

## EXHIBIT I

**HRUSTIC BROTHERS, INC.  
6498 & 11901 FAYAL DRIVE SOUTH  
CLEAN DEBRIS 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 in the modification/renewal application for a CON for the Hrustic Brothers, Inc. Clean Debris Recycling Facility (herein after referred to as the Facility), including the plans, revisions and all other additional information submitted to and approved by the City of Jacksonville (City). The Facility is located at 6498 and 11901 Fayal Drive South, with the heavy truck entrance from Columbia Park Court, Jacksonville, Duval County, Florida 32258 and shall be operated in compliance with all local, state and federal rules and regulations.

**Specific Condition 2: Entrance Sign**

Hrustic Brothers, Inc. 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 Recycling Facility operated under City of Jacksonville Certificate No. \_\_\_\_\_”.

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

The Hrustic Brothers, Inc. Clean Debris Recycling Facility 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. The Facility may accept up to a total of 1,200 tons of materials per operating day. The amount of material accepted at the facility shall be delivered, stored and processed in a manner consistent with the parcels’ zoning exceptions and the Facility’s engineering plan submitted as part of the CON application.

**Specific Condition 4: Origin of Wastes**

Hrustic Brothers, Inc. 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**

Hrustic Brothers, Inc. shall comply with Florida Administrative Code (FAC) Rules 62-701.320(15) and 62-701.710(4)(c), to ensure that all operators and spotters are properly trained.

The Facility Training Plan along with the personnel training folders or files 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 timetable

when training is required, the name of the persons/agencies providing the training and the qualifications of the trainers.

**Specific Condition 6: Waste Control**

Hrustic Brothers, Inc. will 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.
- **Class III Waste**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code, except clean debris.
- **Construction and Demolition Debris**, as defined in Chapter 380, Part 1 of the City of Jacksonville Ordinance Code, except clean debris.

Mixing of clean debris 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 and land clearing projects, provided such amounts are consistent with the best management practices of the industry.

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 unloading or processing, Facility staff shall isolate such waste and 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**

Hrustic Brothers, Inc. shall obtain all other required local, state, and federal permits. It shall be the responsibility of Hrusic Brothers, Inc. to determine what permit(s) is/are required. The City shares no responsibility if Hrusic Brothers, Inc. 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**

Hrustic Brothers, Inc. shall comply with City of Jacksonville Ordinance 380, Part 1. Hrusic Brothers, Inc. 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 Hrusic Brothers, Inc. 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 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 disposal facility. The report form to be used for the monthly reporting is contained in Exhibit III.

Hrustic Brothers, Inc. 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 and the name of the customer who delivered the waste, if known. Within five (5) days, of the receipt of such material, Hrusic Brothers, Inc. 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 and Height of Storage Pile**

No incoming material or recyclable materials may be stockpiled longer than 180 days. At no time may the height of the storage piles exceed 35 feet above ground surface, or have side slopes greater than 2 horizontal: 1 vertical.

**Specific Condition 11: Operating Hours**

The hours of operation in which any processing/recycling shall occur shall be from 7:00 A.M. to 5:00 P.M., Monday through Friday, excluding Thanksgiving Day and Christmas Day. Delivery of materials to the facility shall be allowed 24 hours per day Monday through Saturday provided all conditions, such as weighing the material and spotting the material, are followed.

**Specific Condition 12: Minimum Recycling Percentage**

The Facility shall meet the minimum recycling requirements outlined in Chapter 380, Part 1, City of Jacksonville Ordinance Code. 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 this Certificate, Hrustic Brothers, Inc., 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 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 Hrustic Brothers, Inc. 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 requirements of the City of Jacksonville Ordinance Code, Chapter 380, Part 1 and other applicable laws at the time of application for renewal.

**Specific Condition 15: Air Permits**

If required currently or in the future, Hrustic Brothers, Inc. shall obtain an air pollution construction permit and an air pollution operating permit to be issued under the provisions of Chapter 403, Florida Statutes and Chapters 62-4, 62-210, 62-296 and 62-297, FAC.

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 FAC Rule 62-296.320(4)(c) 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 Departments, a complete list of which is attached hereto as Exhibit II. Hrustic Brothers, Inc. 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. The Facility shall at all times operate in conformance with zoning exceptions E-14-64 and E-24-20 or the most recent zoning exception(s) providing for the operation of this Facility.

Hrustic Brothers, Inc. agrees to allow authorized City personnel 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: Location of Processing**

The area of mechanical processing at the Facility shall be located at least 250 feet from the site's northern property boundary and at least 50 feet from the site's western property boundary.

**Specific Condition 18: 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, Florida Statutes 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 19: Noise Control**

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

**Specific Condition 20: 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 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 21: Stormwater Management**

Hrustic Brothers, Inc. 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 22: Litter Control**

Hrustic Brothers, Inc. 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 250 feet each side of the Facility's entrance from Columbia Park Court.

**Specific Condition 23: 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 24: 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, once safe to do so and after first responders called, as needed, followed by a detailed written report within five (5) days.

**Specific Condition 25: Disposal of Hazardous Materials**

Hrustic Brothers, Inc. 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 26: Odor Control**

The Facility shall not cause or contribute to an objectionable odor or to an odor nuisance, as defined in Section 376.104, City of Jacksonville Ordinance Code.

**Specific Condition 27: 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 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.

**Specific Condition 28: Truck Route**

All heavy truck traffic shall use Columbia Park Drive West and shall enter the Facility off Columbia Park Court. No heavy truck traffic is permitted on Fayal Drive or authorized to utilize the site's entrance facing Fayal Drive.

**Specific Condition 29: Reclaimed Water**

Hrustic Brothers, Inc. 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. Hrustic Brothers, Inc. 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: 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 31: 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 32: Fuel Storage Tanks**

The Facility shall maintain a minimum setback distance of 100-feet between all groundwater wells and all fuel storage tanks located on the Facility properties. This requirement is in accordance with Chapter 532, FAC, Water Well Permitting And Construction requirements, Table 1 Well Setback Distances.

## **Exhibit II**

### **Hrustic Brothers, Inc. – Clean Debris Recycling Facility List of Substantiating Documents**

March 27, 2024 – Modification/Renewal Application received for the Hrustic Brothers, Inc. Clean Debris Recycling Facility Certificate of Public Convenience and Necessity, prepared for Hrustic Brothers, Inc. and submitted by Mechling Engineering & Consulting, Inc.

May 2, 2024 – Letter to Cletus Kuhn, Solid Waste Division, from Scott Turner, Florida Department of Health in Duval County, stating that the Florida Department of Health in Duval County offers no objection to the CON.

May 8, 2024 – Memorandum to Steve Long, Public Works Department, from Melissa Long, Environmental Quality Division, commenting and requesting additional information on the CON application.

May 14, 2024 – Letter to Eric Fuller, Department of Public Works, from William B. Killingsworth, Director, Planning and Development Department, recommending that the CON application be approved pending the issuance of a Certificate of Use (COU).

May 15, 2024 – Memorandum from Eric Fuller & Cletus Kuhn, Solid Waste Division, to Hrustic Brothers, Inc. commenting and requesting additional information for the CON application.

June 3, 2024 – Response to Request for Additional Information to the modification/renewal Application for the CON for Hrustic Brothers, Inc. Clean Debris Recycling Facility, prepared by Mechling Engineering & Consulting, Inc.

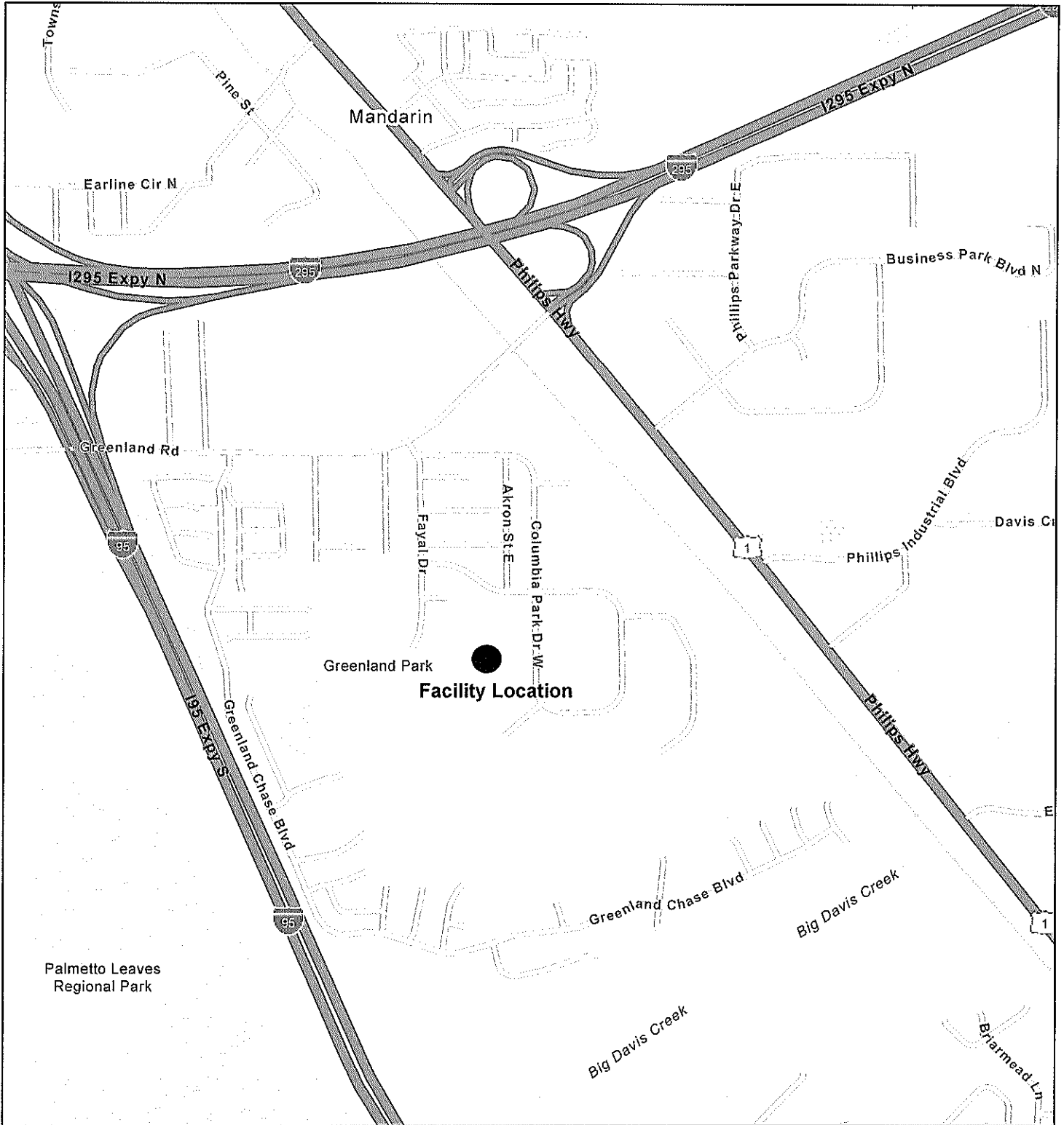
June 26, 2024 – Memorandum to Nina Sickler, Department of Public Works, from Will Williams, Chief, Solid Waste Division, recommending that the CON application be approved.

July 16, 2024 – Memorandum to Steven Long, Department of Public Works, from Melissa Long, Environmental Quality Division, stating that EQD has determined that the CON application is now complete and provides reasonable assurance that the proposed project will comply with state and local environmental regulations under its jurisdiction.

August 1, 2024 – Email to Cletus Kuhn, Solid Waste Division, from Charles Hubsch, Environmental Quality Division, stating EQD's review and comments on the Draft Specific Conditions.

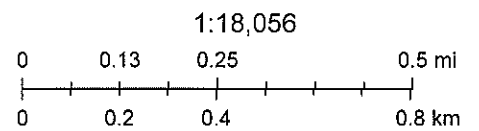


# Duval Map

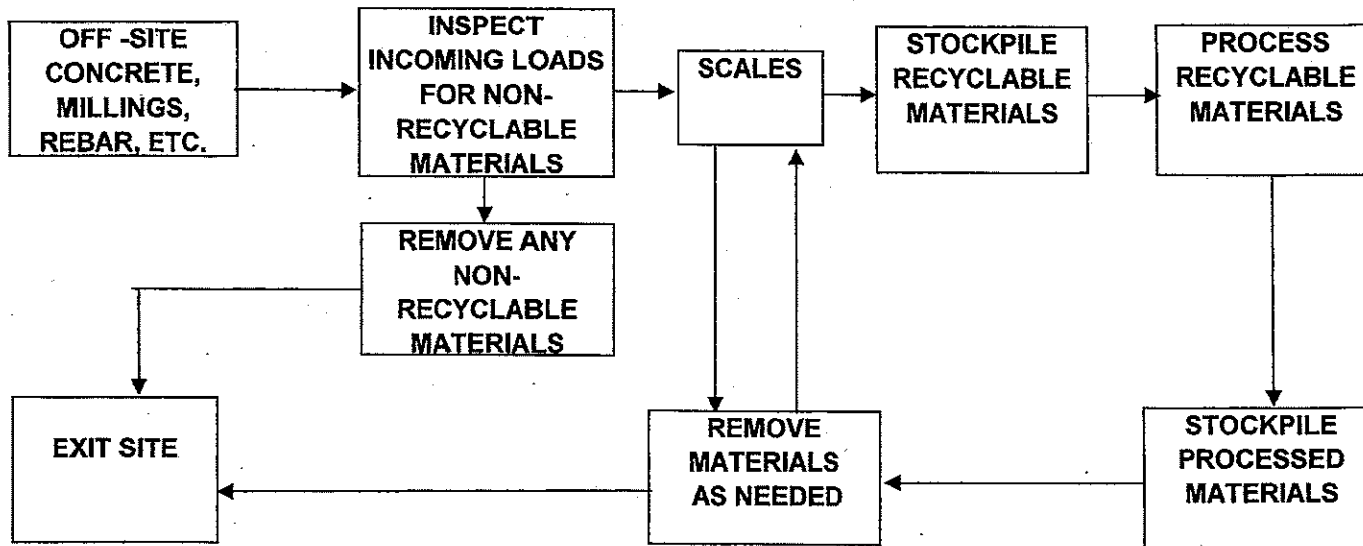


July 18, 2024

Hrustic Brothers, Inc. - Clean Debris Recycling Facility  
6498 & 11901 Fayal Drive South  
Jacksonville, FL 32258



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**HRUSTIC BROTHERS RECYCLING AND DIVERSION FACILITY  
PROCESS FLOW DIAGRAM**