

**Permitting & Assistance Branch Staff Report**  
Revised Solid Waste Facilities Permit for the  
Salinas Disposal Transfer Station and Recycling Center  
SWIS No. 27-AA-0053  
April 23, 2012

**Background Information, Analysis, and Findings:**

This report was developed in response to the Monterey County Local Enforcement Agency (LEA) request for Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed Revised Solid Waste Facilities Permit (SWFP) for Salinas Disposal Transfer Station and Recycling Center, located in Monterey County, owned and operated by USA Waste of California, Inc. The report contains Permitting and Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on March 9, 2012. Action must be taken on this permit no later than May 8, 2012. If no action is taken by May 8, 2012, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

**Proposed Changes**

The following changes to the first page of the permit are being proposed:

	Current Permit (2011)	Proposed Permit
Permitted Maximum Tonnage	300 tons per day	500 tons per day

**Key Issues**

The proposed permit will allow for the following:

- An increase in maximum daily tonnage from 300 tons per day to 500 tons per day.

**Background**

Salinas Disposal Transfer Station and Recycling Center is an existing facility which has submitted an application for a permit revision to increase the maximum daily inbound tonnage from 300 tons per day to 500 tons per day.

**Findings:**

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance and Mitigation Division.

27 CCR 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 March 7, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on October 5, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on March 9, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on March 9, 2012, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Nondisposal Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memo dated March 22, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	LEA staff conducted a pre-permit inspection on February 19, 2012 and found that the facility is in compliance with applicable state minimum standards and permit conditions. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on March 9, 2012, that the proposed permit is consistent with and supported by the existing CEQA documentation. See CEQA information below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on February 22, 2012. No written comments were received by LEA or Department staff. Oral comments were address by LEA staff. See Public Comments section below for details.	<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. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

**Compliance History:**

LEA and Permits and Assistance Branch staff conducted a site visit on February 15, 2012 and found no violations of state minimum standards. Additionally, the LEA conducted an inspection on April 19, 2012 and found that the facility in compliance with applicable state minimum standards and permit conditions.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2011, the LEA noted two violations of PRC 44014(b) - Operator Complies with Terms and Conditions of Permit for exceeding maximum daily tonnage and one violation of Title 14, Section 17410.2 - Supervision and Personnel.
- 2010, there were four violations of PRC 44014(b). In addition, there was one violation of each of the following; PRC 44004-Significant Change, 17408.6 - Maintenance Program, 17409.1 - Roads, and 17407.5 - Hazardous, Liquid and Special Wastes.

All of the above violations were corrected to the satisfaction of the LEA.

- 2007-2009 – No violations were noted.

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### **Environmental Analysis:**

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Monterey County Planning and Building Department, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The permit revision under consideration proposes to increase inbound tonnage from 300 tons per day to 500 tons per day.

The LEA has made a finding that the proposed permit revision is consistent with and supported by existing CEQA analysis. A Mitigated Negative Declaration (MND), State Clearinghouse No. 2001111098, was adopted in 2002 by the Monterey County Planning and Building Department, acting as Lead Agency. The MND analyzed for a maximum peak daily tonnage of 1,000 tons per day. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation, Monitoring and Reporting Program

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are 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 proposed revised SWFP. Department staff has reviewed and considered the CEQA findings adopted by the Lead Agency. Department staff further recommends the MND, together with the CEQA finding, is adequate for the Branch Chief'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.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed new/modified/revised SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed new/modified/revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

**Public Comments:**

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on February 22, 2012, at the Residence Inn in the City of Salinas. Two members of the public were in attendance and provided comments on vector and odor control. The LEA and operator offered to continue to monitor the neighborhood for signs of vectors and odors. The operator has installed rat traps along the border of the facility and the nearest residences. Additionally, the operator provided rat traps to the residents that attended the public meeting. The LEA stated that they will also ensure that the operator applies all necessary measures to meet state minimum standards with regards to odor, litter, dust, noise and vector issues as required by Title 14, CCR and as noted in the facility Report of Facility Information.

No written comments were received by the LEA or Department staff. Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on March 20, 2012 and April 17, 2012.