

See Mark 10

SOLID WASTE FACILITY PERMIT

Facility Number:
30-AB-0364

1. Name and Street Address of Facility:

La Pata Avenue Green Waste Facility
31748 La Pata Avenue
San Juan Capistrano, CA 92675

2. Name and Mailing Address of Operator:

Tierra Verde Industries
7913 Marine Way
Irvine CA 92618

3. Name and Mailing Address of Owner:

Rancho Mission Viejo
P.O. Box 1209
San Juan Capistrano CA 92693

4. Specifications:

- a. Permitted Operations:**
- Solid Waste Disposal Site Transformation Facility
- Transfer/Processing Facility (MRF) Other: _____
- Composting Facility (Green Material)

b. Permitted Hours of Operation: (Receipt of Refuse/Waste) 7:00 a.m. - 7:00 p.m. Monday - Saturday

c. Permitted Maximum Tonnage: 500 Tons per Day

d. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CalRecycle validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)	10	N/A	N/A	10	N/A
Design Capacity (cu. yds)		N/A	N/A	N/A	N/A
Max. Elevation (Ft. MSL)		N/A			
Max. Depth (Ft. MSL)		N/A			
Estimated Closure Year		N/A			

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.

5. Approval:

Approving Officer Signature
Richard Sanchez, REHS, MPH
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 Road, Suite 120
Santa Ana, CA 92705

7. Date Received by CalRecycle:

OCT 4 2010

8. CalRecycle Concurrence Date:

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:

The description and location of this facility is contained in the Report of Compost Site Information dated May 2010. The site is located on the western side of La Pata Road, approximately one and a half miles south of Ortega Highway. The facility is located at Latitude 33.50153, Longitude -117.61815.

13. Findings:

- a. This permit is consistent with the Orange County Integrated Waste Management Plan, which was last approved by CalRecycle on September 16, 2003. The location of the La Pata Green Waste Facility is identified and described in the County of Orange Nondisposal Facility Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by the CalRecycle, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. A Negative Declaration (91-028) was prepared for the facility on July 15, 1991, and was filed with the State Clearinghouse on September 23, 1992 (SCH# 92091057)
- e. A Conditional Use Permit was issued by the Orange County Planning Commission on July 24, 1991 (UP 91-011)

14. Prohibitions:

1. The facility is only permitted to accept the following non-hazardous solid waste: greenwaste and wood waste.

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

	Date		Date
Report of Compost Site Information	May 2010	Negative Declaration (SCH# 92091057)	July 1991
Odor Impact Minimization Plan	May 2010	Conditional Use Permit: 91-011P	July 1991
Waste Discharge ID: 930I014449	August 1998		

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16. Self Monitoring:

The owner/operator of La Pata Green Waste Facility shall submit the results of all self monitoring programs to the Orange County Solid Waste Local Enforcement Agency by the due dates below. In addition, such records shall also be made available to the LEA during the inspections and shall be accurate and documented within 7 days of the activity date.

Program	Reporting Frequency										
Self Monitoring Reports containing the following information shall be prepared and reported as follows:											
<ol style="list-style-type: none"> 1. Daily and monthly quantities (in tons) and types of waste received as categorized in the following: <ol style="list-style-type: none"> 1. Greenwaste 2. Wood Waste 	Quarterly										
<ol style="list-style-type: none"> 2. A summary of the Log of Special/Unusual Occurrences documenting, but not limited to, accidents, employee injuries, fires, explosions, receipt or rejection of prohibited wastes, hazardous waste incidents, unscheduled shutdowns, vandalisms, etc. 	Quarterly										
<ol style="list-style-type: none"> 3. Logs of all verbal complaints and copies of all written complaints (pertaining to LEA-regulated parameters and state minimum standards) regarding activities at La Pata Green Waste Facility and the operator's actions in response. 	Quarterly										
<ol style="list-style-type: none"> 4. All regulatory notices (e.g., Notice to Comply, Notice of Violation, Notice & Order, Cease & Desist Order, Clean-up & Abatement Order) received by La Pata Green Waste Facility and the operator's actions in response. 	Quarterly										
<p>The self-monitoring report shall be submitted in accordance with the following schedule:</p>											
<table border="0"> <thead> <tr> <th><u>Reporting Period</u></th> <th><u>Report Due</u></th> </tr> </thead> <tbody> <tr> <td>January through March</td> <td>May 1</td> </tr> <tr> <td>April through June</td> <td>August 1</td> </tr> <tr> <td>July through September</td> <td>November 1</td> </tr> <tr> <td>October through December</td> <td>February 1</td> </tr> </tbody> </table>	<u>Reporting Period</u>	<u>Report Due</u>	January through March	May 1	April through June	August 1	July through September	November 1	October through December	February 1	
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17. Orange County Solid Waste Local Enforcement Agency Conditions:

(These conditions shall be in addition to conditions of other documents controlling the operations and/or design of the facility.)

- a. The operator shall comply with all state minimum standards for receiving, processing, and storage of greenwaste and wood waste as specified in Title 14, Chapter 3, of the California Code of Regulations (CCR) for greenwaste processing activities.
- b. Nothing in this Solid Waste Facility Permit shall prevent the operator from complying with all other federal, state, and local requirements. Nothing in these conditions shall be construed as relieving the operator, or designee from the obligation of obtaining all required permits, licenses, or other clearances and complying with all orders, laws, regulations, reports, or other requirements of other regulatory or enforcement agencies.
- c. The LEA reserves the right to prohibit, suspend, modify, or condition the handling of solid waste or operations at La Pata Green Waste Facility in order to protect public health and safety; to prevent potential health hazards, and/or public nuisances; to protect the environment; or to mitigate adverse environmental impacts.
- d. This permit is subject to periodic review and may be modified, suspended, or revoked, at any time by the LEA for sufficient cause in accordance with PRC Section 44305.
- e. The operator shall notify the LEA in writing with proposed significant changes to the Report of Compost Site Information at least one hundred eighty (180) calendar days in advance of the proposed changes (as determined by the LEA) to the facility's design or operation to allow for early consultation, completion of all required documents, due process review, filing and the completion of all related permitting processes. Such notification is required for the following changes, but not limited to: permitted tons per day limit, permitted areas of operation, changes in types of waste to be accepted, addition of facility equipment and structures, and changes in operation and procedures not fully described in the Report of Compost Site Information.
- f. As outlined in Section 16, the operator shall maintain at the facility a daily log of special/unusual occurrences (S/U O). The log shall document, but not be limited to: public nuisance complaints pertaining to LEA-regulated parameters and state minimum standards (e.g., noise, dust, offsite migration of litter, etc.), fires, explosions, receipt or rejection of prohibited wastes, incidents of personal injury, vandalisms, accidents and/or property damage. In addition, an odor complaint log shall also be maintained documenting all verbal and written complaints received by the operator. Each log entry shall be accompanied by a summary of the responses/corrective actions taken by the operator to mitigate any negative impacts of each occurrence. Days without incidents of S/U O shall be noted with an appropriate negative entry for such days such as: "No S/U O today." The logs shall be readily accessible to the LEA upon request. Such records shall be accurate and documented within 7 days of the activity date.
- g. The operator shall notify the LEA by phone or e-mail as soon as the maximum permitted daily tonnage has been exceeded. The operator shall provide the LEA in writing within 48 hours the reasons for the exceedance and the measures and procedures to prevent a recurrence.
- h. The operator shall notify the LEA of any nuisance or health and safety complaints by the public, by phone or e-mail, within 24 hours of receipt.
- i. Currently, the operator only chips and grinds. The LEA shall be notified at least fourteen (14) days prior to starting composting operations.
- j. All loads entering La Pata Green Waste Facility shall undergo load checking in a manner meeting the approval of the LEA. At least one load checker shall be onsite to verify that each load does not contain prohibited waste. If a prohibited waste such as hazardous waste is inadvertently received, the prohibited waste shall be removed for temporary storage in the hazardous waste storage area. The storage and reporting of all hazardous waste shall be in accordance with all applicable laws and regulations.
- k. At all times, there shall be litter control personnel and/or other adequate measures to preclude litter from blowing and accumulating off-site. All litter shall be properly disposed in refuse receptacles and transported offsite.
- l. Personnel assigned to the facility shall be adequately trained in subjects pertinent to chipping and grinding/greenwaste operations and maintenance, prohibited materials recognition and screening, use of mechanized equipment, odor management, personal protection equipment, safety training, and emergency procedures. A record of such training shall be maintained at the site and available for review by the LEA.
- m. Appropriate safety equipment including hard hats, hearing protection, safety goggles, gloves, safety boots, and respiratory protection shall be provided and available to all personnel assigned to the facility and must be worn as necessary to prevent injuries.

