Permitting and Assistance Branch Staff Report
New Minor Waste Tire Facility Permit for Jack's Tire Recycling
TPID No. 1665687
September 19, 2011

Background Information, Analysis, and Findings:

This report was developed in response to a Minor Waste Tire Facility Permit (WTFP) application received from the operator of Jack's Tire Recycling located at 11365 Pendleton Street, in the City of Los Angeles. The property site is 1.10 acres and within a Heavy Industrial (M-3) zone.

The operator will have a maximum capacity of 4,999 whole truck and passenger waste tires stored on the premises, at any given time. The incoming waste tires will be sorted into two piles, with each pile sorting dimensions approximately 50 feet by 50 feet by 6 feet, while waiting to be baled. The baled tires would be stored along the north-western corner of the site boundary, with the bale area dimension not exceeding 50 feet by 10 feet by 6 feet.

An application for a New Minor WTFP was received by Permitting and Assistance Branch staff on July 15, 2011, which was accepted as complete and correct on July 20, 2011. Pursuant to Title 14, California Code of Regulations (14 CCR), Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete and correct to either issue or deny the issuance of a Minor WTFP. CalRecycle is required to act by January 16, 2012.

Findings

Staff recommends approval of the issuance of the proposed permit. All of the required submittals and findings required by 14 CCR, Section 18431 have been met to support concurrence. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained by the Permitting and Assistance Branch.

The following table summarizes the staff's findings relative to the permit application:

	Findings	
California Environmental Quality Act (CEQA)	Staff of the Permitting and Assistance Branch found that the issuance of a New Minor Waste Tire Facility Permit is categorically exempt from the requirements of CEQA. See additional CEQA information below.	☑ Acceptable ☐ Unacceptable
Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	Staff of the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on September 23, 2011. See additional compliance information below.	☑ Acceptable ☐ Unacceptable
Application Forms (500-504) - 14 CCR, Sections 18431(a) through (g)	All application forms were accepted by Permitting and Assistance Branch staff as complete on July 20, 2011.	☑ Acceptable ☐ Unacceptable
Local Requirements 14 CCR, Section 18431(h)	*Local Vector Control:* The Vector Control Plan was approved by Mr. Mark Daniel, Director of Operations, with the Greater Los Angeles County Vector Control District on June 15, 2011.	☑ Acceptable ☐ Unacceptable

	Local Fire Authority: The CalRecycle Outdoor Local Fire Approval Form was signed by Mr. Rickey King, Fire Inspector I, with the Los Angeles Fire Department, Valley Fire Prevention on June 9, 2011.	
Reviewed by: CalRecycle Legal Office Waste Evaluation and Enforcement Branch	September 29, 2011 September 23, 2012	

Compliance History:
Staff of WEEB and of Permits and Assistance Branch conducted a pre-permit inspection on August 10, 2011, and found the facility to be in violation of operating without a Minor WTFP due to the storage of approximately 2,000 waste tires. The operator was informed by WEEB and PAB staff that the operator must immediately fall below the 500 waste tire count.

A follow-up inspection was conducted by WEEB staff on September 9, 2011, and found the facility to be in violation of operating without a Minor WTFP due to the storage of approximately 550 waste tires. WEEB staff conducted a follow-up inspection on September 23, 2011 and found the tire count to be below 500 tires and the facility to be in compliance with applicable state minimum standards.

Environmental Analysis:
Under CEQA, CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed Minor WTFP before CalRecycle issues that permit. In this case, CalRecycle is the lead agency under CEQA and must make a determination as to whether this proposed permit is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The proposed WTFP is considered to be a project under CEQA (CEQA Guidelines 15378(a)(3)) and the facility is required to obtain a permit, pursuant to 14 CCR, Section 18420, for the outdoor storage of up to 4,999 waste tires.

The City of Los Angeles, Department of Building and Safety, issued a Certificate of Occupancy, No. 94925, on July 11, 2011. The document certifies that Jack's Tire Recycling complies with applicable construction requirements and the applicable zoning requirements of the Los Angeles Municipal Code for the use of land for open storage of waste tires in a designated M-3 zone. The Los Angeles Municipal Code was most recently amended on June 12, 2011, and is consistent with the Los Angeles General Plan, Framework Element. The General Plan, Framework Element, was originally adopted by the Los Angeles City Council on December 11, 1996, and re-adopted on August 8, 2001.

Staff prepared a Preliminary Review to determine whether a Categorical Exemption is adequate for CalRecycle's approval of this Minor WTFP. The Preliminary Review indicates that the proposed project:

- Is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- Occurs within city limits on a site of no more than five acres;
- Has no value as habitat for endangered, rare or threatened species;
- Would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- Can be served by all required utilities and public services.

CalRecycle staff made the finding/determination that a Categorical Exemption, 14 CCR, Section 15332 – In-Fill Development Projects, is appropriate for CalRecycle's issuance of this proposed Minor WTFP.

Staff recommends that CalRecycle, acting as a lead agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for In-Fill Development, to be filed with the State Clearinghouse after CalRecycle's issuance of the Minor WTFP. Further, there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the Categorical Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Minor WTFP and all of its components and supporting documentation, this staff report, the Categorical Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues

Staff has not identified any local issues related to this item. No environmental justice issues were identified by the surrounding community. According to the year 2010 Census data, tract 1211 has a total population of 4,681 people. 53.4% of the people are white, 1.2% are African American, 0.2% are American Indian and Alaska Native, 6.2% are Asian, 0.1% are Native Hawaiian and other Pacific Islander, 38.3% some other race, and 0.6% are two or more races. 64.2% of the population is identified as Hispanic or Latino. The Census tract data indicates that 9.5% of families live below the poverty level. Therefore, 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 in this item.

Public Comment

Permitting and Assistance Branch staff discussed this proposed Minor WTFP at CalRecycle's monthly public meeting conducted on August 16, 2011. No public comments were received on this project during this meeting and CalRecycle staff has received no other public comment.

Attachment: Minor WTFP