

Permitting and Assistance Branch Staff Report

New Minor Waste Tire Facility Permit for

RCO, Incorporated

TPID No. 1721231

March 25, 2014

Background Information, Analysis, and Findings:

This report was developed in response to a New Minor Waste Tire Facility Permit (WTFP) application received from the operator of RCO, Incorporated, located at 13040-B Cerise Avenue, in Hawthorne (County of Los Angeles).

An application for a New Minor WTFP was received by Permitting and Assistance Branch staff on December 9, 2013, which was accepted as complete on January 6, 2014. 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 July 5, 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 issuance. 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 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 March 3, 2014, and no violations were cited. See additional compliance information below in the Compliance History section.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR Sections 18431(a) through (f)	All application forms were accepted by Permitting and Assistance Branch staff as complete on January 6, 2014.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR Section 18431(h)	<p><i>Local Vector Control:</i> The site stores waste tires indoors; therefore, the applicant is not required to obtain local vector control approval for outdoor storage.</p> <p><i>Local Fire Authority:</i> The Los Angeles County Fire Department issued a fire permit on September 10, 2012. The permit is non-transferable and granted until revoked. Inspector Reggie Johnson, Fire Captain with the Los Angeles County Fire Department, signed the local fire approval form on September 5, 2012.</p>	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of the Minor Waste Tire Facility Permit is statutory 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	March 25, 2014	
Waste Evaluation and Enforcement Branch	March 3, 2014	

Compliance History:

Staff of the WEEB conducted a pre-permit inspection on March 3, 2014, and found the facility to be in compliance with applicable state minimum standards.

Environmental Analysis:

Under the California Environmental Quality Act (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 the lead agency under CEQA and must make a determination as to whether this proposed WTFP 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 is considered to be a project under CEQA [CEQA Guidelines 15378(a)(3)] and the facility is required to obtain a permit pursuant to 14 CCR Section 18420, for the storage of up to 4,999 waste tires.

The waste tires will be hauled to the location on a daily basis where they will be sorted and cut into new products. The new products will be palletized and shipped and the waste tire byproducts will be baled prior to shipment. The proposed project does not involved any new construction of buildings or structures.

In an e-mail, dated November 19, 2013, the City of Hawthorne Planning and Community Development determined the use is consistent with zoning and the General Plan, and the proposed use is allowable under the M-2 – Heavy Industrial zoning designation with a valid business license. RCO, Incorporated, currently holds a valid business license, issued by the City of Hawthorne.

Staff prepared a Preliminary Review to determine whether a statutory exemption is adequate for CalRecycle's approval of this Minor WTFP. The Preliminary Review indicates that the proposed project:

- Involves the operation of a facility within the permitted land use and zoning designation;
- Involves no expansion of use beyond that existing at the time of permit issuance;
- Does not allow relaxation of standards leading to environmental degradation;
- Will have no reasonable possibility of significant environmental impacts; and
- Will not involve cumulative impacts that are significant.

CalRecycle staff made the finding/determination that the Statutory Exemption: General Rule, 14 CCR Section 15061(b)(3), is appropriate for CalRecycle's issuance of this proposed Minor WTFP. Staff recommends that CalRecycle, acting as the lead agency under CEQA, prepare a Notice of Exemption, based on the General Rule Exemption, to be filed with the State Clearinghouse after CalRecycle's issuance of the Minor WTFP, in that the activity is not subject to further CEQA review. Further, there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the General Rule 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, the Notice of Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this WTFP. 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 the CalRecycle Monthly Public Meeting on January 21, 2014, February 18, 2014 and March 18, 2014.

Attachment: Minor WTFP