



ONE CITY. ONE JACKSONVILLE.

# City of Jacksonville, Florida

**Lenny Curry, Mayor**

Department of Public Works  
214 N. Hogan Street, 10<sup>th</sup> Floor  
Jacksonville, FL 32202  
(904) 255-8786  
www.coj.net

May 28, 2020

The Honorable Scott Wilson  
City Council President  
and Members of the City Council  
117 West Duval Street, Suite 425  
Jacksonville, Florida 32202

**RE: Initial Application for Certificate of Public Convenience and Necessity  
Hrustic Brothers, Inc.  
139 Edgewood Avenue South  
Jacksonville, Florida 32254**

**Dear Council President Wilson and City Council Members:**

In accordance with the provisions of Section 380.105 (d) of the City of Jacksonville Ordinance Code, the Public Works Department hereby provides its' comments and recommendations regarding the above-referenced initial application as follows:

**Section 380.105 (d) (1) – Quantity of solid waste in the City requiring management or disposal:**

The quantity of construction and demolition debris (C&DD) currently generated in Duval County is estimated at 1,038,219 tons per year. In addition, the amount of asphalt debris currently generated in Duval County is estimated at 509,239 tons per year.

**Section 380.105 (d) (2) – Capacity of the existing facilities and the capacity of the proposed operation:**

The Hrustic Brothers, Inc. facility proposes to accept up to 1,200 tons of clean debris per day. Listed below are the facilities that hold a Certificate of Public Convenience and Necessity within Duval County to recycle and/or landfill clean debris:

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<b>Facility Capacity</b>	<b>Operation</b>
<b>AAAction Recycling 1,200 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>ACET Recycling, LLC 1,000 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>Bayard One, LLC 1,875 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>Coastal Recycling Services, LLC 1,000 tons per day</b>	<b>C&amp;DD Recycling Facility</b>
<b>Duval Asphalt Products, Inc. 12<sup>th</sup> Street Location 825 tons per day (550 of which is clean debris)</b>	<b>C&amp;DD Recycling Facility (clean debris &amp; asphalt shingles)</b>
<b>Duval Asphalt Products, Inc. Philips Highway Location 825 tons per day (550 of which is clean debris)</b>	<b>C&amp;DD Recycling Facility (clean debris &amp; asphalt shingles)</b>
<b>Hrustic Brothers, Inc. 1,200 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>Independence Recycling 2,300 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>J.B. Coxwell, Inc. 2,000 tons per day</b>	<b>C&amp;DD Recycling Facility</b>
<b>Jones Road C&amp;DD Disposal Facility 3,000 tons per day</b>	<b>C&amp;DD Disposal/Recycling Facility</b>
<b>Masters Road, LLC 1,500 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>Mulliniks Recycling, Inc. 1,500 tons per day</b>	<b>Clean Debris Recycling Facility</b>
<b>Old Kings Road C&amp;DD Disposal Facility 3,000 tons per day</b>	<b>C&amp;DD Disposal/Recycling Facility</b>

Otis Road Disaster Recovery Debris  
Management and Recycling Facility  
2,000 tons per day

Class III Landfill/Recycling Facility

Realco Recycling Co., Inc.  
1,400 tons per day (1,000 of which is reserved for clean debris)

C&DD Recycling Facility

Trail Ridge Landfill  
5,000 tons per day

Class I Landfill

United Brothers, Inc.  
250 tons per day

Clean Debris Recycling Facility

**Section 380.105 (d) (3) – Availability of alternate methods of management or disposal:**

Alternate methods of disposal and/or processing are available within the county for these waste streams. Depending on the type of clean debris, this material is typically disposed or processed in one of the following manners: landfilled, processed into mid-size pieces for use as rip rap, processed into small pieces for use in roadways or parking areas or utilized on construction projects for various structural and drainage considerations. This waste stream can also be disposed of at any of the four landfills/disposal facilities located within the county.

**Section 380.105 (d) (4) – Potential sites best suited to serve the City:**

The Hrustic Brothers, Inc. facility is located east of Interstate 295 on Edgewood Avenue South, north of Interstate 10 and south of Beaver Street in the western portion of the City. The location of this Facility is well suited to serve the central and western portions of the City of Jacksonville.

**Section 380.105 (d) (5) – Availability of regional facilities that are operating, or are projected within five years to be constructed and operating, that do or will accept the type and quantity of waste to be disposed or managed by the proposed facility:**

The facilities that currently have a certificate to landfill or otherwise process this waste stream are listed in a previous section of this letter report. One other facility, owned by Aetna Recycling, Inc. and located at 8050 Old Kings Road, has submitted a modification application to the Solid Waste Division to add the processing of clean debris to their existing Yard Trash Recycling Facility CON. No other facilities, proposing to process this type of waste stream, are known to be planned for Duval County at this time.

**Section 380.105 (d) (6) – Whether the waste to be disposed or managed is generated within Duval County:**

Based upon the type of waste received by the facility and the location of the facility operations, the majority of the waste delivered to this facility is expected to be generated in the western portion of Duval County.

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**Section 380.105 (d) (7) – The current rate of waste generation and the projected generation rate in Duval County over the next five years:**

The average rate of waste generated in Duval County for the Construction and Demolition Debris waste stream over the past 5 years has been estimated at 840,000 tons. As listed in an earlier section of this report, it is estimated that 1,038,219 tons of this waste stream is currently generated annually in Duval County. In addition, the amount of asphalt debris currently generated in Duval County is estimated at 509,239 tons per year.

The projected generation rate of this waste stream over the next five years is anticipated to remain steady but may change depending on economic conditions and any natural disasters in the area over this time period.

**Section 380.105 (d)(8) – Other considerations:**

Transmitted herewith are agency responses from the Solid Waste Division, the Environmental Quality Division, the Planning and Development Department and the Florida Department of Health in Duval County, which have been incorporated into the conditions, listed in Exhibit I attached hereto.

Based upon the determination of need for this facility by the City Council, the Public Works Department supports the issuance of the Certificate of Public Convenience and Necessity for the Hrustic Brothers, Inc. facility provided the applicant agrees to accept the conditions specified in Exhibit I.

If there are any questions regarding this matter, please contact me at your convenience.

Sincerely,



John Pappas, P.E.  
Director of Public Works Department

**Attachments**

cc: William Joyce, P.E., Public Works Department  
Will Williams, Solid Waste Division  
Eric B. Fuller, Engineering and Construction Management Division  
Cletus Kuhn, Solid Waste Division



# City of Jacksonville, Florida

**Lenny Curry, Mayor**

Department of Public Works  
Solid Waste Division  
1031 Superior Street  
Jacksonville, FL 32254  
(904) 255-7500  
www.coj.net

ONE CITY. ONE JACKSONVILLE.

**TO:** John Pappas, P.E., Director of Department of Public Works  
**FROM:** Will Williams, Chief of Solid Waste Division *Will Williams*  
**DATE:** April 28, 2020  
**SUBJECT:** Certificate of Public Convenience and Necessity Initial Application  
Hrustic Brothers, Inc.  
139 Edgewood Avenue South  
Jacksonville, Florida 32254

The Hrustic Brothers, Inc. facility is located east of Interstate 295 on Edgewood Avenue South, north of Interstate 10 and south of Beaver Street in the western portion of the City. The facility lies within a Heavy Industrial land use category and is currently zoned Industrial Heavy with the required Zoning Exception in effect. Hrustic Brothers, Inc. is proposing to accept and process at the facility clean debris only.

In accordance with Chapter 380.105(b), City of Jacksonville Ordinance Code, the Solid Waste Division hereby forwards its comments and recommendations regarding the above referenced application:

*(1) Whether the proposed method of operation will comply with the requirements of this Part and with the Florida Statutes and Florida Administrative Code.*

The Hrustic Brothers, Inc. facility operation as described in the initial application for a Certificate of Public Convenience and Necessity, as submitted by Alpha Southeast, will comply with current local, state and federal rules and regulations in regards to solid waste handling, storing, processing and disposal.

*(2) Whether any hazard or menace to the public health would be created by the proposed use of the land involved or by the proposed method of operation.*

The Hrustic Brothers, Inc. facility operation, when operated according to the approved operations plan submitted as part of the initial application, will not create any hazard or menace to the public health.

*(3) Whether the wastes to be disposed or managed are generated within Duval County.*

Based upon the type of waste received by the facility and the location of the facility operations, the majority of the waste delivered to this facility is expected to be generated in Duval County.

***(4) The rate at which the wastes to be disposed or managed are being generated in Duval County and the projected generation rate over the next five years.***

The average rate of waste generated in Duval County for the Construction and Demolition Debris waste stream over the past 5 years has been estimated at 840,000 tons per year. It is estimated that 1,038,219 tons of this waste stream is currently generated annually in Duval County.

The projected generation rates of this waste stream over the next five years is anticipated to remain steady but may change depending on economic conditions or natural disasters in the area over this time period.

***(5) The reasonably available means to reduce or eliminate the wastes requiring disposal or management.***

The Hrustic Brothers, Inc. facility proposes to accept clean debris for processing and subsequent recycling. Clean debris is typically generated by construction and demolition projects. There currently exist no reasonable available means to reduce or eliminate this waste stream apart from recycling it as proposed by the facility operation.

Based upon the preceding, it is the recommendation of the Solid Waste Division that the initial application for a Certificate of Public Convenience and Necessity regarding the Hrustic Brothers, Inc., 139 Edgewood Avenue facility be approved.

**Mission:**

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts

**Ron DeSantis**  
Governor

**Scott A. Rivkees, MD**  
State Surgeon General



**Vision: To be the Healthiest State in the Nation**

**June 24, 2019**

**Mr. Emir Hrustic**  
Hrustic Brothers, Inc.  
6498 Foyal Drive South, Suite 1  
Jacksonville, FL 32258

**RE: 0 Edgewood Dr South, Application for CON**

Dear Mr. Hrustic:

The purpose of this letter is to inform you we are unable to issue a letter of no objection at this time. The request does not meet the requirements of Section 381.0065, Florida Statutes, Chapter 64E-6, and/ or 64E-8 Florida Administrative Code. Specifically, the proposal does not meet the following requirement(s):

<b>Rule</b>	<b>Description</b>
<b>64E-6.001(2)</b>	Structures used or intended for human occupancy, employment or service to the public and locations where people congregate, such as construction sites, fairs, and field locations for agricultural workers shall provide approved wastewater treatment and disposal systems. Except for the provisions of Rule 64E-6.0101, F.A.C., <u>permanent structures shall not rely upon the use of holding tanks and portable toilets for wastewater treatment and disposal.</u>
<b>64E-6.0101(7)(p)</b>	Portable holding tanks shall meet the following requirements:  1. The total effective capacity of the portable holding tank shall not exceed 300 gallons; 2. No portion of the portable holding tank shall be more than 12 inches below the surface of the ground; <u>3. The portable holding tank shall be used for a construction site or temporary use;</u> (The holding tank does not appear to be for construction or "temporary use" which shall not exceed 120 total days in any 365-day period).
<b>64E-8.004(3)</b>	A Limited Use Public Water System that was constructed and initially placed into service on or after January 1, 1993 that did not obtain construction approval from the Department at the time of construction, or any water system that was constructed and initially placed into service on or after January 1, 1993 that is now being converted into a Limited Use Public Water System, <u>must obtain an annual operating permit or a Registration exemption from the Department</u> and is subject to all construction, water quality clearance and permitting requirements for new Limited Use Public Water Systems as described in section 64E-8.002.

**Florida Department of Health in Duval County**  
Office of Environmental Health  
900 University Boulevard North (MC-45)  
Jacksonville, FL 32211-9203  
PHONE: 904-253-1280 • FAX 904-253-2380  
[Duval.FloridaHealth.gov](http://Duval.FloridaHealth.gov)



**Accredited Health Department**  
Public Health Accreditation Board

**Corrective Action(s):** This facility will require a connection to JEA sewer. A JEA availability letter is attached; there is a 4-inch sewer main within the Dignan Street right-of-way (ROW) adjacent to this property. In the event JEA does not allow connection due to low flow or provides a waiver to connection, an onsite sewage treatment and disposal system (OSTDS) will need to be permitted and installed.

To obtain approval to place a new or modified Limited Use Public Water System into service, the applicant must submit a completed Form DH 4092A, Application for Limited Use Public Water System Operation, and obtain either an annual operating permit, or a Registration exemption as described in section 64E-8.004(5).

The Department shall then issue an annual operating permit or a Registration provided that: 1) the Department has inspected the system and has verified that it was constructed according to the approved plans, in compliance with this section, and meets the operating and maintenance standards of section 64E-8.005; 2) satisfactory results of the water analyses have been submitted; and 3) a copy of the well completion report prepared per section 62-532.410, F.A.C. has been submitted. If deficiencies are found, written notice shall be provided to the applicant by the Department.

If you have any questions concerning this letter, please contact me at (904) 253-1280.

Respectfully,



John Cordy  
Environmental Manager

cc: Cletus Kuhn  
COJ Department of Public Works





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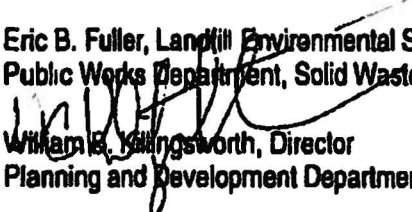
# **City of Jacksonville, Florida**

*Lenny Curry, Mayor*

Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

## **MEMORANDUM**

**TO:** Eric B. Fuller, Landfill Environmental Scientist  
Public Works Department, Solid Waste Division

**FROM:**   
William B. Yalingsworth, Director  
Planning and Development Department

**RE:** Application for a Certificate of Public Convenience and Necessity (CON)  
Hrusic Brothers Clean Concrete Recycling Facility  
139 Edgewood Ave South  
RE# 058468 0100

**DATE:** August 2, 2019

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In accordance with the provisions of Section 380.105, Ordinance Code, the Planning and Development Department hereby forward its comments and recommendations regarding the above referenced application:

**(1) Compliance with the Zoning Code.**

The property at 139 Edgewood Avenue South (0 Dignan Street, RE#058468 0100) is currently primarily zoned Industrial Heavy (IH) with access to Edgewood Ave South via easement, and frontage access along Dignan Street zoned Industrial Light (IL) and is seeking a Certificate of Necessity (CON) for a concrete crushing, separating and recycling facility on approximately 6.68 acres. The proposed use is allowed in the IH Zoning District as a permitted use by exception, according to Section 656.323(A)(III)(c)(1) of the Zoning Code. The property is located in an Industrial Situational Compatibility Area. With a zoning exception (E-19-43, pending) in effect, the proposed use is in compliance with City's Zoning Code if the facility is permitted and operated in compliance with any permits required under city, state or federal permits, laws, ordinances, and rules and regulations. The Dignan Street frontage is not utilized by the operation, as depicted on the site plan provided in association with the application for zoning exception. Dependent on the pending zoning exception, the requested use in compliance with the Zoning Code.

**(2) The impact of the proposed facility on surrounding and nearby land uses including those impacts caused by the anticipated traffic patterns associated therewith.**

The property is within a developed industrial area, surrounded by railroad, warehouse, auto/truck service facilities, and storage yards on all sides and directly abuts a concrete batch mixing facility to the west. The site is within the designated Industrial Situational Compatibility Area and is located in the designated Urban Priority Area. The proposed use of a concrete crushing, separating and recycling facility is consistent with the adjacent uses and with the intended use of the area.

*(3) The consistency of the proposed facility with any duly adopted Comprehensive Plan and all land use regulations related thereto.*

The subject property is located in the Heavy Industrial (HI) land use category. A facility of this type located in this functional land use category is consistent with the Future Land Use Element (FLUE) of the City's 2030 Comprehensive Plan. This property is also located within the Industrial Sanctuary Situational Compatibility Zone enacted per Ordinance 2007-398-E.

Based on the proceeding, it is the recommendation of the Planning and Development Department that of the application for the "Certificate of Public Convenience and Necessity" for Hrustic Brothers, 139 Edgewood Ave, be **APPROVED**.

If there are any questions regarding this matter, please contact me at your convenience.



# City of Jacksonville, Florida

*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

ONE CITY ONE JACKSONVILLE

April 28, 2020

## MEMORANDUM

**TO:** William Joyce, P.E., Operations Director  
Department of Public Works

**FROM:** Melissa M. Long, P.E., Chief *Melissa M. Long*  
Environmental Quality Division

**SUBJECT:** Application for Certificate of Public Convenience and Necessity  
Hrustic Brothers, Inc. Clean Concrete Recycling Facility  
139 Edgewood Avenue South (Real Estate Property Parcel Number 058468-0100)

The Environmental Quality Division (EQD) completed review of the additional information received on March 26, 2020, for the Hrustic brothers, Inc. application for a certificate of public convenience and necessity for a clean concrete recycling facility. This additional information was submitted in response to comments and questions in the EQD memorandum dated January 9, 2020. The EQD review was conducted in accordance with the requirements of 380.105(a) and (b), City of Jacksonville Ordinance Code.

EQD has determined that the application is now complete and provides reasonable assurance that the proposed project will comply with the state and local environmental regulations that are under its jurisdiction.

EQD requests that Solid Waste Division send a copy of any draft certificate conditions for its staff to review and provide comments. If you need additional information, please contact Charles Hubsch of EQD, at telephone number (904) 255-7217.