the effective date of this Certificate.

**Specific Condition 13: Hold Harmless**

By accepting the CON, GFL Solid Waste Southeast, LLC, 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 local, 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 Certificate of Public Convenience and Necessity 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 GFL Solid Waste Southeast, 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, GFL Solid Waste Southeast, LLC 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 Chapters 62-4, 62-210, 62-296, and 62-297, FAC.

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 Jacksonville Environmental Protection Board (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 Departments, a complete list of which is attached hereto as Exhibit II. GFL Solid Waste Southeast, LLC will notify the SWD within forty-eight (48) hours of learning that it has failed to comply with any of the material conditions of this Certificate and provide the the SWD a copy of any Warning Notice or Notice of Violation issued to the Facility by any regulatory or enforcement agency within 5 days of receiving such. The Facility shall at all times operate in conformance with the property's current zoning requirements.

GFL Solid Waste Southeast, LLC 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**

The potable water supply and water for dust suppression for this Facility is to be supplied by JEA.

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

The wastewater and sewage disposal/treatment needs of the Facility are to be met by connection to JEA's municipal treatment system.

Leachate generated and collected at the site shall be delivered to an appropriately permitted off-site treatment/disposal facility.

**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. The Facility shall have a certified scale in place prior to receiving waste.

**Specific Condition 20: Noise Control**

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

**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**

GFL Solid Waste Southeast, LLC will be responsible for removing litter along Philips Highway a distance of 300 feet in each direction from the entrance and exit to the Facility, as frequently as needed.

**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 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 by vehicles exiting from the facility. Any soil and sediment tracked off of the property shall be swept back onto the property in a timely fashion.

**Specific Condition 24: Stormwater Management**

GFL Solid Waste Southeast, LLC is responsible for ensuring that this 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 26: 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 27: 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 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 28: Disposal of Hazardous Materials**

GFL Solid Waste Southeast, 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 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 29: Reclaimed Water**

GFL Solid Waste Southeast, LLC must comply with the requirements of Chapter 752, City of Jacksonville Ordinance Code, Jacksonville Reuse of Reclaimed Water Program. If reclaimed water, as defined by FAC Rule 62-600.200(57), becomes available it shall be utilized for controlling dust emissions. GFL Solid Waste Southeast, LLC shall connect the Facility into a JEA reclaimed water distribution line no later than 365 days following receipt of written notification from JEA and/or the EQD, that it is available for service.

**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: Fuel Storage Tank Regulations**

The Facility is responsible for maintaining compliance with Chapter 62-532, FAC, Water Well Permitting and Construction Requirements, Table 1 Well Setback Distances, which requires a minimum setback distance of 100 feet between all groundwater wells and all onsite fuel storage tanks.