

Permitting & Assistance Branch Staff Report
 Modified Solid Waste Facilities Permit for the
 Tulare Lake Compost
 SWIS No. 16-AA-0026
 March 25, 2016

Background Information, Analysis, and Findings:

This report was developed in response to the Kings Local Enforcement Agency'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 Tulare Lake Compost, SWIS No. 16-AA-0026, located in County of Kings and owned and operated by County Sanitation Districts No. 2 of Los Angeles County. 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 February 25, 2016. A new proposed permit was received on March 17, 2016. Action must be taken on this permit no later than May 17, 2016. If no action is taken by May 17, 2016, 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 (2005)	Proposed Permit
Facility Name	West Lake Biosolids Composting Facility	Tulare Lake Compost

Other Changes include:

1. The date of the Report of Composting Site Information (RCSI) will be updated to reflect the revisions to the RCSI. The RCSI was updated to reflect the elimination of onsite Title 22 wastewater treatment plant and sludge drying beds; simplification of non-potable process water system; use of multi-layered subgrade liner instead of synthetic film; use of wetting basins for pre-ground bulking agents in lieu of storage bunkers; and clarification of GORE covered composting system details. The LEA conditions were additionally updated to current standards, including the deletion of a requirement that the operator obtain a valid Public Water Supply Permit from the King's County LEA prior to beginning operation.

Key Issues

The proposed permit will allow for the following:

1. The name will be changed to Tulare Lake Composting;

2. An outdated condition requiring the facility to have a valid Public Water Supply Permit will be removed.

Background

Tulare Lake Compost is located on 177.5 acres of land approximately two miles north of Utica Avenue and 2.5 miles east of Interstate 5. The Tulare Lake Composting Solid Waste Facility Permit was issued on October 24, 2005, but only began operation on January 5, 2016. The Facility is using aerated static piles (ASPs) to produce compost from biosolids and other organic bulking agents (e.g. agricultural waste) under controlled conditions designed to promote aerobic decomposition through biodegradation and transformation. Engineered, waterproof fabric covers on the ASPs will control odors and other emissions. The facility at full design capacity will be capable of converting up to 500,000 wet tons per year of digested and dewatered biosolids and 400,000 wets tons per year of bulking agents (e.g. agricultural waste) materials into a compost product. The facility will be constructed over five phases, each with 20% capacity. The finished compost will primarily be incorporated into depleted topsoil on an adjacent 14,400 acre site in Kings County.

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 March 14, 2016.	<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 27, 2015. The LEA provided a copy to the Department on May 27, 2015. The changes identified in the review are reflected in this permit revision.	<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 March 17, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
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 March 7, 2016. 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 letter received on March 14, 2016, 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 Notice was posted by the LEA on February 5, 2016. 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 modified 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 March 7, 2016, and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports during the last two months since the facility has been in operation:

- 2016 - No violations were noted.

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 make a determination as to whether this modified SWFP is categorically or statutorily exempt or additional CEQA analysis is necessary.

The changes that will be authorized by the issuance of the proposed permit include:

Updating the name of the facility and the conditioning RCSI. There will be no changes in the operating days/hours, permitted area, or permitted daily tonnage.

The LEA has determined that the proposed modified permit is consistent with existing CEQA.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities, to be filed with the State Clearinghouse after the Department's concurrence of the modified SWFP in that the proposed permit is to be issued to an existing facility that will not expand or significantly change its operations beyond that existing. Further, there are no grounds under CEQA for the Department to prepare an environmental document or assume the role of Lead Agency for its consideration of the proposed modified SWFP.

Department staff further recommends the Categorical Exemption is adequate for the Branch Chief's environmental evaluation and concurrence on the proposed project for those project activities which are within the Department's expertise and authority, 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 Notice of Exemption, 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. Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on March 15, 2016.