SOLID WASTE FACILITY PERMIT

Facility Number:

54-AA-0050

1. Name and Street Address of Facility:

TULARE ANAEROBIC CO-DIGESTION FACILITY
2450 PAIGE AVENUE
TULARE, CA 93274

2. Name and Mailing Address of Operator:

COLONY ENERGY PARTNERS-TULARE, LLC
4940 CAMPUS DRIVE, SUITE C
NEWPORT BEACH, CA 92660

3. Name and Mailing Address of Owner:

CITY OF TULARE
411 E. KERN AVENUE
TULARE, CA 93274

4. Specifications:

a. Permitted Operations:

- ☐ Solid Waste Disposal Site
- ☒ Transfer/Processing Facility (Anaerobic Digester)
- ☐ Composting Facility
- ☐ Transformation Facility
- ☐ Other: _____

b. Permitted Hours of Operation: 24 Hours per day, 7 days per week.

c. Permitted Maximum Tonnage: 500 Tons per Day

d. Permitted Traffic Volume: 74 Vehicles per Day

e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	13	0	13		
Design Capacity (TPD)			500		
Max. Elevation (Ft. MSL)					
Max. Depth (Ft. MSL)					
Estimated Closure Year					

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

Vivian E. Nelson, Division Manager

Approving Officer Signature

6. Enforcement Agency Name and Address:

TULARE COUNTY
HEALTH & HUMAN SERVICES AGENCY
ENVIRONMENTAL HEALTH SERVICES DIVISION
5957 SOUTH MOONEY BLVD.
VISALIA, CA 93277

7. Date Received by CalRecycle:

MAR 28 2013

8. CalRecycle Concurrence Date:

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

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12. Legal Description of Facility:

S1/2 Sec.16, T.20E., R24E., M.D.B.&M. APN# 174-040-006

13. Findings:

a. This permit is consistent with the Tulare County Integrated Waste Management Plan, which was approved by CalRecycle on October 18, 2005 pursuant to Public Resources Code (PRC), Section 50001(a). The location of the facility is identified in the City of Tulare Non-disposal Facility Element, pursuant to PRC, Section 41800 or 41801.5.

b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.

c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.

d. The City of Tulare Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.

e. A Mitigated Negative Declaration was filed with the State Clearinghouse (SCH # 2012051071) and adopted by the City of Tulare Planning Commission on August 12, 2012. The Mitigated Negative Declaration describes and supports the design and operation of the Anaerobic Co-Digestion Facility/Transfer Processing Station, which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on August 22, 2012.

14. Prohibitions:

The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical waste (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), asbestos-containing wastes, ashes, designated, or other wastes requiring special treatment or handling, except as identified in the Transfer/Processing Report and Mitigated Negative Declaration and approved amendments thereto and as approved by the enforcement agency and other federal, state, and local agencies.

Exemptions:

Hazardous or designated waste found as a result of a Hazardous Waste Exclusion/Load-Check Program may be stored in compliance with all the applicable federal, state storage and disposal regulations.

15. The following documents describe and/or restrict the operation of this facility:

	Date		Date
Transfer/Processing Report	December 11, 2012	Mitigated Negative Declaration	August 12, 2012
Conditional Use Permit	2011-12	Notice of Determination SCH# 2012051071	August 22, 2012

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16. Self Monitoring:

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period (for example, 1st quarter = January-March, the report is due by April 30, etc. Information required on an annual basis shall be submitted with the 4th quarter monitoring report, unless otherwise stated).

Program	Reporting Frequency
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day.	Monthly
b. The number and types of vehicles using the facility per day.	Monthly
c. Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Quarterly
d. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Per Occurrence
e. An employee training log with dates of training and course descriptions. This shall be maintained and kept current.	Maintain Onsite

17. Enforcement Agency (EA) Conditions:

a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14, California Code of Regulations.

b. The operator shall make copies of all inspection reports and permits issued by this and other regulatory agencies available for review by site personnel and authorized representatives of all responsible agencies during normal office hours.

c. The operator shall adhere to the terms of this permit and its related documents.

d. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.

e. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.

f. The maximum permitted daily tonnage for this facility is 500 tons per day and this facility shall not receive more than this amount without a revision of this permit.

g. This permit is subject to review by the EA and may be temporarily suspended or revoked at any time by the EA for sufficient cause in accordance with Division 30 of the Public Resources Code, Part 4, Article 2, Section 44305 et seq.

h. The EA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.

i. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of a TPR amendment, to the EA at least 180 days in advance of the change.

j. The following activities are prohibited:

1) Public or Employee Scavenging

2) Vector propagation and harborage

3) Off-site migration of waste, litter, or leachate.

4) Burning waste

k. A copy of this permit and the current Transfer Processing Report as amended or approved by the EA shall be maintained at the facility and available to site personnel and the EA at all times.

l. Load Checking for hazardous waste shall be performed in accordance with standards prescribed in CCR, Title 14, Section 17409.5

m. The operator shall periodically test digestate at the request of the EA for Maximum Metals Concentrations and Pathogen Reduction as per CCR, Title 14, Chapter 3.1, Article 7, Sections 17868.2 and 17868.3.

n. A copy of the Odor Impact Minimization Plan shall be maintained at the facility gatehouse. The operator's phone number shall be made available to the general public should there be any questions or complaints regarding possible objectionable odors.