

## Waste Compliance and Mitigation Program Staff Report

Solid Waste Facilities Permit Revision for the North County Recycling Center and Sanitary Landfill

SWIS No. 39-AA-0022

March 30, 2010

### Background Information, Analysis, and Findings:

This report was developed in response to the San Joaquin County Local Enforcement Agency (LEA) request for Department of Resources Recovery and Recycling (Department) concurrence on the issuance of a proposed solid waste facilities permit revision for the North County Recycling Center and Sanitary Landfill SWIS No. 39-AA-0022, located in San Joaquin County, owned and operated by San Joaquin County Department of Public Works. A copy of the proposed permit is attached. The report contains Waste Compliance and Mitigation Program (WCMP) staff's analysis, findings, and recommendations.

The proposed permit was received on March 3, 2010. Action must be taken on this permit no later than May 2, 2010. If no action is taken by May 2, 2010, the Department will be deemed to have concurred with the issuance of the proposed modified permit.

### Proposed Changes

The following changes to the permit are being proposed:

	Current Permit (1993 SWFP)	Proposed Permit
Operator Name	North County Landfill	North County Recycling Center and Sanitary Landfill
Maximum Fill Elevation Above Mean Sea Level (MSL)	190 ft MSL	320 ft MSL
Peak Daily Refuse Disposal	825 tons per day	1,200 tons per day
Maximum Incoming Refuse Vehicles	600 per day	850 per day
Ancillary Operations/Facility Operating Hours (Use of heavy equipment for the disposal and cover of received refuse)	7:00 am to 7:00 pm	6:30 am to 7:00 pm
Treated Wood Waste	Excluded	Included as Identified as in the WDR's adopted in January 2010
Legal Description	12. Legal Description of Facility: The legal description of this facility is contained in pages 27-30 of Joint Technical Document dated <u>July 1989</u> .	12. Legal Description of Facility: The legal description of this facility is contained in pages 3-5 of Joint Technical Document dated <u>February 10, 2010</u> .
Findings	14. Prohibitions 1. Residential Refuse 2. Commercial/Industrial Waste	d. TYPES OF WASTES RECEIVED 1. Residential Refuse 2. Commercial/Industrial Waste

	<ol style="list-style-type: none"> <li>3. Garden Refuse</li> <li>4. Wood Waste</li> <li>5. Metals</li> <li>6. Paper Products</li> <li>7. Glass</li> <li>8. Tires</li> <li>9. Plastic</li> <li>10. Agricultural Wastes</li> <li>11. Construction/Demolition</li> <li>12. Household Hazardous Waste</li> </ol> <p><b>e.</b> <u>The daily peak tonnage is 825 tons per day.</u> This tonnage figure is based upon an annual increase of 3%. The estimate amount of annual waste received is projected to be 135,568 tons. The conversion factor from tons to gate cubic yards is .175 tons per cubic yards.</p> <p><b>h.</b> The waste load checking program should consist of the following activities: Inspection of random in-coming loads; training of facility personnel in hazardous waste recognition and proper hazardous waste handling procedures; reporting incidents of unlawful disposal to specific agencies. Annette Borges, Solid Waste Operations Manager and Michael Carroll, Senior Solid Waste Engineer, can be contacted at (209) 468-3000 for emergencies and hazardous waste inquiries. Additional measures may be required upon the request of the LEA or the Board.</p> <p><b>k.</b> Receipt of waste: 7:00 a.m. – 5p.m. – Daily</p> <ul style="list-style-type: none"> <li>• Operations conducted in the hours of darkness require lighting as approved by the LEA.</li> <li>• Heavy equipment operation outside normal hours of operation is allowed only in emergency and incidental occurrences not in connection with any routine site operations.</li> <li>• The Environmental Health Department must be notified 24 hours in advance of all non routine operations outside the normal operating hours.</li> </ul>	<ol style="list-style-type: none"> <li>3. Green waste/Garden Refuse</li> <li>4. Wood Waste</li> <li>5. Metals</li> <li>6. Paper Products</li> <li>7. Glass</li> <li>8. Tires</li> <li>9. Plastic</li> <li>10. Agricultural Wastes</li> <li>11. Construction/Demolition</li> <li>12. Household Hazardous Waste</li> <li>13. Dead Animals</li> <li>14. Inert</li> <li>15. Treated Wood Waste</li> </ol> <p><b>e.</b> <u>The daily peak tonnage is 1200 tons per day.</u> This tonnage figure is based upon an annual increase of 3%. The estimate amount of annual waste received is projected to be 143,000 tons. Average refuse density of approximately 1000 pounds per CY (1000 lb refuse disposed per CY airspace consumed by refuse, daily and intermediate cover).</p> <p><b>h.</b> The waste load checking program should consist of the following activities: Inspection of random in-coming loads; training of facility personnel in hazardous waste recognition and proper hazardous waste handling procedures; reporting incidents of unlawful disposal to specific agencies. Jaime Perez, Solid Waste Operations Manager and Michael Carroll, Senior Solid Waste Engineer, can be contacted at (209) 468-3066 for emergencies and hazardous waste inquiries. Additional measures may be required upon the request of the LEA or CalRecycle.</p> <p><b>k.</b> Receipt of waste: 7:00 a.m. – 5p.m. – Daily</p> <ul style="list-style-type: none"> <li>• Use of heavy equipment to dispose and cover received refuse from 6:30 am to 7:00 pm.</li> <li>• Operations conducted in the hours of darkness require lighting as approved by the LEA.</li> <li>• Heavy equipment operation outside normal hours of operation is allowed only in emergency and incidental occurrences not in connection with any routine site operations.</li> <li>• The Environmental Health Department must be notified 24 hours in advance of all non routine operations outside the normal operating hours.</li> </ul>
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	<p><b>2.</b> The following documents describe and condition the design and operation of the facility.</p> <p><b>b.</b> Environmental Impact Report dated March 1989, SCH 88060714</p> <p><b>d.</b> Regional Water Quality Control Boards Waste Discharge Requirements Order R5-2002-0219, July 19, 2002</p> <p><b>f.</b> Joint Technical Document dated February 10, 2010</p> <p><b>h.</b> Report of Waste Discharge dated October 2002</p> <p><b>i.</b> San Joaquin County Air Pollution Permit 89-468 dated July 31, 1990</p> <p><b>3.</b> San Joaquin County, Environmental Health Department has made the following findings in accordance with Public Resources Code 50000 and 50000.5:</p> <p><b>b.</b> This facility is consistent with County Integrated Waste Management Plan Dated March 1986</p> <p><b>4.</b> The design and operation of the facility is in compliance with state minimum standards for solid waste handling and disposal as determined by the LEA on December 22, 1992.</p> <p><b>6.</b> The Notice of Determination for this permit shall be subject to all applicable mitigation measures which identified in the land use conditions of approval #UP-89-2 as adopted by the San Joaquin County Planning Department. This complies with Sections 21108 and/or 21152 of the Public Resources Code. The Mitigated Negative Declaration (SCH # 88060714) was adopted by San Joaquin County on August 10, 1989. The Final EIR (SCH# 92082082) was adopted by San Joaquin County on October 31, 1992.</p>	<p><b>2.</b> The following documents describe and condition the design and operation of the facility.</p> <p><b>b.</b> Environmental Impact Report dated December, 2006, SCH # 2006062113</p> <p><b>d.</b> Regional Water Quality Control Boards Waste Discharge Requirements Order R5-2010-0016, January 28, 2010</p> <p><b>f.</b> Joint Technical Document dated February 10, 2010</p> <p><b>i.</b> San Joaquin County Air Pollution Permit N-1119-1-0</p> <p><b>3.</b> San Joaquin County, Environmental Health Department has made the following findings in accordance with Public Resources Code 50000 and 50000.5:</p> <p><b>b.</b> This facility is consistent with County Integrated Waste Management Plan Dated March, 1997</p> <p><b>4.</b> The design and operation of the facility is in compliance with state minimum standards for solid waste handling and disposal as determined by the LEA on February 24, 2010.</p> <p><b>6.</b> The Notice of Determination for this permit shall be subject to all applicable mitigation measures which identified in the land use conditions of approval #UP-89-2 as adopted by the San Joaquin County Planning Department. This complies with Sections 21108 and/or 21152 of the Public Resources Code. The Mitigated Negative Declaration (SCH # 92082082) was adopted by San Joaquin County on October 31, 1992. The Final EIR (SCH# 2006062113) was adopted by San Joaquin County on December 5, 2006.</p>
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<p>Documents</p>	<p>Joint Technical Document: February 10, 2010</p> <p>Waste Discharge Requirements Order No. R5-2010-0016: January 28, 2010</p> <p>APCD Permit to Operate N—1119-1-0: December 28, 2008</p> <p>Environmental Impact Report (SCH # 2006062113): December 5, 2006</p> <p>Preliminary Closure and Post closure Maintenance Plan: January 7, 2010</p> <p>Closure Financial Assurances Documentation: September 114, 2009</p> <p>Operating Liability Certification: January 14, 2010</p>	<p>Joint Technical Document: February 10, 2010</p> <p>Waste Discharge Requirements Order No. R5-2010-0016: January 28, 2010</p> <p>APCD Permit to Operate N—1119-1-0: December 28, 2008</p> <p>Environmental Impact <u>Report</u> (SCH # 2006062113): December 5, 2006</p> <p>Preliminary Closure and Post closure Maintenance Plan: January 7, 2010</p> <p>Closure Financial Assurances Documentation: September 14, 2009</p> <p>Operating Liability Certification: January 14, 2010</p>
<p>Self Monitoring</p>	<p>Program/Frequency</p> <p><b>a.</b> Environmental measures of water quality, leachate, and gas shall be reported to LEA. <i>Quarterly</i></p>	<p>Program/Frequency</p> <p><b>a.</b> The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day. <i>Quarterly</i></p> <p><b>b.</b> The average number of vehicles using the facility per day and the volume of waste received at the facility (in tons). <i>Monthly</i></p> <p><b>c.</b> 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. <i>Quarterly</i></p> <p><b>d.</b> Ground water monitoring. <i>Quarterly</i></p> <p><b>e.</b> Results of on-site industrial hygiene and air monitoring. <i>Upon Request of LEA</i></p> <p><b>f.</b> Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints. <i>Quarterly</i></p> <p><b>g.</b> Results of the Gas Monitoring Program. <i>Quarterly</i></p> <p><b>h.</b> Wet weather preparedness report/winter operations plan. <i>Annual, due by Nov 1</i></p> <p><b>i.</b> Fill sequencing plan for the forthcoming year. <i>Annual</i></p> <p><b>j.</b> Remaining Site Capacity. <i>Annual</i></p>

		<p><b>k.</b> Results from leachate monitoring, collection, treatment, and disposal program. <i>Quarterly</i></p> <p><b>l.</b> Financial Assurances updated information. <i>Annual</i></p> <p><b>m.</b> Final Closure/ Post Closure Maintenance Plan. <i>2 years prior to closure</i></p> <p><b>n.</b> Application for the revision of the Solid Waste Facility Permit or Joint Technical Document. <i>150 days prior to proposed change</i></p>
<p>Enforcement Agency (EA) Conditions</p>	<p><b><u>SPECIFICATIONS:</u></b></p> <p><b>a.</b> The LEA through this permit may prohibit or condition the handling or disposal of solid wastes in order to protect the public health and safety, protect, rehabilitate, or enhances the environment, or mitigate adverse environmental impacts</p> <p><b>b.</b> Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit may be considered a significant change and require a permit revision.</p> <p><b>c.</b> This facility has a permitted capacity of 825 tons per day. NCSL shall not receive more than this amount without first obtaining a permit revision.</p> <p><b>d.</b> A change in operator will require a new solid waste facilities permit.</p> <p><b>e.</b> Existing wells which are to remain on site shall be inspected by the County Public Health Services and shall be brought into compliance with surface sealing and casing height requirements as outlined by the Rules and Regulations of San Joaquin County Ordinance No. 1862</p> <p><b>f.</b> The existing underground irrigation system shall be removed according to the amended RDSI, Appendix D dated October, 1990.</p> <p><b>g.</b> All abandon wells must be destroyed with a cement sand slurry to the bottom of the well. All abandon septic tanks must be destroyed. All</p>	<p><b>17. Enforcement Agency (EA) Conditions:</b></p> <p><b>a.</b> The LEA through this permit may prohibit or condition the handling or disposal of solid wastes in order to protect the public health and safety, protect, rehabilitate, or enhances the environment, or mitigate adverse environmental impacts</p> <p><b>b.</b> 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 an RFI amendment, to the EA at least 150 days in advance of the change.</p> <p><b>c.</b> If the site operator plans to use a new ADC, allowed by and described in, Title 27, CCR, Section 20690, the operator must submit any proposed changes to the ADC program in the form of an RFI amendment 150 days prior to the anticipated change.</p> <p><b>d.</b> This facility has a permitted capacity of 1200 tons per day. NCRC&amp;SL shall not receive more than this amount without first obtaining a permit revision.</p> <p><b>e.</b> This facility shall not exceed the maximum daily traffic count of 850 trips per day without revising this permit.</p> <p><b>f.</b> A change in operator will require a new solid waste facilities permit.</p> <p><b>g.</b> The permit is subject to review by the Local Enforcement Agency, and may be modified, suspended, or revoked, for sufficient cause after a hearing.</p>

abandonments must be completed under San Joaquin County Public Health Services permits.

**Provisions:**

- a. The permit is subject to review by the Local Enforcement Agency, and may be modified, suspended, or revoked, for sufficient cause after a hearing.
- b. The use of 60-mil high density polyethylene (HDPE) liner as described in the existing Waste Discharge Requirements 91-021 dated January, 1991 has been approved by the Regional Water Quality Control Board, the Local Enforcement Agency, and the California Integrated Waste Management Board. The liner shall consist of 6 inches of compacted soil overlain by HDPE synthetic liner.
- c. Each waste module shall have a dendritic leachate collection and removal system directly over the HDPE synthetic liner.
- d. NCSL shall comply with the monitoring and reporting program of California Regional Water Control Board.

**Closure & Post Closure Maintenance:**

- a. All documentation relating to the preparation of the closure and post closure maintenance costs shall be retained by the operator and shall be available for inspection by the LEA or the CIWMB.
- b. The preliminary closure and post closure plans were approved by the CIWMB on October 31, 1991 No. 91-39.
- c. The final Closure and Post closure Plan must be submitted to the LEA, Regional Water Quality Control Board, and the CIWMB two years prior to closure of the landfill.

**Conditional Requirements:**

- a. This facility must comply with all state minimum standards for solid waste handling and disposal.
- b. This facility must with all federal, state, and local requirements and

- h. NCRC&SL shall comply with the Methane Monitoring Program as described in Title 27 CCR Section 20921 (b).
- i. The operator shall at all times provide adequate staffing to deal effectively and promptly with operations at the site as needed.
- j. The operator shall at all times provide adequate numbers and types of operable equipment for compaction and placement of the waste and cover at the facility.
- k. All documentation relating to the preparation of the closure and post closure maintenance costs shall be retained by the operator and shall be available for inspection by the LEA or CalRecycle.
- l. The preliminary closure and post closure plans were updated on July 24, 2008.
- m. The final Closure and Post closure Plan must be submitted to the LEA, Regional Water Quality Control Board, and CalRecycle two years prior to closure of the landfill.
- n. This facility must comply with all state minimum standards for solid waste handling and disposal.
- o. This facility must comply with all federal, state, and local requirements and enactments, including all mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code, Section 21081.6.
- p. A log of special occurrences, i.e., fires, explosions, accidents, hazardous wastes, etc., shall be maintained and reported to the LEA on an annual basis and no later than December 31 of each year.
- q. Any other information concerning the landfill must be provided to the LEA upon request.
- r. An adequate water supply for dust and fire suppression shall be available at all times during the operation of this facility. The water supply must be acceptable to the local fire jurisdiction and the LEA.
- s. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the LEA. The operator must supply the LEA with any information the

	<p>enactments, including all mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code, Section 21081.6.</p> <p>c. Submit tonnage records of wastes received on a monthly basis to the LEA.</p> <p>d. Quantities and types of materials recycled and/or salvaged shall be reported to the LEA on an annual basis.</p> <p>e. A log of special occurrences, i.e., fires, explosions, accidents, hazardous wastes, etc., shall be maintained and reported to the LEA on an annual basis and no later than December 31 of each year.</p> <p>Any other information concerning the landfill must be provided to the LEA upon request.</p>	<p>LEA deems necessary to conduct an inspection or to review and rewrite a Solid Waste Facility Permit.</p> <p>t. Treated Wood Waste operations at the facility must comply with Title 22 California Code Regulation, Chapter 34, Article 1, sections 67386.1 through 67386.12.</p> <p>u. Receipt of waste: 7:00 a.m. and 5p.m.</p> <ul style="list-style-type: none"> <li>• Use of heavy equipment to dispose and cover received refuse from 6:30 am to 7:00 pm.</li> <li>• Operations conducted in the hours of darkness require lighting as approved by the LEA.</li> <li>• Heavy equipment operation outside normal hours of operation is allowed only in emergency and incidental occurrences not in connection with any routine site operations.</li> <li>• <b><u>The Environmental Health Department must be notified 24 hours in advance of all non routine operations outside the normal operating hours.</u></b></li> </ul>
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**Findings:**

Staff recommends concurrence with the issuance of the proposed revised permit. All of the required submittals and findings required by Title 27, Section 21685 have been provided and made. Staff has determined that California Environmental Quality Act requirements have been met to support concurrence. The findings are summarized in the following table. The documents on which staff's findings are based have been provided to the Deputy Director with this Staff Report and are permanently maintained in the facility files maintained by the Waste Compliance and Mitigation Program.

CCR Title 27 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 February 26, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The permit was issued on April 15, 1993; the latest Permit Review report was completed on April 15, 2008.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	The LEA submitted a proposed solid waste facilities permit on March 3, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

CCR Title 27 Sections	Findings	
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on March 3, 2010 provided a finding that the facility is consistent with PRC 50001 and WCMP staff in the Jurisdiction Compliance and Audit Section found the facility is identified in the Countywide Siting Element as described in their memo dated March 9, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7) Operations Consistent with State Minimum Standards	WCMP staff in the Compliance, Evaluations, and Enforcement Division (CEED) found that the facility was in compliance with all operating and design requirements during the inspection conducted on March 3, 2010. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) LEA CEQA finding	The LEA provided an initial finding in their permit submittal package received on March 3, 2010 that the proposed permit is consistent with and supported by the existing CEQA documentation.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and or Meeting, Comments	The required Public Notice was posted by the LEA at the subject Facility and in the Lodi News Sentinel newspaper ten days before the Public Meeting. An informational meeting was conducted on April 7, 2009. No written comments were received by the LEA or WCMP 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, a proposed modified solid waste facilities permit. WCMP staff has determined that the CEQA record can be used to support the CalRecycle's action on the proposed modified permit. See details below See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(5) Preliminary or Final Closure/Postclosure Maintenance Plans consistency with State Minimum Standards	WCMP staff in the Cleanup, Closure, and Financial Assurances Division found the Preliminary Closure/ Postclosure Maintenance Plans consistent with State Minimum Standards as described in their memo dated March 10, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6)(A) Financial Assurances Documentation compliance	WCMP staff in the Cleanup, Closure, and Financial Assurances Division found the Financial Assurances Documentation in compliance as described in their memo dated March 30, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6)(B) Operating Liability compliance	WCMP staff in the Cleanup, Closure, and Financial Assurances Division found the Operating Liability in compliance as described in their memo dated March 30, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

**Compliance History:**

The facility was inspected by WCMP staff in the Compliance, Evaluation, and Enforcement Division on March 3, 2010. No Violations were noted. In 2009, there was one violation of Title 27 Section 20680-

Daily Cover; and one violation of Title 27 Section 20810-Vector and Bird Control. In 2008, there were two violations of Title 27 Section 20800-Dust Control; one violation of Section 20690-Alternative Daily Cover; one violation of Section 20820-Drainage/Erosion Control and one violation of Section 20830-Litter Control. In 2007, there was one violation of Section 20830-Drainage/Erosion Control; one violation of Section 20830-Litter Control; one violation of Section 20870-Hazardous Waste; two violations of Section 20520-Signs; and one violation of PRC 44014 Operator Complies with Terms and Conditions. The violation for PRC Section 44014, Terms and Conditions, was for exceeding tonnage limits. In 2006, there were two violations of Section 20680-Daily Cover; two violations of PRC 44004 Significant Change; five violations of PRC 44014 Operator Complies with Terms and Conditions; one violation of Section 20820-Drainage/Erosion Control; and one violation of Section 20690-Alternative Daily Cover. In 2005, there were three Public Resource Code 44004 Significant Change violations; three Public Resource Code 44014 Operator Complies with Terms and Conditions violations; seven violations of Section 20919.5-Explosive Gas Control; and one violation of Section 20700-Intermediate Cover. In 2004, there was one violation of Section 20830-Litter Control and three violations of Section 20919.5-Explosive Gas Control. The Violations for Section 20919.5 for Explosive Gas Control in 2004 and 2005 were for methane gas levels at the landfill boundary exceeded 5%. This gas issue concerned one well (DW2). Over time, readings from the well went over 5% methane. The LEA issued violations over a period of approximately one and half years. This was corrected through the installation of a gas extraction system at the facility.

### **Environmental Analysis:**

State law requires compliance with the California Environmental Quality Act either through the preparation, circulation and adoption/certification of an environmental document and mitigation reporting or monitoring program or by determining that the proposal is categorically or statutorily exempt.

The San Joaquin County Department of Public Works, acting as lead agency, prepared an Environmental Impact Report (EIR), State Clearinghouse (SCH) No. 2006062113, addressing the potential impact of the proposed permit revisions. With the exception of Aesthetics (landfill height change that altered the visual nature of the area from a small hill to bigger hill that could not be mitigated) all potentially significant impacts (cultural resources, noise, and cumulative impact for geology and soils, and transportation/traffic) were reduced to less than significant after incorporation of mitigation measures. The San Joaquin Board of Supervisors found that the impacts, identified in the Final EIR as being potentially significant, had been reduced to a level considered less than significant with the implementation of mitigation measures and project changes. The San Joaquin County Board of Supervisors certified the Final EIR and adopted a Mitigation Monitoring and Reporting Program on November 22, 2006. A Notice of Determination was filed with the San Joaquin County Clerk on December 6, 2006.

Upon certification of the Final EIR, the San Joaquin County Board of Supervisors adopted a Statement of Overriding Considerations for the significant impact to Aesthetics. The Statement of Overriding Considerations states:

- The San Joaquin County Department of Public Works strives to provide long-term, cost effective, solid waste disposal and recycling services to businesses and residents throughout San Joaquin County.
- Increasing the landfill height would increase the available disposal capacity of the landfill by approximately 60% with little additional cost and without increasing the surface area over which refuse is placed, thereby helping to contain cost.

- The additional capacity would also extend the operational life of the existing landfill from 2032 to approximately 2048, but cost savings would begin almost immediately.
- It is essential that the public be provided a satisfactory range of services, and that these services are accessible. By increasing the limit for daily refuse disposal and incoming refuse vehicles, the County can continue providing disposal services for the “self-haul” customers, primarily small contractors and private individuals.
- Increasing the landfill height limit increases disposal capability needed for anticipated increases in population over the next several years, in accordance with the General Plan of the County.
- Increasing capacity at the current project site provides for the most additional capacity with the least amount of environmental impacts, while still accomplishing the project objectives. By expanding the existing landfill vertically rather than horizontally, the environmental impacts related to horizontal expansion of existing facilities and those associated with the construction and operation of new waste disposal facility at a previously undisturbed site elsewhere in the County would be avoided.

CalRecycle staff recommends that the Department adopt as its own the findings, those made by the San Joaquin County Board of Supervisors.

Staff recommends that the Final EIR prepared by the lead agency for the Department’s use has no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of lead agency for its consideration of the issuance of revised SWFP No. 39-AA-0022.

Department staff further recommends the Final EIR is adequate for the Director’s environmental evaluation of the proposed project for those project activities which are within the Department’s expertise and/or powers, or which are required to be carried out or approved by the Department.

CalRecycle must adopt a Statement of Overriding Conditions that indicates its reasons for overriding the adverse environmental effects to Aesthetics as a result of project approval. It is the CalRecycle staff’s recommendation that the Statement of Overriding Considerations adopted by the San Joaquin County Board of Supervisors be adopted by CalRecycle.

**Local Issues:**

The Local Enforcement Agency conducted an informational meeting on April 7, 2009, from 7:00 p.m. – 9:00 p.m. at the North County Recycling Center and Sanitary Landfill, pursuant to Section 21600.2(a)(1) of Title 27 California Code of Regulations. Ten members of the public attended the meeting. A Notice of Public Informational Meeting was posted onsite at the facility and in the Lodi News-Sentinel newspaper at least 10 days prior to the meeting.

According to the 2000 census, the population of Census Tract 47.02 (Block 3046) indicates that the population of Lodi is approximately 78.6% white, American Indian and Alaska Native 0.7%, 0.4% black or African American, 1.8% Asian and 18.5% some other race. 23.1% of the total population in Census Tract 47.02 identify themselves as Hispanic or Latino. 4% of the families in the Census Tract were below the poverty level. Staff has not identified any current environmental justice issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

**Public Comments:**

Public comments have been received by Department or LEA staff. Ten members of the public were in attendance at the April 7, 2009 public meeting. There were verbal comments regarding the concern of landfill activities occurring outside of the permitted hours of operation. A condition was placed in the permit requiring the facility to give 24 hour notice to the LEA if they need to conduct any activities outside the permitted hours. This alleviated the concern.

**Department Staff Actions:**

Staff called the LEA's attention to information on the new permit that had not been updated. Department staff has also reduced the processing time of the proposed permit so that the LEA would not have to conduct another public meeting.