Solid Waste Facility Permit

Facility Number:

30-AB-0035

1. Name and Street Address of Facility:

Olinda Alpha Landfill
1942 N. Valencia Avenue
Brea, CA 92823

2. Name and Mailing Address of Operator:

OC Waste & Recycling
300 N. Flower Street, Suite 400
Santa Ana, CA 92703

3. Name and Mailing Address of Land Owner:

OC Waste & Recycling
300 N. Flower Street, Suite 400
Santa Ana, CA 92703

4. Specifications:

a. Permitted Operations:

- ☒ Solid Waste Disposal Site
- ☐ Transformation Facility
- ☐ Transfer/Processing Facility (MRF)
- ☐ Composting Facility

b. Permitted Hours of Operation: Receipt of Refuse: 6:00 a.m. to 4:00 p.m. Monday through Saturday [1]
Ancillary Operations (Construction and Maintenance): 24 hours Monday through Sunday.

c. Permitted Maximum Tonnage: 8,000 tons/day for 271 days/year, and
10,000 tons/day for 36 days/year [2]

d. Key Design Parameters:

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	565.2	453 [3]	N/A	N/A	N/A
Permitted Capacity (cubic yards)		148,800,000 [4]	N/A	N/A	N/A
Max. Elevation (Ft. MSL)		1,415			
Max. Depth (Ft.)		415			
Estimated Closure Year		2021			

Nothing in this permit shall prevent the facility operator from complying with all pertinent federal, State, and local regulatory agency requirements. Upon a significant change in design or operation from that described herein and unless the facility operator complies with Local Enforcement Agency (LEA) condition 17.j hereinafter, this permit is subject to revocation or suspension.

[1] From 6:00 am to 7:00 am, the facility can only accept transfer trucks. After 7:00 am, the facility can accept all types of vehicles. The facility accepts waste for disposal 307 days per calendar year.

[2] A Cooperative Agreement between facility owner/operator and City of Brea dated July 14, 2009, sets tonnage limits on annual average basis. The LEA does not enforce Cooperative Agreement limits.

[3] Total disturbed area is approximately 536.3 acres.

[4] Facility's permitted airspace capacity includes refuse, daily and intermediate covers but excludes final cover. Remaining airspace capacity as of 12/31/2014 = 36,589,707 cubic yards, based on the Capacity Report for 2014.

5. Approval:

Denise Fennessy, REHS
Director, Environmental Health

6. Enforcement Agency Name and Address:

County of Orange Health Care Agency
Environmental Health
Solid Waste Local Enforcement Agency
1241 E. Dyer Rd., Suite 120
Santa Ana, CA 92705

7. Date Received by CalRecycle:

April 17, 2015

8. CalRecycle Concurrence Date:

May 29, 2015

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

N/A

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12. Legal Description of Facility:

Sections 4, 5, 8 and 9 of Township 3 South, Range 9 West, San Bernardino Baseline and Meridian.

13. Findings:

a. This permit is consistent with the County of Orange Countywide Integrated Waste Management Summary Plan (CIWMP), which was approved by the California Integrated Waste Management Board (CIWMB), currently known as the California Department of Resources Recycling and Recovery (CalRecycle) on March 27, 1996. The CIWMP was last reviewed on September 14, 2006.

b. The location of the facility is identified in the Countywide Siting Element in compliance with Public Resources Code (PRC) Section 50001.

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

d. The Orange County Fire Authority has determined that the facility is in conformance with applicable fire standards pursuant to PRC Section 44151.

e. The design and operation of the facility are consistent with State Minimum Standards (SMS) for solid waste handling and disposal as determined by the LEA, pursuant to PRC Section 44009.

f. EIR 588 (SCH No. 2004011055) certified by Orange County Board of Supervisors and filed with the State Clearinghouse on 04/17/2007 as well as Addendums 1 - 5 analyzed the impacts of and supported facility's continued development/operation through 2021, as described in the Joint Technical Document (JTD). Addendums 1- 5 were filed with State Clearinghouse on April 29, 2008; November 24, 2008; June 24, 2009; April 23, 2013; and April 1, 2014.

14. Prohibitions:

The facility operator is prohibited from accepting the following waste types: Hazardous, designated, radioactive, liquid (i.e. water content > 50% by weight), wastes requiring special treatment or handling except as described in section B.2.2 of the facility's Joint Technical Document (JTD), other non-hazardous wastes as described in section B.2.2 of the facility's JTD, and medical waste as defined in Health and Safety (H&S) Code Section 117690 et. seq. unless treated pursuant to H&S Code Section 118215 et. seq. Prohibited non-hazardous waste may be accepted only as described in the facility's JTD and approved amendments thereto; in circumstances outlined in LEA conditions 17.b, 17.k and 17.l of this permit; or as otherwise approved by the LEA.

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

	Date		Date
JTD (including Preliminary Closure and Postclosure Maintenance Plans and Corrective Action Plans)	12/2014	Financial Assurances for Closure and Water Corrective Action Plan (Escrow Accounts Report)	03/19/2013
RWQCB-SA Amended Waste Discharge Requirements No. R8-2010-0006 General Permit to Discharge Storm Water (NPDES) WQ Order No. 97-03-DWQ	04/25/2014 04/17/1997	Postclosure Maintenance Financial Assurance (Pledge of Revenue Agreement between CalRecycle and County)	02/18/1993
Orange County Fire Authority Permit Nos. AH110R AH18R AF33R AF32R AA5R AM3R AW1R	01/07/2013	Operating Liability Financial Assurance (Certificate of Self Insurance and Risk Management)	05/25/2011
SCAQMD Facility Permit to Operate (Title V) including Permit to Operate Nos. N28077 F46965 F80338 F83426	05/29/2014	Calif. Dept. of Fish and Wildlife (CDFW) Section 1602 Streambed Alteration Agreement US Fish & Wildlife and CDFW Habitat Mitigation Agreement No. FWS/CDFG-OR-08B0097-09TA0110	10/30/2009 01/30/2009
Cooperative Agreement – County and City of Brea	07/14/2009		

* Permit Nos. and agreements are as of 12/2014 and may be updated regularly by the issuing agency.

16. Self-Monitoring:

Facility operator shall submit results of all self-monitoring programs to the LEA by the due dates shown below.

a. Quarterly Reporting

Each report (electronic format or bound hard-copy) shall include the following for each reporting period:

1. Identification of all areas where waste was disposed of on a legible site map drawn to scale.
2. Daily quantities (tons) and types of total wastes/materials received, buried, salvaged/ recovered materials (if any), and Exempt Materials as listed in condition 17.o of this permit.
3. Results of prohibited wastes screening/load checking programs (quantities and types) and their disposition.
4. Summary of all public complaints received (verbal and written) pertaining to LEA-enforced regulations, and the operator's response.
5. Summary of all special/unusual occurrences (S/U O), including but not limited to, unscheduled facility shutdowns, accidents, property damage, employee and public injuries, surface and subsurface fires, explosions, detonation events, landslides, unintentional waste exposure, discharge and disposition of prohibited waste, inspections/visits by other regulatory agencies, and the facility operator's response.
6. All regulatory notices (e.g., Notice to Comply, Notice of Violation, Notice & Order, Cease & Desist Order, Clean-up & Abatement Order, etc.) received, and the facility operator's response.
7. Employees training log (including dates, course descriptions, etc.) which shall be kept current.
8. Results of implementing the landfill gas monitoring program, pursuant to CCR Title 27, Section 20921 et seq.

Reporting Period	Report Due Date
January through March	May 15
April through June	August 15
July through September	November 15
October through December	February 15

b. Annual Reporting

Facility operator shall submit a Capacity Report (hard-copy) no later than February 15 of each year. At a minimum, the bound Capacity Report shall include the following information for the preceding year with calculations, sources of input data, and assumptions identified:

1. Total waste tonnage buried;
2. Volume of air space filled (cubic yards);
3. Remaining air space capacity (cubic yards) at the end of the reporting year;
4. Airspace utilization factor (AUF) for the reporting year and long-term AUF;
5. Site plan (color-coded) showing limits of disposal area(s) and identifying wet and dry weather disposal areas, major soil stockpile(s), existing and ultimate/permitted fill contour lines;
6. Cross sections (color-coded) showing existing horizontal and vertical limits of existing and waste disposal areas, ultimate/permitted fill footprint and elevations, major soil stockpiles, and property boundary lines.

17. Local Enforcement Agency Conditions: These conditions are in addition to conditions of other documents controlling operation and/or design of the facility.

In the future, CalRecycle may amend or repeal any section in California Code of Regulations, Titles 14 and 27 (14 CCR and 27 CCR, respectively) that is referenced in the following conditions, or adopt new pertinent regulations. Therefore, the facility operator should always comply with the up-to-date pertinent regulations.

General

a. Additional information concerning the design and/or operation of the facility shall be furnished to the LEA upon request and within the timeframes specified by the LEA.

b. The LEA reserves the right to require the facility operator to suspend and/or modify operations when deemed necessary due to any emergency, potential public health hazard, and/or public nuisance.

c. This permit is subject to review by the LEA and may be temporarily suspended or revoked at any time for sufficient cause, in accordance with Division 30 of the PRC Part 4, Chapter 4, Article 2, Section 44305 et. seq. and associated regulations.

d. This permit supersedes Solid Waste Facility Permit 30-AB-0035 issued on 05/27/2010.

e. If future pertinent regulations conflict with any of the following conditions, the facility operator shall comply with the amended and/or adopted regulations until such time a permit action is undertaken to rectify the discrepancy.

Permitting

f. The facility operator shall consult with the LEA prior to implementing any design or operational changes, other than those listed in 27 CCR Section 21620(a)(1)(E) defined as Minor Changes, to allow due process review, filing and the completion of all related permit action(s), if any is required.

g. Minor Changes: The facility operator shall notify the LEA in writing within thirty (30) calendar days of implementing any Minor Changes meeting the requirements of 27 CCR Section 21620(a)(1)(A) through (D).

h. JTD Amendments: The facility operator shall submit an application to the LEA at least one hundred eighty (180) calendar days prior to implementing proposed design and/or operational change(s) that require amendment(s) to the JTD, as determined by the LEA based on 27 CCR Section 21665(c). The LEA may shorten application submittal time requirements per 27 CCR Section 21620(a)(2). Examples where JTD amendment may be required include, but not limited to, changes in: fill phasing sequence; design of environmental control systems; ancillary facilities; perimeter fencing/security; record keeping; waste-handling procedures; and control measures for dust, vectors, litter, noise, birds, odors, etc.

i. Permit Modification: Pursuant to PRC Section 44004(b), the facility operator shall submit an application to the LEA at least one hundred eighty (180) calendar days prior to implementing proposed change(s) to facility's design and/or operation that require permit modification, as determined by the LEA based on 27 CCR Section 21665(d).

j. Permit Revision: Pursuant to PRC Section 44004(b), the facility operator shall submit an application to the LEA at least one hundred eighty (180) calendar days prior to implementing proposed significant change(s) that require permit revision, as determined by the LEA based on 27 CCR Section 21665(e). Examples include, but not limited to, changes in facility's: permitted hours and/or days of waste disposal operations, permitted tonnage limit, permitted total facility area, permitted waste disposal area, maximum waste fill elevation, maximum depth of waste, air space capacity (including refuse, daily and intermediate covers but excluding final cover), and estimated closure year.

k. Emergency Waiver: The facility operator can apply and the LEA may grant an Emergency Waiver for relief of specific SMS, or specific terms and/or conditions of this permit only when there is a proclamation of a state of emergency or local emergency. The facility operator shall take notice of 14 CCR Sections 17210 et seq. for Emergency Waiver's applicability, definitions, other limitations, request procedure, and reporting requirements.

17. Local Enforcement Agency Conditions (continued): These conditions are in addition to conditions of other document controlling operation and/or design of the facility.

Permitting (continued)

l. Temporary Waiver: The facility operator can request and the LEA may issue a Temporary Waiver, in the form of Stipulated Agreement, from specific terms and conditions of this permit during a temporary emergency. A Temporary Waiver does not authorize relief from SMS requirements. The facility operator shall take notice of 14 CCR Sections 17211 et seq. for Temporary Waiver's applicability, definitions, other limitations, request procedure, and reporting requirements.

Recordkeeping

m. A copy of this permit, JTD, and most recent LEA inspection report shall be maintained at the facility and available for review by the LEA upon request.

n. The facility operator shall maintain at the facility accurate daily records of the waste/materials tonnage (categorized as Buried, Exempt as listed in condition 17.o of this permit, Beneficial Reuse, Salvaged/Recycled – if any, etc.). Daily waste/materials tonnage records shall be readily accessible to the LEA upon request.

o. Exempt Materials: Per 27 CCR Section 20686(d), the facility operator shall record, but not count towards the limits set in specification 4.c of this permit, accepted daily tonnage of the following: a) imported soil used for facility operation purposes, b) processed green material (PGM) as defined in 27 CCR Section 20690(b)(3) used for daily cover, c) asphalt and concrete (resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures) used as road base and for wet weather deck construction, and d) other Beneficial Reuse materials (including PGM used for erosion control) as defined in 27 CCR Section 20690. PGM does not include green materials received that are not chipped or ground.

p. To determine status of compliance with waste tonnage limits set in specification 4.c of this permit, the facility operator shall account for all accepted waste/materials tonnage (including salvaged/recovered recyclables – if any, and green materials as defined in 14 CCR Section 17852) less Exempt Materials as listed in condition 17.o of this permit.

q. The facility operator shall notify the LEA via e-mail within one (1) business day when daily tonnage, calculated pursuant to condition 17.p of this permit, exceeds 10,000. The notification or any follow-up reporting thereafter, shall include reason(s) for the tonnage violation and response measure(s) implemented to prevent future recurrence.

r. After 36 days in a calendar year where the facility daily tonnage (calculated pursuant to condition 17.p of this permit) was between 8,000 – 10,000, the facility operator shall notify the LEA via e-mail within one (1) business day whenever daily tonnage exceeds 8,000 in the same calendar year. The notification or any follow-up reporting thereafter, shall include reason(s) for the tonnage violation and response measure(s) implemented to prevent future recurrence.

s. The facility operator shall maintain at the facility a complete up-to-date S/U O log. Each daily log entry shall include description of S/U O, if any, as outlined in Self-Monitoring Report content 16.a.5 of this permit and facility operator's response. Days without S/U O shall be noted with negative entry such as "No S/U O today". The log shall be readily accessible to facility personnel and the LEA upon request.

t. The facility operator shall comply with 27 CCR Section 20939(b)(1) and their *Guidelines for Elevated Subsurface Temperature Monitoring and Control* in Appendix L of the JTD including, but not limited to, LEA notification requirements. For detected subsurface fire incidents lasting more than one (1) week, the facility operator shall provide weekly progress reports via e-mail no later than the second business day of each week following the first week. Further, the facility operator shall submit a final report within fifteen (15) days of mitigating a subsurface fire. The final report shall include description of subsurface fire cause(s), type (shallow or deep), estimated extents, implemented remedial measures, conclusion(s), recommendation(s), maps/plans, field data sheets/logs, photos, etc.

17. Local Enforcement Agency Conditions (continued): These conditions are in addition to conditions of other documents controlling operation and/or design of the facility.

Operations

u. Should the facility experience chronic subsurface fire incidents as determined by the LEA, the facility operator may be required to take further action(s) including, but not limited to, implementing more proactive measure(s) to minimize the potential of future recurrences, and/or amending the *Guidelines for Elevated Subsurface Temperature Monitoring and Control* in Appendix L of the JTD. The LEA may also issue enforcement order(s), as appropriate.

v. The facility operator shall follow the *Supplemental Procedures and Measures* detailed in Appendix S of the JTD addressing abnormally elevated methane gas readings, increasing trend in methane gas readings approaching regulatory limit of 5% (by volume), and/or methane gas readings greater than 5% (by volume) in any compliance probe.

w. The facility operator shall notify the LEA via e-mail within one (1) business day of receiving any public complaint (verbal or written). The notification or any follow-up reporting thereafter shall include facility operator's response action(s) and the outcome, as discussed in Section B.7.1.9 of the JTD.

x. The facility operator shall notify the LEA via e-mail within five (5) business days of receiving any enforcement order, penalties, or fines issued by other regulatory agencies including, but not limited to: Notice to Comply, Notice of Violation, Cleanup and Abatement Order, Cease and Desist Order, Administrative Civil Liability, etc.

y. The facility operator shall notify the LEA via e-mail within one (1) business day of any unscheduled facility shutdown. The notification or any follow-up reporting thereafter shall include reason(s) for the shutdown, facility operator's action(s) in response, and measure(s) implemented to prevent future recurrences.