

Permitting and Assistance Branch Staff Report

Minor Waste Tire Facility Permit Renewal for
McClanahan Tire, LLC
TPID No. 1003796
December 31, 2013

Background Information, Analysis, and Findings:

This report was developed in response to a Minor Waste Tire Facility Permit (WTFP) renewal application received from the operator of McClanahan Tire, LLC, located at 8585 Banana Avenue, in the City of Fontana (County of San Bernardino). The property site is 1.2 acres, and located within a Community Industrial (IC) zone.

WTFPs expire every five years after the date of issuance unless the permit is renewed prior to the expiration date. McClanahan Tire, LLC has operated as a minor waste tire facility since 1998 and was issued a new minor WTFP for this location in January 2009. The current WTFP expires on January 15, 2014. The operator is permitted to store up to 4,999 whole waste tires and/or waste tire equivalents on-site. The operator proposes no change to the current site design/operation.

An application for a Minor WTFP was received by Permitting and Assistance Branch staff on July 3, 2013, which was accepted as complete on August 2, 2013. Pursuant to Title 14, California Code of Regulations (14 CCR), Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete to either issue or deny the issuance of a minor WTFP. CalRecycle is required to act by January 29, 2014.

Findings:

Staff recommends approval of the issuance of the proposed Minor WTFP. All of the required submittals and findings required by 14 CCR Section 18431 have been met to support concurrence. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

The following table summarizes the staff's findings relative to the permit application:

	Findings	
Compliance with Tire Storage Standards, 14 CCR Sections 17350-17356	Staff of the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on July 22, 2013, and no violations were cited. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR Sections 18431(a), (b), (c), and (d)	All application forms were accepted by Permitting and Assistance Branch staff as complete on August 2, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR Section 18431(h)	<i>Local Vector Control:</i> The San Bernardino County's Mosquito and Vector Control Program staff approved the facility's vector control measures in a letter dated May 30, 2013, signed by Jason Phillippe, Supervising	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

	Environmental Health Specialist. <i>Local Fire Authority:</i> Fire Clearance was provided by the San Bernardino County Fire Department in a letter to the operator, dated June 20, 2013, signed by Catherine Iglesias, Fire Prevention Officer.	
California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of the Minor WTFP is categorically exempt from the requirements of CEQA. See additional CEQA information below in the Environmental Analysis section.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	Approved on December 31, 2013	
Waste Evaluation and Enforcement Branch	Approved on September 30, 2013	

Compliance History:

Staff of WEEB conducted an inspection on July 22, 2013, and found the site in compliance with the applicable Waste Tire Storage Standards.

Environmental Analysis:

Under CEQA, CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed Minor WTFP before CalRecycle issues that permit. In this case, CalRecycle is a lead agency under CEQA and must make a determination as to whether this proposed permit is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The proposed WTFP renewal is considered to be a project under CEQA [CEQA Guidelines 15378(a)(3)] and the facility is required to obtain a WTFP pursuant to 14 CCR Section 18420, for the storage of up to 4,999 waste tires. McClanahan Tire, LLC has been operated as a minor waste tire facility storing up to 4,999 waste tires since 1998 and permitted as a minor waste tire facility at this location since January 2009, within a Community Industrial (IC) zone. The operator proposes no changes to the existing site design/operation.

CalRecycle staff prepared a Preliminary Review to determine whether a Categorical or Statutory Exemption is adequate for CalRecycle’s approval of this Minor WTFP. The Preliminary Review indicates the proposed project:

- Involves the continued operation of an existing facility;
- Involves no expansion of use beyond that existing at the time of permit issuance;
- Does not allow relaxation of standards leading to environmental degradation;
- Would have no significant environmental impacts; and
- There are no additional cumulative environmental impacts.

CalRecycle staff made the finding/determination that the Categorical Exemption, 14 CCR Section 15301 – Existing Facilities, is appropriate for CalRecycle’s issuance of this proposed Minor WTFP in that it involves negligible or no expansion of use beyond that existing. Staff recommends that CalRecycle,

acting as a lead agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption, to be filed with the State Clearinghouse after CalRecycle's issuance of the Minor WTFP. Further there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the Categorical Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Minor WTFP and all of its components and supporting documentation, this staff report and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comment

Department staff provided an opportunity for public comment during CalRecycle's Monthly Public Meetings on August 20, 2013, September 17, 2017, October 15, 2013, November 19, 2013 and December 16, 2013. No public comments have been received by CalRecycle staff.

Attachment: Minor WTFP