

**Permitting & Assistance Branch Staff Report**  
 Revised Solid Waste Facilities Permit for the  
 Blue Line Material Recovery Anaerobic Digestion Facility  
 SWIS No. 41-AA-0185  
 June 2, 2014

**Background Information, Analysis, and Findings:** This report was developed in response to the San Mateo County Environmental Health Division, Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the Blue Line Material Recovery Facility, SWIS No. 41-AA-0185, located in South San Francisco, in San Mateo County. The facility is operated by Blue Line Transfer, Inc. The property is owned by Blue Line Transfer, Inc. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

A proposed permit was received on April 7, 2014. New proposed permits were received on April 9 and May 14, 2014. Action must be taken on this permit no later than July 13, 2014. If no action is taken by July 13, 2014, 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 (2007)	Proposed Permit
Permitted operations	Materials Recovery Facility	Transfer/Processing Facility (MRF); Other: Anaerobic Digestion Facility
Misc. Language in Specifications Section	At the time this permit was prepared, the basic design information was reviewed and was fundamental in setting the conditions in this permit, as were the details of the design information provided in the Transfer Processing Report (TPR). The operator shall keep all information updated pursuant to CCR T 14, Section 17403.9. Such amendments or lack thereof may become the basis for changes in the permit. The information listed in the TPR is in no way meant to set limits on the facility. However, the LEA may determine that if the design significantly changes, the operator will be required to revise the permit to include additional or different conditions or limitations.	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.

Other changes include:

1. Submittal of a revised Transfer Processing Report
2. Update LEA conditions to current standards

**Key Issues**

The proposed permit will allow for the following:

1. Addition of an anaerobic digestion facility

**Background:**

The proposed permit will allow for the continued operation of a large volume transfer station with the addition of an anaerobic digester in the city of South San Francisco, The facility currently operates under a full Solid Waste Facilities Permit issued in 2007.

**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 letter dated January 30, 2014.	<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 September 12, 2012. No proposed changes were noted at that time.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received the proposed Solid Waste Facilities Permit on April 7, 2014.	<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 by CalRecycle on April 7, 2014, 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 memorandum dated April 11, 2014.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on May 30, 2014. 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 letter dated April 1, 2014, 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 on March 4, 2014. No public comments were received at the meeting. No written comments were received by LEA or Department 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:**

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on May 30, 2014, and found the facility is in compliance with applicable state minimum standards and permit conditions.

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

- 2012 – 2014 (March) - No violations were noted.
- 2011 (April and July) - Two violations of 14 CCR Section 17410.1 – Vector Control.
- 2011 (April) - One violation of 14 CCR Section 17407.2 – Cleaning
- 2009-2010 No violations were noted

All violations were corrected to the satisfaction of the LEA.

**Environmental Analysis:**

Under California Environmental Quality Act (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 City of South San Francisco Planning Commission, 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 changes that will be authorized by the issuance of the proposed permit include:

Operation of an anaerobic digestion facility including food waste processing equipment and a CNG filling station.

These changes are supported by the following environmental document.

A Mitigated Negative Declaration (MND), State Clearinghouse No. 2012092007 was circulated for a 30 day comment period from September 6, 2012, to October 5, 2012. 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. The MND, together with the Mitigation Monitoring Program, was approved by the Lead Agency on December 12, 2012.

The San Mateo County Environmental Health Division, acting as Local Enforcement Agency, has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

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 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 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 Meeting held on March 4, 2014, at the Blue Line Material Recovery Anaerobic Digestion Facility in South San Francisco. No members of the public attended. No written comments on the proposed permit were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings held on April 15 and May 20, 2014.