

Permitting & Assistance Branch Staff Report
Modified Solid Waste Facilities Permit for the
City of Redding Transfer Station/Materials Recovery Facility
SWIS No. 45-AA-0059
December 20, 2012

Background Information, Analysis, and Findings:

This report was developed in response to the Shasta County Department of Resource Management's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed modified Solid Waste Facilities Permit (SWFP) for the City of Redding Transfer Station/Materials Recovery Facility SWIS No. 45-AA-0059, located in Redding and owned and operated by the City of Redding. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on October 16, 2012. New permits were received on November 13, 2012, and December 5, 2012. Action must be taken on this permit no later than February 3, 2012. If no action is taken by February 3, 2012, the Department will be deemed to have concurred with the issuance of the proposed modified SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (2002)	Proposed Permit
Permitted Traffic Volume	228	482

Other changes include:

1. A change in owner/operator address;
2. Updates to the documents that describe and/or restrict operation of this facility;
3. Minor changes to the Enforcement Agency conditions.

Key Issues

The proposed permit will allow for the following:

An increase in permitted vehicles from 228 to 482 vehicles per day.

Findings:

Staff recommends concurrence in the issuance of the proposed modified 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 October 10, 2012.	<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 April 2, 2012. The LEA provided a copy to the Department on October 16, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received proposed Solid Waste Facilities Permits on October 16, 2012, November 13, 2012, and December 5, 2012.	<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 October 16, 2012, 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 Nondisposal Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated November 2, 2012.	<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 found that the facility was in compliance with all operating and design requirements during an inspection conducted on December (pending), 2012. 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 permit submittal package received on October 10, 2012, 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	The proposed modified permit was noticed consistent with 27 CCR 21660.3.	<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 modified SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

WEEB staff in the Inspection and Enforcement Agency Compliance Unit and Permitting and Assistance Branch staff conducted a pre-permit inspection on December (pending), 2012. Staff found that the facility is in compliance with applicable state minimum standards. One violation of permit conditions was noted during the inspection.

- PRC Section 44014 – Operator Complies with Terms and Conditions

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

- 2012 - January - November – Five violations of PRC Section 44014 Operator Complies with Terms and Conditions
- 2011 - Six violations of PRC 44014 PRC Section 44014 Operator Complies with Terms and Conditions.
- 2007 - 2010 - No violations noted

The violation of PRC 44014 was due to repeated exceedance of the 228 vehicle limit, which will be resolved by issuance of the proposed modified permit.

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 McClelland Consultants, Inc. for the City of Redding, 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 Environmental Impact Report (EIR), State Clearinghouse No. 1990030464, dated April 1991, was circulated for a 45 day comment period from November 7, 1990 through December 21, 1990. The EIR identified significant and unavoidable impacts to the loss of vernal pools. The Final EIR, together with the Statement of Overriding Considerations, was certified/adopted by the City of Redding on February 1993.

The EIR analyzed for the proposed increase in traffic at the facility to 482 vehicles per day. Prior to the increase in traffic, installation of 3 traffic lights (Abernathy Way, Tarmac Road and Shasta View Drives) was required. To date two of the three traffic lights have been installed. Brian Crane, Associate Planner at the City of Redding Public Works Department submitted a memorandum on October 17, 2011, stating that based on current traffic volumes, the installation of the traffic light at Shasta View Drive is not warranted at this time. It also stated that as growth occurs, the intersection will be considered for signalization by the City.

The Shasta County Department of Resource Management has provided a finding that the proposed modified 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 Final EIR 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 modified SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the Lead Agency. Department staff further recommends the EIR, 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 modified 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 modified 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. No written comments were received by the LEA or Department staff.

The Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on November 19, 2012 and December 11, 2012.