

SOLID WASTE FACILITY PERMIT

Facility Number:

36-AA-0484

1. Name and Street Address of Facility:

Cemex Black Mountain Quarry Plant
EMSW Conversion Facility
25220 Black Mountain Quarry Road
Apple Valley, CA 92307

2. Name and Mailing Address of Operator:

Cemex Construction Materials
Pacific, LLC
16888 North E. Street
Victorville, CA 92394

3. Name and Mailing Address of Owner:

Cemex Construction Materials
Pacific, LLC
929 Gessner Road, Suite 1900
Houston, TX 77024

4. Specifications:

a. Permitted Operations: Engineered Municipal Solid Waste (EMSW) Conversion Facility

b. Permitted Hours of Operation: 24 hours per day, 7 days per week

c. Permitted Maximum Tonnage: 500 Tons per Day of EMSW

d. Permitted Traffic Volume: 30 Vehicles per Day

e. Storage Limit: 3,500 Tons EMSW on site at any given time

f. Permitted Area: 0.35 Acres

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
Josh Dugas, Division Chief

6. Enforcement Agency Name and Address:

County of San Bernardino
Division of Environmental Health Services – LEA
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415-0160

7. Date Received by CalRecycle:

July 1, 2016

8. CalRecycle Concurrence Date:

July 7, 2016

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

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12. Legal Description of Facility:

The legal description of this facility is contained in the Cemex Black Mountain Quarry Plant EMSW Conversion Facility Transfer Processing Report (TPR) dated July 1, 2016.

13. Findings:

- a. This permit is consistent with the San Bernardino County Integrated Waste Management Plan and the Countywide Siting Element, which was approved by CalRecycle on April 21, 2015. The location of the facility is identified in the Countywide Siting Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- 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 San Bernardino County Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC 44151.
- e. An exemption from the requirement to obtain a major waste tire facility permit for the cement manufacturing plant, pursuant to PRC 42823.5, was approved on July 29, 2003. Waste tires are required to be stored in accordance with Title 14, California Code of Regulations, Division 7, Chapter 3, Article 5.5 and no more than a month supply of waste tires are allowed to be stored at the cement manufacturing plant.
- f. A Negative Declaration was filed with the State Clearinghouse (SCH #2014111069) and adopted by San Bernardino County on February 10, 2015. The Negative Declaration describes and supports the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on February 11, 2015.

14. Prohibitions:

The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency. Only EMSW, Biomass and Waste Tires are allowed to be accepted at the EMSW facility.

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

| | Date |
|--|-------------------|
| Transfer Processing Report | July 1, 2016 |
| APCD Permit to Operate #B005362 | November 29, 2012 |
| Negative Declaration (SCH #2014111069) | February 10, 2015 |
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16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period (*for example, 1st quarter = January – March, the report is due by April 30, etc.. Information required on an annual basis shall be submitted with the 4th quarter monitoring report, unless otherwise stated.*)

| Program | Reporting Frequency |
|---|------------------------------|
| a. Notify the Enforcement Agency (EA) in the event of any of the following: fires, earthquake damage, flooding, explosions, and other unusual occurrences, injuries, property damage, accidents, receipt or rejection of hazardous, radioactive, or any other unpermitted wastes. | Within 24 hours of the event |
| b. Maintain a written record and notify the EA of any nuisance, public health, or safety complaint. | Within 30 days of the event |
| c. Submit to the EA a report of actions taken by the operator to remedy or correct any major incidents such as fires, earthquake damage, injury and property damage accidents, explosions, flooding and other unusual occurrences. | Within 30 days of the event |
| d. Submit the types and quantities (in tons) of all feed stocks entering the facility per day. | Quarterly |
| e. Submit the number and types of disposal vehicles using the EMSW facility per day. | Quarterly |
| f. Submit the results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials. | Quarterly |
| g. Provide copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints. Notify the EA of any nuisance, public health, or safety complaint. | Quarterly |
| h. Copies of all load checks for EA or other agency review. | Quarterly |
| i. Provide records of quarterly California Certified Laboratory testing of the EMSW waste entering the conversion facility for Hazardous Waste determination. | Quarterly |
| j. Provide records of quarterly California Certified Laboratory testing of any products of conversion other than clinker materials or Portland cement for Hazardous Waste determination. | Quarterly |
| k. Provide records of quarterly testing performed to determine that the EMSW has an energy content equal to, or greater than, 5,000 BTU per pound. | Quarterly |
| l. Provide records of quarterly testing of the moisture content and the non-combustible waste percentage. | Quarterly |
| m. Provide a list of all transfer processing stations that mechanically reduced the fraction of chlorinated plastics and materials in the EMSW received. | Quarterly |
| n. Retention of Hazardous Materials Manifests/Material Profiles provided by the originator on all EMSW loads received. | Annual Summary |

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17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards as specified in Title 14, California Code of Regulations (CCR), Chapter 3, Article 6, Transfer/Processing Operations and Facilities Regulatory Requirements and Division 30 of the Public Resources Code (PRC), Part 1, Chapter 2, Section 40131.2.
- b. Perform daily load checks on at least 10% of all incoming waste vehicle loads for monitoring and detection of hazardous and/or prohibited waste and material that is not EMSW, biomass or waste tires.
- c. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, earthquake damage, and significant injuries, accidents or property damage and other unusual occurrences. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA for inspection at all times.
- d. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- e. The maximum permitted daily tonnage for this facility is 500 tons per day EMSW and shall not receive more than this amount without a revision of this permit. The cement manufacturing plant may also accept biomass as defined in PRC 40106 and waste tires for use as substitute fuels.
- f. This permit is subject to review by the EA and may be temporarily suspended or revoked at any time by the EA for sufficient cause, in accordance with PRC 44305 et. seq and associated regulations.
- g. The EA reserves the right to suspend or modify waste receiving and handling operations due to an emergency, a potential health hazard, or the creation of a public nuisance.
- h. 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. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change in design and operation without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the EA at least 180 days in advance of the change.
- i. The operator shall maintain the EMSW storage areas in a manner that prevents public nuisances, liquid accumulation, litter, and vector attraction and harborage.
- j. A copy of this permit shall be maintained at the facility.
- k. The facility shall comply with the EMSW Conversion Facility requirements pursuant to PRC 40131.2, including:
 1. The waste to be converted is beneficial and effective in that it replaces or supplements the use of fossil fuels.
 2. The waste to be converted, the resulting ash, and any other products of conversion do not meet the criteria or guidelines for the identification of a hazardous waste adopted by the Department of Toxic Substances Control pursuant to Section 25141 of the Health and Safety Code as verified by quarterly California Certified Laboratory testing of the EMSW entering the conversion facility and any products of conversion other than clinker materials and Portland cement for Hazardous Waste determination.
 3. The conversion is efficient and maximizes the net calorific value and burn rate of the waste.
 4. The waste to be converted contains less than 25 percent moisture and less than 25 percent noncombustible waste as determined by quarterly testing for moisture content and noncombustible waste.
 5. The waste received at the facility for conversion is handled in compliance with the requirements of PRC 40131.2, and no more than a seven-day supply of that waste, based on the throughput capacity of the operation, is stored at the facility at any one time.
 6. No more than 500 tons per day of EMSW is converted at the facility where the operation takes place.
 7. The waste has an energy content equal to, or greater than, 5,000 BTU per pound, as determined by quarterly testing.
 8. Prior to being received, the waste to be converted is mechanically processed at a transfer or processing station to reduce the fraction of chlorinated plastics and materials.