

**Permitting and Assistance Branch Staff Report**  
Major Waste Tire Facility Permit Renewal for  
BAS Recycling, Inc.  
TPID No. 1565901  
May 1, 2014

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

This report was developed in response to a Major Waste Tire Facility Permit (WTFP) renewal application received from the operator of BAS Recycling, Inc., located at 14050 Day Street, in the City of Moreno Valley (Riverside County), within an Industrial (I) zone.

WTFPs expire every five years after the date of issuance unless the WTFP is renewed prior to the expiration date. A Major WTFP for BAS Recycling, Inc., was issued on May 22, 2009 and, unless renewed, will expire on May 22, 2014. The existing 2009 WTFP allows for a maximum capacity of 9,999 whole waste tires and/or waste tire equivalents on-site. As part of this renewal, the WTFP will be updated to incorporate new conditions and a storage limit of up to 200 tons of altered waste tires that are larger than ¼ inch in size, but have been processed to a point where the average size is less than two (2) inches and are stored in bags or bins/boxes, as part of the maximum permitted capacity based on existing operations. There are no proposed changes from the existing operations.

An application for a Major WTFP renewal was received by Permitting and Assistance Branch staff on December 16, 2013, which was accepted as complete on December 19, 2013. 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 to either issue or deny the issuance of a Major WTFP. CalRecycle is required to act by June 17, 2014.

**Findings:**

Staff recommends approval of the issuance of the proposed Major WTFP. All of the required submittals and findings required by 14 CCR Section 18431 have been met to support issuance. 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 Waste Permitting, Compliance, and Mitigation Division.

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

	<b>Findings</b>	
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 24, 2013, and no violations were cited. See additional compliance information below in the Compliance History section.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504), 14 CCR Sections 18431(a) through (f)	All application forms were accepted by Permitting and Assistance Branch staff as complete on December 19, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Financial Assurance Mechanisms & Operating Liability, 14 CCR Section 18431(g)	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Surety Bond for closure costs and the Certificate of Liability Insurance meets state requirements as described in their memorandum dated February 20, 2014.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements, 14 CCR Section 18431(h)	<i>Local Vector Control:</i> A letter regarding vector control practices was issued by Patrick T. Copps, Technical Service Manager with Orkin Pest Control, Riverside Commercial Branch. The Orkin Pest Control service contract is dated December 13, 2013.  <i>Local Fire Authority:</i> On February 4, 2014, Carlos Rodriguez, Fire Prevention Officer, confirmed that the City of Moreno Valley Fire Department local approval of the outdoor waste tire storage fire plan dated February 17, 2009 is still valid.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
California Environmental Quality Act (CEQA)	The City of Moreno Valley, Community Development Department, Planning Division, acting as the Lead Agency, filed a Notice of Exemption for a Categorical Exemption with the County Clerk of Riverside County on March 17, 2009. See additional CEQA information below in the Environmental Analysis section.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	Approved on May 1, 2014	
Waste Evaluation and Enforcement Branch	Approved on May 1, 2014	

**Compliance History:**

Staff of WEEB and Permitting and Assistance Branch conducted a pre-permit inspection on September 24, 2013, and found the facility to be in compliance with the applicable state minimum standards.

**Environmental Analysis:**

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

BAS Recycling, Inc. is an existing major waste tire facility that has been in operation at this location in an industrial zone since 2009. BAS Recycling, Inc. is currently permitted under a Major WTFP, issued on May 22, 2009, which allows for the storage of up to 9,999 whole waste tires. The applicant is seeking to renew the existing Major WTFP. As part of the renewal, the amount of altered waste tires that are larger than ¼ inch in size, but have been processed to a point where the average size is less than two (2) inches and are stored in bags or bins/boxes, which were not previously counted toward the maximum permitted capacity of 9,999 whole

waste tires/passenger tire equivalents, will be limited to 200 tons in the proposed WTFP based on existing operations. No operation or design changes are being proposed.

Prior to the issuance of the 2009 Major WTFP, the City of Moreno Valley, Community Development Department - Planning Division (City), issued a Conditional Use Permit. The Conditional Use Permit allows for BAS Recycling Inc., to operate and maintain a tire recycling facility within an Industrial zone. The City determined the project was in conformance with the General Plan EIR (SCH No. 2000091075) and zoning designation. The City acting as Lead Agency for CEQA, prepared a Notice of Exemption and filed it with the County Clerk of Riverside County on March 17, 2009. The Notice of Exemption was for a Categorical Exemption, 14 CCR Section 15332 - In-fill Development Project.

CalRecycle staff conducted a preliminary review to determine whether a Categorical Exemption is adequate for CalRecycle's approval of this Major WTFP. The Preliminary Review indicates that the proposed project:

- Involves the continued operation of an existing facility within the permitted land use;
- Involves no expansion of use beyond that existing at the time of permit issuance;
- Does not allow relaxation of standards leading to environmental degradation;
- Would have no significant environmental impacts; and
- There are no additional cumulative environmental impacts.

CalRecycle staff made the finding/determination that the Categorical Exemption, 14 CCR Section 15301 – Existing Facilities, is appropriate for CalRecycle's issuance of this proposed Major WTFP in that it involves negligible or no expansion of use beyond that existing. Staff recommends that CalRecycle, acting as a lead agency under CEQA, prepare a Notice of Exemption, to be filed with the State Clearinghouse after CalRecycle's issuance of the Major 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 Major WTFP and all of its components and supporting documentation, this staff report, 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.

### **Public Comment**

Department staff provided an opportunity for public comments during the CalRecycle Monthly Public Meetings on January 21, 2014, February 18, 2014, March 18, 2014 and April 15, 2014.

Attachment: Major WTFP