

Permitting & Assistance Branch Staff Report
Modified Solid Waste Facilities Permit for
Shoreway Environmental Center
San Mateo County
SWIS No. 41-AA-0016
September 8, 2015

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 modified Solid Waste Facilities Permit (SWFP) for the Shoreway Environmental Center, SWIS No. 41-AA-0016, located in San Carlos, San Mateo County. The facility is operated by South Bay Recycling, LLC. The property is owned by South Bayside Waste Management Authority. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

A proposed permit was initially received on August 12, 2015, 2015. Action must be taken on this permit no later than October 11, 2015. If no action is taken by October 11, 2015, the Department will be deemed to have concurred with the issuance of the proposed modified SWFP.

Proposed Changes

No changes are being proposed to the first page of the permit.

Key Issues

The proposed permit will allow for the following:

Update the language in the existing SWFP Section 17, Condition O. The existing language refers to an interim operations plan for the facility during the remodel construction. In addition, Section 15 must be updated to reference the 2015 Transfer Processing Report (TPR) which describes the current facility operations post remodel construction.

Background:

The proposed permit will allow for the continued operation of the transfer station/MRF activities at the facility. The facility currently operates under a full Solid Waste Facilities Permit revised in March 2010.

Findings:

Staff recommends concurrence in the issuance of the proposed modified 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 August 12, 2015.	<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 April 14, 2015. The LEA provided a copy to the Department on April 14, 2015. The changes identified in the review are reflected in this permit modification.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed modified Solid Waste Facilities Permit on August 12, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit B, found that the facility was in compliance with all operating and design requirements during an inspection conducted on August 28, 2015. See compliance history below for details.	<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 August 12, 2015, 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 County Siting Element and is consistent with the Countywide Integrated Waste Management Plan, as described in the memorandum dated August 12, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their letter dated August 12, 2015, 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	No written comments were received by LEA or Department staff. No public meetings were held in San Mateo County. 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 modified 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 August 28, 2015, and found the facility is in compliance with applicable state minimum standards and permit conditions.

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

2015 – No violations noted

2014 – No violations noted

2013 – No violations noted

2012 – (June) - One violation of 14 CCR, Section 17408.1 – Litter Control;
One violation of 14 CCR, Section 17408.6 – Maintenance Program

2011 – No violations noted

2010 – (October) - One violation of 14 CCR, Section 17408.6 – Maintenance Program

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed revised 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 San Carlos Planning Division, 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:

Removal of an outdated permit condition and updates to supporting documentation.

The San Mateo County Health Division, acting as Local Enforcement Agency, has provided a finding that the proposed modified SWFP is consistent with and supported by existing CEQA documentation.

An Initial Study/Mitigated Negative Declaration (MND) for the Shoreway Environmental Center was filed with the State Clearinghouse on July 21, 2008, SCH #2008062064. The MND was circulated for a 30 day comment period from June 18 2008 to July 18, 2008. 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 July 21, 2008.

The Department has reviewed the proposed modified SWFP and the 2008 MND and finds that the proposed project is consistent with and supported by the existing CEQA

documentation. Specifically, there are there are no substantial changes to the project or its circumstances and thus no grounds under 14 CCR Section 15162 to prepare a subsequent or supplemental environmental document.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed modified SWFP and all of its components and supporting documentation, this staff report, the Notice of Exemption, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed modified 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. No written comments were received by the LEA or Department staff. Department staff provided an opportunity for public comment during the CalRecycle Monthly Meeting on August 18, 2015.