

Permitting & Assistance Branch Staff Report
 Revised Solid Waste Facilities Permit for
 Tehama County/City of Red Bluff Materials Recovery Facility
 Tehama County
 SWIS No. 52-AA-0027
 June 25, 2015

Background Information, Analysis, and Findings:

This report was developed in response to the Tehama County Environmental Health Services, Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the Tehama County/City of Red Bluff Materials Recovery Facility (MRF), SWIS No. 52-AA-0027, located near Red Bluff, Tehama County. The facility is operated by Madera Disposal Systems. The property is owned by Tehama County and the City of Red Bluff. 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 May 8, 2015. A new proposed permit was received on May 14, 2015. Action must be taken on this permit no later than July 13, 2015. If no action is taken by July 13, 2015, the Department will be deemed to have concurred with the issuance of the proposed modified SWFP.

Proposed Changes

The following change to the permit is being proposed:

	Current Permit (2000)	Proposed Permit
Permitted Hours of Operation:	(Receipt of Refuse/Waste) 8:00 a.m.- 4:30 p.m. Mon.-Fri. 8:00 a.m.- 2:30 p.m. Sat. & Sun; gate is opened at 7:00 a.m. for commercial haulers (Ancillary Operations/Facility Operating Hours) 8:00 a.m.-5:00 p.m. Mon.-Fri.; 8:00a.m.-300 p.m. Sat. & Sun	(Receipt of Refuse/Waste) 8:00 a.m.- 4:30 p.m. Mon.-Fri.; 8:00 a.m.- 2:30 p.m. Sat. & Sun; gate is opened at 7:00 a.m. for commercial haulers Ancillary Operations/ Facility Operating Hours 7:00 a.m.-5:00 p.m. Mon.-Fri.; 7:00a.m.-3:00 p.m. Sat. & Sun

Key Issues

The proposed permit will allow for the following:

1. Change in ancillary hours of operation from 8:00 a.m. - 5:00 p.m., Monday through Friday to 7:00 a.m. 4:00 p.m., and from 8:00 a.m. to 4:00 p.m. on Saturday and Sunday to 7:00 a.m. to 3:00 p.m.

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 issued in March 2010. The facility is located adjacent to a separately permitted landfill.

Findings:

Staff recommends concurrence in the issuance of the proposed revised 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 April 30, 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 September 24, 2014. The LEA provided a copy to the Department on September 24, 2014. The changes identified in the review are reflected in this permit revision.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed revised Solid Waste Facilities Permit on May 14, 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 scheduled for June 24, 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 April 30, 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 May 19, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their letter dated April 30, 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. A meeting was held in Tehama County on April 9, 2015. 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 24, 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:

No violations have been recorded during the past five years by the LEA.

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 Tehama County/City of Red Bluff Landfill Management Agency, 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:

Change in hours of operation of the sorting line inside the MRF from 8:00 a.m. - 5:00 p.m., Monday through Friday to 7:00 a.m. 5:00 p.m., and from 8:00 a.m. to 3:00 p.m. on Saturday and Sunday to 7:00 a.m. to 3:00 p.m.

No other changes in design or operation are being considered as part of the permit revision.

The Tehama County Health Department, acting as Local Enforcement Agency, has provided a finding that the proposed revised SWFP is consistent with and supported by existing CEQA documentation.

An Initial Study/Mitigated Negative Declaration (MND) for the Tehama County Landfill was filed with the State Clearinghouse on January 21, 2009, SCH #99091057. The MND also discussed the MRF activities at the site. The MND was circulated for a 30 day comment period from July 23, 2009, to March 26, 2009. 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 31, 2009.

The Department has reviewed the proposed revised SWFP and the 2009 MND and finds that the proposed project is consistent with and supported by the existing CEQA documentation. Specifically, 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 change in hours does not extend the overall operating hours of the facility. Furthermore, the proposed hours in the proposed revised SWFP were contemplated in the 2009 MND.

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. The LEA held a public informational meeting on April 9, 2015, at the Tehama County Administration Building, in the City of Red Bluff. No members of the public were in attendance. 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 May 19, 2015 and June 16, 2015.