SOLID WASTE FACILITY PERMIT

Facility Number: **43-AN-0003**

1. Name and Street Address of Facility:	2. Name and Mailing Address of Operator:	3. Name and Mailing Address of Owner:
Newby Island Sanitary Landfill 1601 Dixon Landing Road San Jose, CA 95035	International Disposal Corporation, Inc. 1601 Dixon Landing Road Milpitas, CA 95035	International Disposal Corporation, Inc. 1601 Dixon Landing Road Milpitas, CA 95035

4. Specifications:

a. Permitted Operations:

- ☒ Solid Waste Disposal Site
- ☐ Transformation Facility
- ☐ Transfer/Processing Facility (MRF)
- ☐ Composting Facility

b. Permitted Hours of Operation:

Commercial and Industrial Disposal Operations: 24 hours per day, 6 days per week (CLOSED ON SUNDAYS)
Public Disposal Operations: 3:00 am to 5:00 pm, Monday through Friday and 4:00 am to 4:00 pm on Saturday (CLOSED ON SUNDAYS)

c. Permitted Maximum Tonnage:

4,000 tpd maximum limit of disposed waste.

d. Permitted Traffic Volume:

1,269 waste vehicles per day (does not include employees, visitors, vendors, regulatory personnel).

e. Key Design Parameters (Detailed parameters are shown on site plans within the applicable LEA approved JTD:

	Total	Disposal
Permitted Area (in acres)	342 acres	298 acres
Design Capacity		57.5 Million cy
Max. Elevation (Ft. MSL)		245 ft
Max. Depth (Ft. BGS)		40 ft
Estimated Closure Date		2041

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Approving Officer Signature
Diane Buchanan, Deputy Director, Code Enforcement

6. Enforcement Agency Name and Address:

City of San Jose
Department of Planning, Building and Code Enforcement
Code Enforcement Division, Local Enforcement Agency
200 East Santa Clara Street, T4
San Jose, CA 95113

7. Date Received by CalRecycle: DEC 09 2014

8. CalRecycle Concurrence Date: FEB 05 2015

9. Permit Issued Date:	10. Permit Review Due Date:	11. Owner/Operator Transfer Date:

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Facility Number:

43-AN-0003

12. Legal Description of Facility:

A legal description of this facility is contained in Section B.1.1 of the Joint Technical Document (JTD). This facility is located at the western terminus of Dixon Landing Road in Section 35 of Township 5 S Range 1 W Mount Diablo Base and Meridian (APN 015-40-003, 015-40-005 and 015-47-001). The site latitude and longitude are approximately 37 degrees 30 minutes North and 121 degrees 54 minutes West. City of San Jose, Santa Clara County. 1601 Dixon Landing Road.

13. Findings:

a. This facility is identified in, and is consistent with the County Solid Waste Management Plan or the Countywide Integrated Solid Waste Management Plan (CoIWMP), pursuant to Public Resources Code Section 50001. The CoIWMP, dated November 1995 was adopted by the Department of Resources Recycling and Recovery (CalRecycle) in July 1996.

b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.

c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.

d. The City of San Jose Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.

e. The Newby Island Sanitary Landfill and The Recyclery Rezoning Project Amended Environmental Impact Report State Clearinghouse (SCH) Number 2007122011 was certified by the City of San Jose Planning Commission June 6,2012). This Amended EIR describes and supports the design and operation which will be authorized by the issuance of this permit.

14. Prohibitions:

The permittee is prohibited from receiving untreated medical waste, as defined in Chapter 6.1 Division 20 of the Health and Safety Code. The permittee is prohibited from accepting any liquid waste sludge, designated wastes, friable asbestos or hazardous waste unless such waste is specifically listed below and unless the acceptance of such waste is authorized by all applicable agencies. Wastes requiring special handling, other than those defined in the JTD, shall require LEA approval for authorization of special handling methods. All non-solid wastes containing less than 50 percent solids must be handled and disposed of as described in a waste management plan approved by the Regional Water Quality Control Board (RWQCB) and the Local Enforcement Agency (LEA).

EXCEPTIONS:

A. Non-liquid water treatment residue such as solids from screens and settling tanks and sludge containing at least 15%-20% solids
B. Non-liquid sewage treatment residue such as solids from screens and grit chambers and sludge containing at least 15%-20% solids
C. Wastes containing less than 50% solids which have been approved by the LEA and the RWQCB
D. Triple rinsed containers in accordance with Title 22 CCR Section 66261.7
E. Manure
F. Dead Animals or portions thereof
G. Ashes from household burning
H. Non hazardous solid waste as defined in CCR Title 23 Chapter 15 Section 2523 that are not prohibited in other portions of this permit on in the WDR's.
I. Contaminated soils and other industrial wastes are permitted with prior approval by the LEA and the RWQCB and in compliance with all other regulatory requirements

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Joint Technical Document and Subsequent Amendments	January 2014	Santa Clara County, Countywide CoIWMP	July 1996
Environmental Impact Report (EIR) (SCH No. 2007122011)	June 2012	Planned Development Permits PD 14-014	Oct 1, 2014
Waste Discharge Requirements WDR Order No. R2-2005-0020		Preliminary Closure and Postclosure Maintenance Plan	Jan 31, 2014
Closure Financial Assurance Documentation	February 3, 2014		

SOLID WASTE FACILITY PERMIT

Facility Number:
43-AN-0003

16. Self Monitoring:

Results of all self-monitoring programs will be reported to the LEA as follows:
(The monitoring documentation, where applicable, will be delinquent 30 days after the end of the reporting period)

Program	Submittal Method and Frequency
a. Operator shall notify the LEA upon receipt of a Notice of Violation from any regulatory agency. In addition, the operator shall notify the LEA within 72 hours or on the next business day, following written receipt of a Notice of Violation or upon receipt of written notification of complaints regarding the facility which have been received by other agencies.	As noted
b. All complaints regarding this facility and the operator's actions taken to resolve these complaints shall be entered into the log of special occurrences. (Notification to the LEA within one day following any serious or major complaint is still recommended.)	As Noted
c. Reports of all special/unusual occurrences and the operator's actions taken to correct these problems shall also be entered into the Log of Special Occurrences.	As Noted On site for review
d. The quantities and types of hazardous wastes, untreated medical wastes, or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	ANNUAL (Due Jan. 30)
e. All incidents of unlawful disposal of prohibited materials and the operator's actions taken shall be entered into the log of special occurrences. Indicate those incidents which occurred as a result of the random load checking program. Incidents, as used here, means that the hauler or producer of the prohibited waste is known.	As Noted
f. The operator shall maintain on-site records for the LEA to document the daily gross tonnage along with monthly totals. Also, copies of these monthly totals shall be provided to the LEA within 30 days after the end of the month. The operator shall maintain these records on the facility's premises for a minimum of one year and make them available to any Enforcement Agency's personnel on request.	As Noted
g. The operator shall report to the LEA in writing the average annual tonnage figure at the end of the calendar year.	ANNUAL (Due Jan. 30)
h. The results of the landfill perimeter gas monitoring	Quarterly
i. The results of the leachate monitoring, collection, treatment and disposal program. The operator shall monitor leachate generation as required by the WDR's. The operator will collect, treat and effectively dispose of the leachate in a manner approved by the CRWQCB, with the results, reports and other documentation being copied to the LEA.	As required by WDR's
j. One topographical map showing all current fill locations and one showing all excavations from the previous calendar year. Maps shall have a scale no smaller than one inch = 200 feet unless otherwise approved by LEA.	ANNUAL (Due April 1)
k. Aerial Photos will be provided to the LEA.	Same as above
l. The operator shall make available to the LEA the gate Receipt Records with vehicle count and arrival times when it is necessary for the LEA to review them onsite.	As requested

17. LEA Permit Conditions:

A. Requirements:

1. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 27, California Code of Regulations.
2. This facility shall comply with all requirements in a mitigation monitoring and reporting program adopted pursuant to Public Resources Code Section 21081.6 that are within the jurisdiction of the LEA to enforce. Additional information concerning the design and operation of this facility shall be furnished on request to the Enforcement Agency personnel.
3. The Operator shall maintain at the facility copies of the LEA approved Joint Technical Document (JTD) and this permit for review so as to be available at all times to facility personnel and Local Enforcement Agency personnel.
4. The operator shall install and maintain signs at the entrance indicating that no hazardous waste or liquid wastes are accepted.
5. The operator shall comply with the Waste Load Checking Program as described in Section B.6.4.1 and Appendix G of the Joint Technical Document dated January 2014 (or any subsequent updates).

B. Provisions

1. The operator shall comply with the approved Waste Load Checking Program as described in the JTD dated January 2014 (and any subsequent updates). Any changes in this program must be approved by the LEA prior to implementation. The following SWFP conditions supplement those conditions:
   a. The minimum number of random waste loads to be inspected monthly at this landfill is five (5).
   b. The number of random incoming loads to be inspected each month is determined by the LEA and shall be related to the permitted daily volume of refuse received by the facility. The LEA reserves the right to increase the required number of incoming waste load inspections for sufficient cause.
   c. Incidents of unlawful disposal of prohibited materials shall be reported to the LEA as described in the monitoring section of this permit. In addition, all other agencies as required by regulation shall be notified of any such incidents in accordance with established time frames.
2. The permit is subject to review by the LEA and may be temporarily suspended or revoked at any time by the LEA for sufficient cause, in accordance with Division 30 of Public Resources Code, Part 4, Chapter 4, Article 2, Sections 44305 et seq. and associated regulations.
3. The LEA reserves the right to suspend or modify waste receiving operations when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance.
4. The operator shall maintain a log of special occurrences as required by CCR Title 14 and 27 and shall make available to the LEA any related reportable documentation. This log shall include, but is not necessarily limited to: surface and underground fires, explosions, earthquakes, slope failures, discharge of hazardous liquids or gases to the ground, water or air or significant injuries requiring hospital care. Entries made in this log and deemed significant by the operator must be reported to the LEA within 72 hours. Each of these log entries shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence.
5. The operator shall maintain at the facility accurate daily records of the weight and volume of refuse received. These records shall be available to both LEA and CalRecycle personnel and shall be maintained for a period of at least one year.

C. Specifications:

1. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of a JTD amendment, to the LEA at least 180 days in advance of the change.
2. Prior to a change in the owner or operator, the LEA and CalRecycle shall be notified 45 days in advance of the proposed the change, pursuant to Title 27, CCR, Section 21630. The change in owner and operator cannot be finalized until the LEA has made the required findings in Title 27, CCR 21670.
3. This permit supersedes all previous SWFP's for Newby Island Sanitary Landfill.
4. This facility is allowed to receive a maximum of 4,000 tons per day of solid waste for disposal. Waste and materials received and used for cover, approved alternative daily cover, road and pad construction and other site improvements are not part of this tonnage limit. Waste and materials received, processed for recycling are not included in the tonnage limit.
5. The facility is limited to 1,269 vehicles entering the site per day. Employee, visitor, vendor, and regulatory personnel vehicles are not included in this limit. Vehicles delivering waste and materials for use on the site or for processing and recycling are included in this limit. Vehicles entering the site empty but leaving with materials for further processing or recycling or disposal offsite are included in this limit.
6. Only wastes and materials to be used on site or processed for recycling can be stockpiled. The storage times for wastes and materials stockpiled for later use or recycling at the site if not described in the JTD will be set at the discretion of the LEA.
7. The operating day for this site a six day period, Monday through Saturday, as long as there is 24 hour per day disposal activities occurring. Exterior sloping faces of the active cell shall be covered daily. Each Saturday the entire active face as well as exterior sloping faces of the cell will be covered starting no later than 4:00 pm. On any day when waste has not been received for disposal for more than 3 hours the entire active face including and exterior sloping faces will be covered. The operator may be directed to cover more frequently if required by the LEA in the event of a public health concern or a public nuisance.
8. Only approved alternative daily cover wastes materials described in the Joint Technical Document may be used.