

**Permitting & Assistance Branch Staff Report**  
 New Solid Waste Facility Permit for the  
 Allan Company Materials Recovery Facility and Transfer Station  
 SWIS No. 37-AB-0016  
 April 28, 2011

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

This report was developed in response to the City of San Diego Local Enforcement Agency (LEA) request for Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed New Solid Waste Facility Permit for the Allan Company Materials Recovery Facility and Transfer Station, SWIS No. 37-AB-0016, located in the City of San Diego, owned and operated by Allan Company. The Allan Company Materials Recovery Facility and Transfer Station is a transfer and processing facility that accepts non-hazardous waste for diversion. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch (PAB) staff's analysis, findings, and recommendations.

The proposed permit application package was received on April 11, 2011. Action must be taken on this permit no later than June 10, 2011. If no action is taken by June 10, 2011, the Department will be deemed to have concurred with the issuance of the proposed permit.

**Proposed Project**

The following are the parameters of the proposed project:

	Proposed Permit
Activities	New Transfer/Processing Facility
Permitted Area	3.58 acres
Permitted Hours/Days of Operation	Waste Receiving, Processing, Transfer Facility Operating Hours: 24 hours a day, 7 days a week Public Tipping: 5:00 a.m. to 10 p.m., 7 days a week
Permitted Tons per Operating Day	1,000 tons per day
Permitted Traffic Volume	224 vehicle trips per day
Waste Types	Comingled, source separated cardboard, paper, newspaper, plastic, ferrous & non-ferrous metals (No tires, green material, construction or demolition debris, residential, commercial or industrial solid waste shall be accepted.)
Facility Design Capacity Throughput	1,500 tons per day

**Findings:**

Staff recommends concurrence with the issuance of the proposed permit. All of the required submittals and findings required by Title 27, Section 21685 have been made and the required California Environmental Quality Act (CEQA) findings have been made in support of 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 in the facility files maintained by the Permitting and Assistance Branch.

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 April 8, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facilities Permit	The LEA submitted a proposed solid waste facilities permit on April 11, 2011.	<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 April 11, 2011, provided a finding that the facility is consistent with Public Resources Code (PRC) 50001 and Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction and Product Compliance Unit found the facility is identified in the Non-Disposal Facility Element, as described in the memorandum dated April 18, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	Currently, the facility is operating as a recycling center and is therefore not inspected at this time. During a site visit conducted on April 28, 2011, Department staff found that the facility design and operations are compatible with those described in the Transfer Processing Report (revised February 2011) and would allow the facility to comply with all state minimum standards. 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 April 11, 2011 that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and or Meeting, and Comments	A Public Information Meeting was held by the LEA on April 7, 2011. No written comments were received by the LEA or Department staff.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

CCR Title 27 Sections	Findings	
CEQA Determination to Support Responsible Agency's Findings	Permitting & Assistance Branch staff found that the proposed permit is consistent with CEQA and supports the Branch Chief's concurrence in the permit.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

**Compliance History:**

Currently, the applicant is operating a recycling center. The material entering the site is source separated, has less than 10% residual and less than 1% putrescibles. The recycling center has been operating since 2000 and processes a maximum of 1,000 tons material per day. The applicant proposes accepting waste with greater than 10% residual, collecting from multi-unit housing and commercial sources, increasing staff to 86 employees per shift and increasing vehicle traffic to 224 trips per day maximum. A site visit was conducted by WEEB staff in the Inspection and Enforcement Agency Compliance Unit on April 28, 2011. Staff observed that the facility design and operations are compatible with those described in the Transfer Processing Report (revised February 2011) and would allow the facility to comply with all state minimum standards with regard to the proposed transfer and processing activities.

**Environmental Analysis:**

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, the significant environmental impacts of the proposed Solid Waste Facilities Permit before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental documents prepared by the City of San Diego Development Services 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 City of San Diego Development Services Department, acting as Lead Agency, has prepared the following environmental documents for the Allan Company Materials Recovery Facility and Transfer Station:

- A Mitigated Negative Declaration (No. 98-1126), which was circulated locally in 1999. The project analyzed for a large collection and processing recycling facility on 3.58 acres with permanent structures. An Addendum to the Mitigated Negative Declaration was developed and sent for review through the State Clearinghouse, No. 2009011086, and was circulated for a thirty day comment period from January 28, 2009 through February 26, 2009. The Addendum examined environmental impacts associated with accepting source separated, comingled recyclables with greater than 10% residual waste. It also referenced increases in vehicle traffic from 200 to 224 trips per day and increase in staffing from 26 to 86 employees per shift. In conjunction with the Addendum, an Airport Land Use Compatibility Study was completed. These changes to the original project were found by the lead agency to have less than significant environmental impacts.
- The City of San Diego Solid Waste Local Enforcement Agency found the environmental documents to be adequate for the project. No additional CEQA analysis was needed to address approval of the operational changes. The change is consistent with existing environmental analysis and would have no further environmental impact.

The City of San Diego Solid Waste Local Enforcement Agency has provided a finding that the proposed 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 Mitigated Negative Declaration and Addendum, 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 Solid Waste Facilities Permit. Department staff has reviewed and considered the CEQA Findings adopted by the City of San Diego. The CEQA Findings demonstrate that, with respect to each of the project's significant environmental effects, the City of San Diego required changes to the project to avoid or substantially lessen the significant environmental effect. The conditions the City of San Diego imposed on the project will accomplish the desired avoidance or substantial lessening of the significant effects.

Department staff further recommends the Mitigated Negative Declaration and Addendum as filed with the State Clearinghouse, together with the CEQA Findings, 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 authority, 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 Solid Waste Facilities Permit and all of its components and supporting documentation, this staff report, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed Solid Waste Facilities Permit. 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.

**Local Issues:**

The project document availability, hearings, and associated meetings were extensively noticed consistent with the CEQA and Solid Waste Facilities Permit requirements. A review of the public process indicates that environmental justice issues were not identified by the surrounding community (Census Tract 83.50). Census information indicates that the surrounding population is approximately 38.4% White, 3.8% African American, 0.4% American Indian and Alaska Native, 47.3% Asian, 0.5% Native Hawaiian/Pacific Islander, 3.6% some other race and 6.0% are two or more races. 8.9% of the total population describe themselves as Hispanic or Latino. 2.2% of the families are below the poverty level. Staff has not identified any 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:**

On April 7, 2011, the LEA held a public information meeting at the facility. No members of the public attended. The LEA did not receive any comments from the public information meeting or the posted public notice. No oral or written public comments have been received by the Department or LEA staff.

**Department Staff Actions:**

Staff responded to questions from the LEA regarding the permit process. On May 17, 2011, a public meeting was held to provide an update on the permitting process.