

Permitting & Assistance Branch Staff Report
 New Solid Waste Facilities Permit for the
 California Waste Recovery Systems Materials Recovery Facility
 SWIS No. 34-AA-0231
 June 23, 2014

Background Information, Analysis, and Findings:

This report was developed in response to the Sacramento County Environmental Management Department's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed new Solid Waste Facilities Permit (SWFP) for the California Waste Recovery Systems Materials Recovery Facility, SWIS No. 34-AA-0231, located in the City of Galt and owned by DKCR Properties, Inc. and operated by California Waste Recovery Systems, LLC. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations. The proposed permit was received on May 23, 2014. An updated version was received on June 23, 2014. Action must be taken on this permit no later than August 22, 2014. If no action is taken by August 22, 2014 the Department will be deemed to have concurred with the issuance of the proposed new SWFP.

Proposed Project:

The following are the key design parameters of the proposed project:

	Proposed New SWFP
Name and Address of Facility	California Waste Recovery Systems Materials Recovery Facility 175 Enterprise Court, Suite A Galt, CA 95632
Name and Address of Operator	California Waste Recovery Systems, LLC 175 Enterprise Court, Suite A Galt, CA 95632
Name and Address of Owner	DKCR Properties, Inc. 175 Enterprise Court, Suite A Galt, CA 95632
Permitted Operation	Large Volume Transfer/Processing Facility (MRF)
Permitted Hours/Days of Operation	24 Hours per Day 7 Days per Week
Permitted Maximum Tonnage	150 Tons per Day (TPD)
Permitted Traffic Volume	226 Vehicles per Day (VPD)
Permitted Area	6.29 acres
Design Capacity	270 TPD
Waste Types	Commingled Recyclables and Single-Stream Recyclables

Background:

The proposed new SWFP will allow for the operation of a new Large Volume Transfer/Processing Facility located in the City of Galt (County of Sacramento). The California Waste Recovery Systems Materials Recovery Facility is located at 175 Enterprise Court, Suite A in the City of Galt. The facility is currently permitted under the Registration Tier and accepts a maximum of 100 tons per day (TPD) of commingled recyclables and single-stream recyclables. The new full SWFP is being proposed due to the increase in the amount of daily tonnage to 150 TPD.

Findings:

Staff recommends concurrence in the issuance of the proposed new 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 updated permit submittal letter dated June 19, 2014.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report is not required for a new SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received an updated proposed Solid Waste Facilities Permit on June 23, 2014.	<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 on May 23, 2014, provided a finding that the facility is consistent with PRC 50001. Staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Non-Disposal Facility Element (NDFE) and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated June 5, 2014.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	Permitting and Assistance Branch staff has determined that the design and operation as described in the submitted Transfer/Processing Report (TPR) will allow the proposed facility to comply with State Minimum Standards.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their updated permit submittal package cover letter received on June 19, 2014, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis 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 by the LEA on May 22, 2014. No members of the public attended the meeting. No written comments were received by LEA or Department staff.	<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 new SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

Permitting and Assistance Branch Staff conducted a pre-permit inspection on June 9, 2014 and has determined that the design and operations, as described in the TPR, will allow for the proposed facility to comply with State Minimum Standards.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports since May 2013, when the facility began operations:

- 2014 – No violations noted.
- 2013 (October) - Violation of Public Resources Code 44002: The facility is permitted as a Medium Volume Transfer Station, which is limited to less than 100 tons per day of incoming material, as defined by 14 CCR 17402 (a)(11).

The violation was corrected to the satisfaction of the LEA.

Environmental Analysis:

Under California Environmental Quality Act (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 City of Galt, 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.

An Initial Study/Negative Declaration (IS/ND), State Clearinghouse No. 2012052026, was circulated for a 30 day comment period from May 9, 2012 to June 8, 2012. The project analysis

concluded that there will be no significant impacts to the environment resulting from the project. The Lead Agency filed a Notice of Determination with the State Clearinghouse on July 18, 2012.

The LEA has provided a finding that the proposed new SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the IS/ND 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 new SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the Lead Agency. Department staff further recommends the IS/ND, together with the CEQA finding, is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed new SWFP and all of its components and supporting documentation, this staff report, the IS/ND 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 new 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 LEA held a public informational meeting on May 22, 2014, at the Galt Police Department Community Room, 455 Industrial Drive, in the City of Galt. No members of the public were in attendance. No written comments were received by the LEA.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on June 17, 2014. No public comments have been received by Department staff.