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DAVID S. DEE

David S. Dee is a shareholder (partner) in the law firm of Gardner, Bist, Wiener, Wadsworth, Bowden, Bush, Dee, LaVia & Wright, P. A., and has 34 years of experience in the areas of environmental, land use, administrative, and governmental law.

Mr. Dee routinely handles cases involving environmental permitting, enforcement proceedings, agency rulemaking, and litigation. He has worked extensively with local, regional, state, and federal environmental agencies. He has represented counties, municipalities, environmental organizations, and private developers in a wide variety of cases throughout Florida. Mr. Dee has successfully handled major, complex cases involving electrical power plants, industrial facilities, landfills, resource recovery (waste-to-energy) facilities, cogeneration facilities, and other industrial activities.

Mr. Dee received a Bachelor of Arts degree in 1974 from Emory University and a Juris Doctor degree with high honors in 1979 from Florida State University. He is a member of several honorary organizations, including Phi Beta Kappa, Omicron Delta Kappa, and the Order of the Coif. He has been selected for several Who's Who publications, Outstanding Young Men in America, Florida Super Lawyers, Leading Florida Attorneys, The Best Attorneys Network, America's Leading Lawyers for Business, and The Best Lawyers in America. Mr. Dee was selected by Best Attorneys as the 2012 "Attorney Of The Year" in Tallahassee in the area of Environmental Litigation. He also was selected as the 2014 "Attorney of the Year" in Tallahassee in the area of Environmental Law.

He has been admitted to practice in all of the state and federal courts in Florida, plus the U.S. Courts of Appeals for the 11th Circuit and the District of Columbia. He has an "Av" rating in the Martindale-Hubbell legal directory.

Mr. Dee was the Chairman of the Environmental and Land Use Law Section of the Florida Bar Association. He served on the Section's Executive Council for eight years. Mr. Dee has lectured at more than 100 environmental law seminars, including programs conducted by the Florida Bar Association, the Florida Chamber of Commerce, and other state and national organizations.

Mr. Dee served for six years as the Chairman of the Advisory Board for the University of Florida's Hinkley Center for Solid and Hazardous Waste Management and he continues to serve on the Board. He is a member of the Florida Chapter of the Solid Waste Association of North America (SWANA). Mr. Dee received SWANA Professional Achievement Awards in 1990 and

1993. He also has worked with the U.S. Conference of Mayors and its affiliate, the Municipal Waste Management Association, on regulatory issues. In 2006, Mr. Dee successfully completed the TREEO training course for landfill operators.

Mr. Dee is a graduate of the Leadership Tallahassee and Leadership Florida programs, which are sponsored by the Tallahassee and Florida Chambers of Commerce, respectively. He served two terms on the Board of Regents for Leadership Florida. Mr. Dee was a member of the Board of Directors of Goodwill Industries of the Big Bend, Inc., for nine years and served as the President of the Board. He served on the Board of Directors for the Tallahassee Chapter of the American Red Cross. Mr. Dee was a volunteer in the American Peace Corps in Nepal and Ethiopia.

Mr. Dee has significant experience with the Florida Electrical Power Plant Siting Act ("PPSA") and many of the other environmental regulations applicable to electrical generating facilities. He has handled the permitting of many major construction projects involving electrical generating facilities, including new facilities on "green field" sites. He also routinely works on state and federal issues involving major sources of air pollution, including permits issued pursuant to the program for the prevention of significant deterioration ("PSD") of air quality. For example, in 2010 Mr. Dee helped Gainesville Renewable Energy Center, LLC obtain the PPSA and PSD approvals for a new electrical power plant that will burn biomass (wood) to generate 100 megawatts ("MW") of electricity for Gainesville Regional Utilities. In 2010-11 Mr. Dee also helped the Solid Waste Authority of Palm Beach County obtain the PSD permit and PPSA approval for a new resource recovery facility (a/k/a waste-to-energy facility) that will burn 3,000 tons per day of municipal solid waste to generate approximately 100 MW of electricity.

Mr. Dee has considerable experience with solid waste management issues. Among other things, Mr. Dee:

- (a) obtained the state and federal environmental permits for Pasco County's resource recovery facility, Class I landfill, and associated facilities;
- (b) obtained the state and federal environmental permits for Hillsborough County's resource recovery facility (Units 1-3) and expansion (Unit 4);
- (c) obtained the state and federal permits for Lee County's resource recovery facility (Units 1 and 2) and expansion (Unit 3);
- (d) obtained the state and federal permits for two biomass-fired cogeneration facilities (Okeelanta and Osceola) in Palm Beach County, as well as the PPSA and PSD approvals for the expansion of the Okeelanta facility, and the PPSA approval for the Class I landfill that will receive the ash generated by the Okeelanta facility;

- (e) obtained the PPSA and PSD approvals for major retrofits of the Pinellas County resource recovery facility, as well as the PSD permit for a major retrofit of the City of Tampa's resource recovery facility;
- (f) obtained the solid waste permit for the construction of Hillsborough County's Class I Southeast Landfill;
- (g) obtained the solid waste permit for the expansion of Hernando County's Croom Road Class I landfill;
- (h) obtained the solid waste permit for the construction of Hernando County's Northwest Landfill;
- (i) obtained the solid waste permits for the closure of St. Johns County's Class I landfill and the construction of a new Class I landfill;
- (j) obtained all of the environmental permits for a new regional landfill serving Lee and Hendry Counties;
- (k) obtained all of the environmental permits for a new regional landfill in Osceola County;
- (l) obtained the solid waste permit and ERP for a new regional landfill in Sumter County;
- (m) successfully opposed the issuance of the permits for the City of Jacksonville's proposed Class I Southeast Landfill;
- (n) successfully opposed the permits for the expansion of the Class I Baker Landfill in Okaloosa County;
- (o) assisted Escambia County with numerous regulatory issues affecting the County's active Perdido Landfill and several closed landfills;
- (p) obtained the permits for two new landfills in Charlotte County for construction and demolition debris;
- (q) assisted a private company obtain solid waste permits for the construction of a solid waste composting facility;
- (r) assisted with the preparation of Dade County's solid waste master plan;

- (s) represented various local governments in rulemaking proceedings concerning DEP solid waste regulations, including the DEP landfill rules in Chapter 62-701, Florida Administrative Code;
- (t) assisted many local governments with their efforts to evaluate solid waste "flow control" issues;
- (u) assisted many local governments with the development of franchise agreements, collection contracts, and other contracts involving solid waste issues;
- (v) assisted Alachua County with the drafting and negotiation of a contract for the design, permitting, construction, and operation of a transfer station;
- (w) assisted Leon County and the City of Key West with the preparation of requests for proposals ("RFP") and contracts for the transport and disposal of solid waste;
- (x) assisted Martin County, Collier County, and Alachua County with the negotiation and preparation of contracts for the transport and disposal of solid waste;
- (y) represented local governments before the Florida Legislature on a variety of issues, including legislation that would: create a moratorium on resource recovery facilities; authorize the beneficial reuse of ash; restrict local governments' ability to manage solid waste; and create new requirements for construction and demolition debris landfills;
- (z) represented Lee County in formal administrative hearings that resulted in the issuance of a DEP renewal permit for the continued operation of the Gulf Coast Class I Landfill;
- (aa) represented Leon County and TLA-Cambridge, LLC, respectively, in formal administrative hearings that resulted in the issuance of the DEP permits for the construction of their proposed transfer stations;
- (bb) served on the City of Key West's Technical Advisory Committee for solid waste issues; and
- (cc) assisted St. Lucie County and other communities with their efforts to evaluate plasma arc gasification and other thermal waste conversion technologies.

Employment History

September 2011 to present Gardner, Bist, Wiener, et al.

2006-2011 Young van Assenderp, P.A.

1995-2005 Landers & Parsons, P.A.

1981-1995 Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A.

1979-1981 Hopping Boyd Green & Sams, P.A.