

Permitting & Assistance Branch Staff Report
 New Solid Waste Facilities Permit for the
 Active Recycling Material Recovery Facility and Transfer Station
 SWIS No. 19-AR-1250
 July 17, 2014

Background Information, Analysis, and Findings:

This report was developed in response to the City of Los Angeles, Department of Building and Safety, Local Enforcement Agency'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 Active Recycling Material Recovery Facility (MRF) and Transfer Station, located in the City of Los Angeles, and owned and operated by Active Recycling Company, Inc. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The initial proposed permit was received on July 3, 2014. A new proposed permit was received on July 16, 2014. Action must be taken on this permit no later than September 14, 2014. If no action is taken by September 14, 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	Active Recycling Material Recovery Facility and Transfer Station 2000 W. Slauson Avenue Los Angeles, CA 90047
Name and Address of Operator and Owner	Active Recycling Company, Inc. 2000 W. Slauson Avenue Los Angeles, CA 90047
Permitted Operation	Large Volume Transfer/Processing Facility (MRF)
Permitted Maximum Tonnage	250 Tons per day (TPD)
Permitted Hours/Days of Operation	Material Acceptance – 6:00 AM to 4:45 PM, Monday – Sunday Material Processing/Refuse Transfer – 6:00 AM to 5:30 PM, Monday – Sunday
Permitted Area	0.56 acres
Design Capacity	500 TPD
Waste Types	Green material, source-separated construction and demolition debris (C&D), C&D inert debris and municipal solid waste (MSW)

Background:

The proposed new SWFP will allow for the operation of a new Large Volume Transfer/Processing Facility located in the City of Los Angeles. The major roads providing access to the Active Recycling Material Recovery Facility and Transfer Station include Slauson Avenue, South Figueroa Street, South La Brea Avenue, Interstate 110 and Interstate 405. The permitted area is within an existing 3.56 acre recycling center. The facility has been operating under a Registration Permit as a Medium Volume Transfer/Processing Facility with permitted throughput of 100 TPD since 2012.

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 permit submittal letter dated June 27, 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 a proposed Solid Waste Facilities Permit on July 16, 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 July 3, 2014, 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 Non-Disposal Facility Element, as described in their memorandum dated July 11, 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
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on July 3, 2014, that the proposed permit is consistent with and supported by the existing CEQA documentation. See Environmental Analysis section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on May 28, 2014. Five members of the public attended the meeting. No written comments were received by LEA staff 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 new SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

Permitting and Assistance Branch staff conducted a site visit on July 8, 2014, and has determined that the design and operations, as described in the submitted TPR, will allow for the proposed facility to comply with State Minimum Standards.

Below is the facility's compliance history based on the LEA's monthly inspection reports since 2012, when the facility began operations under the Registration Permit:

- March 2012 – May 2014 – No violations noted.

Environmental Analysis:

Under the 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 LEA, 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/Mitigated Negative Declaration (IS/MND), State Clearinghouse No. 2013111058, was circulated for a 30 day comment period from November 11, 2013 to December 18, 2013. The project analysis concluded that any physical environmental impacts caused by the project would be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation Monitoring and Reporting Program. The Lead Agency filed a Notice of Determination with the State Clearinghouse on March 3, 2014.

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/MND 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/MND, 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/MND 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 project document availability and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on May 28, 2014, at the Angeles Mesa Branch Library, 2700 West 52nd Street, in the City of Los Angeles. Five members of the public were in attendance, as was the owner/operator of the facility. Issues raised during the meeting included:

- Impact of dust from the facility on the local community;
- Impact of truck traffic on Slauson Avenue;
- Litter from the facility causing a nuisance; and
- Impact of noise from the operation during the morning.

The LEA stated that for the dust and litter concerns in the adjacent neighborhood, the LEA would make a referral to the appropriate regulatory agencies for follow-up. The operator addressed the noise issues by stating they would implement 2-way radio communication, instead of using the loud speaker during early morning hours. The traffic impacts were addressed and analyzed for in the environmental document above; other traffic issues are outside of the authority of the LEA.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on July 15, 2014. No public comments have been received by Department staff.