

## Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for  
West Central Landfill, Shasta County  
SWIS No. 45-AA-0043  
May 22, 2015

**Background Information, Analysis, and Findings:** This report was developed in response to the Shasta County Environmental Health Division, Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the West Central Landfill, SWIS No. 45-AA-0043, located near Igo, Shasta County. The property is owned and operated by Shasta County Department of Public Works. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

A proposed permit was received on March 30, 2015. Action must be taken on this permit no later than May 29, 2015. If no action is taken by May 29, 2015, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

### **Proposed Changes**

The following changes to the permit are being proposed:

	Current Permit (1992)	Proposed Permit
Permitted Area (in acres)	1,058 Total	1,250.34 122 for Disposal

Other changes include:

1. Updates to the Joint Technical Document
2. Updates to permit format as the current permit was issued in 1992.

### **Key Issues**

The proposed permit will allow for the following:

1. Increases the total acreage on the LF from 1,058 to 1250.34 acres, and designates 122 acres for disposal, the current permit does not specify disposal acreage.

### **Background:**

The proposed permit will allow for the continued operation of the landfill activities at the facility. The facility currently operates under a full Solid Waste Facilities Permit issued in 1992. There have been ongoing violations of landfill gas at the current facility boundary, which have been noted since October 2009.

### **Findings:**

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has

determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their letter dated March 25, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on May 5, 2014. The LEA provided a copy to the Department on May 8, 2014.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed revised Solid Waste Facilities Permit on March 30, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received by CalRecycle on March 25, 2015, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) Staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the County Siting Element and is consistent with the Countywide Integrated Waste Management Plan, as described in the memorandum dated April 7, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Facility Engineering Unit found the Preliminary Closure/Postclosure Maintenance Plan is consistent with State Minimum Standards as described in their memorandum dated April 8, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6) Known or Reasonably Foreseeable Corrective Action Cost Estimate	The Engineering Support Branch staff in the Closure and Facility Engineering Unit found the written estimate to cover the cost of known or reasonably foreseeable corrective action activities is technically adequate as described in their memorandum dated April 8, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(7)(A) Financial Assurances Documentation Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances documentation for closure, postclosure maintenance, and corrective action in	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
	compliance as described in their memorandum dated April 7, 2015.	
21685 (b)(7)(B) Operating Liability Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their memorandum dated April 7, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit B, found one violation of 27 CCR 20921 during an inspection conducted on May 8, 2015. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their letter dated March 25, 2015, that the proposed permit is consistent with and supported by the existing CEQA documentation. See CEQA information below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public informational meeting was held on March 18, 2015. No written comments were received by LEA or Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

**Compliance History:**

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on scheduled for May 8, 2015, and found one violation of State Minimum Standards: 27CCR 20921 – Gas Monitoring and Control.

The facility was found to be in compliance with other applicable state minimum standards and permit conditions.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2009 (October) to current – Violations of Title 27, Sec 20921 - Gas monitoring and control.
- 2011 (November) - Violations noted for Hazardous Wastes, Title 27, Sec 20870 and PRC 44014(b) – Terms and Conditions of the SWFP.

The 2011 violations were corrected to the satisfaction of the LEA; the gas monitoring and control violation will be addressed by the issuance of the revised permit.

For the purpose of CalRecycle's determination to concur in or to object to a proposed permit for a facility that has landfill decomposition gases exceeding the compliance levels in Title 27 Section 20921, the facility shall be considered to be consistent with State Minimum Standards specified in Section 20921 if all of the following requirements have been satisfied with respect to the facility:

1. The operator has delivered all notices to the EA and owner as required pursuant to Sections 20919, 20919.5 and 20937. *Status: The Shasta County LEA, has received the applicable notices.*
2. The EA shall have forwarded to CIWMB (now CalRecycle) all notifications received. *Status: CalRecycle has received the applicable notices.*
3. Landfill gas monitoring has been and is being conducted at least monthly. *Status: The operator has conducted monthly monitoring since September 2009, when elevated concentrations of methane were detected in one of the gas monitoring wells.*
4. The EA has determined that landfill decomposition gas generated by the facility does not constitute an imminent and substantial threat to public health and safety or the environment. *Status: The Shasta County LEA made the finding most recently in their correspondence dated March 20, 2015.*
5. The EA has determined that to come into compliance it will take the operator longer than 90 days due to the time it takes to plan and implement appropriate corrective measures. *Status: The Shasta County LEA made the finding in the Notice and Order dated April 12, 2010.*
6. The facility is operating under an enforcement order issued to the operator that meets all the requirements. *Status: The Shasta County LEA, initially issued a Notice and Order to the operator on April 12, 2010. The compliance dates in the Notice and Order have been extended until March 26, 2015.*
7. The EA has reviewed and approved and the CIWMB has reviewed all investigation reports or results, proposed work plans, or proposed gas mitigation measures. *Status: CalRecycle, and the LEA, received, reviewed and approved the latest gas remediation plan submitted by the operator November 19, 2009. CalRecycle approved the latest plan as described in an email dated December 23, 2009.*
8. The operator is in compliance with the approved gas mitigation measures or work plans approved by the EA and specified in the enforcement order. *Status: The operator is in compliance with the remediation plan and there has been no need to enforce the notice and order requirements through the implementation of penalties.*

9. For facilities that propose a facility property boundary expansion, a footprint expansion, or any other increase in facility capacity as part of the permit application, investigations or analyses respecting landfill decomposition gases at the facility must have been conducted by the operator prior to the submittal of the permit application to the EA. *Status: The addendum to the EIR addressed the possible impacts to water and air from the expansion and found none.*

**Environmental Analysis:**

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Shasta County Department of Public Works acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include the addition of 192 acres. This change is supported by the following environmental document: An Environmental Impact Report (EIR) Addendum was prepared in October 2014.

The Shasta County Environmental Health Division, acting as Local Enforcement Agency, has provided a finding that the proposed revised SWFP is consistent with and supported by existing CEQA documentation.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the EIR Addendum as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the Final Environmental Impact Report adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

**Public Comments:**

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public information meeting was held near the facility at the Igo School in Igo on March 18, 2015. Four members of the public were in attendance. Attendees had questions regarding illegal dumping at the site, landfill design and possible effects on groundwater. All the questions were answered by the LEA. No written comments were received by the LEA or Department staff. Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on April 21, 2015 and May 19, 2015.