

Permitting and Assistance Branch Staff Report
 Minor Waste Tire Facility Permit Renewal for
 Ecology Auto Parts, Inc.
 TPID No. 1106248
 July 9, 2014

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 Ecology Auto Parts, Inc., located at 12000 Alden Place, in the City of Adelanto (County of San Bernardino). The site is 30.7 acres and located within an Industrial zone.

WTFPs expire every five years after the date of issuance unless the permit is renewed prior to the expiration date. Ecology Auto Parts, Inc. was issued a new minor WTFP for this location in 2009. The current WTFP expires on October 27, 2014. The operator is permitted to store up to 4,999 whole waste tires and/or waste tire equivalents on-site. The site is not currently storing or utilizing any waste tires on-site. In addition, the auto salvage operation has closed for the time being. However, the operator requests to maintain the minor WTFP at this time.

An application for a Minor WTFP renewal was received by Permitting and Assistance Branch staff on February 21, 2014, which was accepted as complete on March 11, 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 September 7, 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 the staff's findings relative to the permit application:

	Findings	
Compliance with Waste Tire Storage Standards, 14 CCR Sections 17350-17356	Staff of the City of Adelanto Code Enforcement, Tire Enforcement Agency (TEA), conducted an inspection of the facility on February 2, 2014, 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 Section 18431(a), (b), (c), and (d)	All application forms were accepted by Permitting and Assistance Branch staff as complete on March 11, 2014.	<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 January 23,	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

	2014, signed by Jason Phillippe, Supervising Environmental Health Specialist. <i>Local Fire Authority:</i> The County of San Bernardino Fire Department staff completed CalRecycle’s Outdoor “Local Fire Approval Form” signed by Mr. Curtis Markloff, on January 22, 2014.	
California Environmental Quality Act (CEQA)	PAB staff determined 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 July 9, 2014	
Waste Evaluation and Enforcement Branch	Approved on June 25, 2014	

Compliance History:

On February 2, 2014, the TEA conducted an inspection of the facility, and found the facility to be in compliance with the applicable Waste Tire Storage Standards. The TEA also conducted an inspection of the facility on May 8, 2014 and noted that the facility was closed.

Below are the details of the facility’s compliance history based on the TEA’s inspection reports during the last five years:

- 2014 – 2009 – No violations were noted.

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 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 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. Ecology Auto Parts, Inc. has been permitted as a minor waste tire facility at this location since 2009, within an Industrial (I) zone. The operator proposes no changes to the existing site design or operation.

CalRecycle staff conducted 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, 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 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 April 15, 2014, May 20, 2014 and June 17, 2014. No public comments have been received by CalRecycle staff.

Attachment: Minor WTFP