Solid Waste Facility Permit

Facility Number:

30-AB-0403

1. Name and Street Address of Facility:

Tierra Verde Industries EcoCentre
8065 Marine Way, Planning Area 51
Irvine, CA 92618

2. Name and Mailing Address of Operator:

Tierra Verde Industries, Inc.
P. O. Box 279
Irvine, CA 92650-0279

3. Name and Mailing Address of Land Owner:

Orange County Great Park Corporation
One Civic Center Plaza
Irvine, CA 92623

4. Specifications:

a. Permitted Operations:

- ☐ Solid Waste Disposal Site
- ☐ Transformation Facility
- ☒ Transfer/Processing Facility (MRF)
- ☒ Composting Facility

b. Permitted Hours of Operation: Receipt of Material: 6:00 a.m. to 6:00 p.m. Monday through Sunday
All Other Operations: 24 hours/day Monday through Sunday

c. Permitted Maximum Tonnage: 3,000 Tons Per Day(1)

d. Key Design Parameters:

	Total	Disposal	Transfer/Processing	Composting	Chipping and Grinding	Transformation
Permitted Area (in acres)	78.8	N/A	6.7	31.3	7.7	N/A
Permitted Capacity (cubic yards)		N/A	N/A	135,000 (2)	28,000 (2)	N/A
Max. Elevation (Ft. MSL)		N/A				
Max. Depth (Ft.)		N/A				
Estimated Closure Year		N/A				

Upon a significant change in design or operation from that described herein and unless the facility operator complies with LEA condition 17(g) hereinafter, 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.

(1) Individual waste quantities as described in the facility Transfer/Processing Report.

(2) Permitted capacity for composting and chipping & grinding calculated using information provided in the Capacity Study, Appendix H of the facility T/PR.

5. Approval:

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 Rd., Suite 120
Santa Ana, CA 92705

7. Date Received by CalRecycle: MAY -4 2011

8. CalRecycle Concurrence Date: JUN 20 2011

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:

Assessor's Parcel Number: OC Great Park: 590-174-05 et. al.

13. Findings:

a. This permit is consistent with the County of Orange Countywide Integrated Waste Management Summary Plan (CIWMP), which was approved by the California Integrated Waste Management Board (CIWMB), currently known as the California Department of Resources Recycling and Recovery (CalRecycle), on March 27, 1996. The location of the TVI EcoCentre Facility is identified and described in the City of Irvine's Nondisposal Facility Element, pursuant to Public Resources Code (PRC) Section 50001(a). An amendment of the City of Irvine's Nondisposal Facility Element to include the TVI EcoCentre Facility was approved by CalRecycle on September 27, 2010.

b. The location of the facility is identified in the Countywide Siting Element in compliance with Public Resources Code (PRC) Section 50001.

c. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC Section 44010.

d. The Orange County Fire Authority has determined that the facility is in conformance with applicable fire standards pursuant to PRC Section 44151.

e. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Local Enforcement Agency, pursuant to PRC Section 44009.

f. Mitigated Negative Declaration 00498873-PPA & 00498874-PUD (SCH No. 2010111043), adopted by City of Irvine Director of Community Development and filed with the State Clearinghouse on November 9, 2010, analyzed the impacts of and supported facility expansion and continued operations as described in the facility's Transfer/Processing Report (T/PR). A Notice of Determination for the adoption of the Mitigated Negative Declaration was filed with the Orange County Clerk-Recorder's Office and the Office of Planning and Research on January 25, 2011.

14. Permissions and Prohibitions:

Permissions:

1. The acceptance and processing of non-hazardous solid waste is limited to residential waste, commercial waste, construction and demolition waste, greenwaste, wood waste, food material, and universal waste.
2. The acceptance of food material is limited to 100 tons per day maximum.
3. Chipping and grinding activities shall be limited to greenwaste, wood waste, and food material. Composting of greenwaste, wood waste, and food material is permitted.

Prohibitions:

1. Facility is strictly prohibited from accepting the following types of waste: agricultural solid wastes, non-consumable animal flesh or parts, ashes, biohazardous wastes, biosolids, friable asbestos, grease trap pumping, hazardous waste which has not been classified as universal waste, incinerator residue, liquid waste, manure, medical waste, oil field operating waste, radioactive waste, semi-solid waste, septic tank pumping, sewage sludge, and treated wood waste.
2. No scavenging or open burning permitted.
3. Composting of mammalian tissue, flesh, organs, carcasses, blood, bone and marrow, except from the food service industry, grocery stores, and residential sources, is prohibited.

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

	Date		Date
Transfer/Processing Report	March 2011	Interim Land Use Permit	January 2011
MND 00498873-PPA & 00498874-PUD (SCH No. 2010111043)	January 2011		

* Permit Nos. and agreements are as of March 2011 and may be updated regularly by the issuing agency.

16. Self Monitoring:

Facility shall submit the results of the following self-monitoring program to the Orange County Solid Waste Local Enforcement Agency by the due dates below. In addition, such records shall be made available to the LEA during inspections and shall be accurate and documented within seven (7) calendar days of the activity date. Each self-monitoring report shall include:

Program	Reporting Frequency
a. Daily and monthly quantities (in tons) and types of waste received as categorized in the following: 1. Residential Waste, Commercial Waste 2. Construction and Demolition Waste 3. Food Material 4. Greenwaste and Wood Waste	Quarterly
b. Monthly totals of the types and quantities (in tons) of materials recovered/salvaged and sent to markets and other facilities. Daily and monthly totals (in cubic yards) of compost produced. Daily and monthly totals (in tons or cubic yards) of chip and grind produced greenwaste, wood waste, and food material.	Quarterly
c. Laboratory results for the maximum metal concentrations, as measured in mg/kg, fecal coliform densities, as measured in Most Probable Number per gram of total solids, and Salmonella densities, as measured in 3 Most Probable Number per 4 grams of total solids for composted material. In addition, daily temperature measurements of the compost and feedstock material shall be included.	Quarterly
d. Daily and monthly tonnages of the quantity of residual waste loaded into transfer trailers and hauled for disposal.	Quarterly
e. Results of the prohibited waste (as specified in Section 14: Permissions and Prohibitions) screening/load checking program (quantities and types) and the disposition of these wastes.	Quarterly
f. A summary of the Log of Special/Unusual Occurrences (S/U O) documenting, but not limited to, accidents, employee injuries, fires, explosions, receipt or rejection of prohibited wastes, hazardous waste incidents, unscheduled shutdowns, vandalisms, etc. and the operator's actions in response.	Quarterly
g. Logs of all verbal and copies of all written complaints (pertaining to LEA-regulated parameters and state minimum standards) regarding activities at the facility and the operator's actions in response.	Quarterly
h. All regulatory notices (e.g., Notice to Comply, Notice of Violation, Notice & Order, Cease & Desist Order, Clean-up & Abatement Order) received by the facility and the operator's actions in response.	Quarterly
i. Certification by the operator that the Odor Impact Minimization Plan has been reviewed annually to determine if any revisions are necessary.	Annually by February 1

The self-monitoring report shall be submitted in accordance with the following schedule:

Reporting Period	Report Due
January through March	May 1
April through June	August 1
July through September	November 1
October through December	February 1

17. Local Enforcement Agency Conditions: These conditions shall be in addition to conditions of other documents controlling operation and/or design of the facility.

a. This permit supersedes the Registration Permit 30-AB-0403 issued on April 22, 2009 and the LEA Notification 30-AB-0401 dated April 17, 2009.

b. The operator shall comply with all State Minimum Standards for receiving, processing, storage, and transfer of all solid waste as specified in Chapter 3.0, Division 7, Title 14 CCR for transfer/processing activities. In addition, the operator shall comply with all state minimum standards for the composting/chipping and grinding of greenwaste, wood waste, and food material as specified in Chapter 3.1, Division 7, Title 14 CCR.

c. 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 their obligation to obtain all required permits, licenses, approvals and/or other clearances and complying with all orders, laws, regulations, reports, or other requirements of other regulatory agencies.

d. The LEA reserves the right to prohibit, suspend, modify, or condition the handling of solid waste or operations at the 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.

e. 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.

f. A copy of the most recent printing of the State Minimum Standards for Solid Waste Handling and Disposal, a copy of this and all other permits issued for the operation of this facility, a copy of the Transfer/Processing Report, and a copy of the most recent LEA inspection report shall be maintained at the site. These documents must be available for review by authorized representatives of the LEA, CalRecycle, or other regulatory agencies.

g. The operator shall notify the LEA in writing with proposed amendments to the Transfer/Processing Report at least one hundred eighty (180) calendar days in advance of implementation 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, compost feedstock, chipping and grinding feedstock, addition of facility equipment and structures, and changes in operation and procedures not fully described in the Transfer/Processing Report.

h. 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, off-site migration of litter, etc.), fires, explosions, receipt or rejection of prohibited waste, incidents of personal injury, vandalisms, accidents and/or property damage. In addition, a separate 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 entry 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 seven (7) calendar days of the activity date.

i. The LEA shall be notified of any nuisance, health or safety complaints, written or verbal, within 24 hours of receipt by the operator.

j. Any odor complaints against the facility received by the LEA will be referred to the South Coast Air Quality Management District (AQMD). Complaints received by the facility shall be addressed per the Alternative Odor Management Plan (AOMP), Appendix D of the facility T/PR.

k. Additional information concerning the design/operation of this facility shall be furnished to the LEA within 10 business days upon request.

l. All loads entering the facility shall undergo load checking as described in Appendix A of the facility's T/PR. At least one trained load checker shall be on-site to verify that each load does not contain prohibited waste. If a prohibited waste such as medical waste, biosolids, liquid waste, etc. (For a complete listing of prohibited waste, refer Section 14 of this permit) is received, the waste shall not be processed at the facility but shall be transferred for disposal or processed at another waste processing facility. If a prohibited waste such as hazardous waste is inadvertently received, the prohibited waste shall be removed from processing 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.

17. Local Enforcement Agency Conditions (continued): These conditions shall be in addition to conditions of other document controlling operation and/or design of the facility.

m. Universal waste is permitted to be accepted at the facility. However, the facility is prohibited from allowing any universal waste from becoming residual waste that could be disposed at a Class III landfill.

n. At all times, there shall be litter control personnel and/or adequate measures to preclude litter from blowing and accumulating off-site as described in Appendix B of the facility's T/PR. All litter shall be properly disposed in refuse receptacles and transported off-site within the timeframes as specified in LEA condition (p).

o. The tarping/untarping of roll off bins, transfer trailers, and refuse trucks shall be conducted within the facility boundary. The tarping/untarping of roll off bins, transfer trailers, and refuse trucks is prohibited on Marine Way, Perimeter Road, or any access road leading from Marine Way to the facility.

p. All residual solid waste destined for disposal or sent to another waste processing facility shall be removed off-site within 48 hours following receipt (72 hour removal time if the incoming load is received prior to a holiday). Solid waste which has been determined to have economical value and can be returned to the market for recycling and reuse (such as California Redemption Value (CRV) recyclables, paper, cardboard, wood, dirt, concrete, etc.) are not subject to the 48 hour removal time provided that they have been separated from any unprocessed waste pile. At no time shall the storage of recyclables create a nuisance or violate the transfer/processing state minimum standards as determined by the LEA.

q. Materials permitted to be composted include the following: greenwaste, wood waste, and food material. No amendments or additives shall be added that would render the product hazardous.

r. Food material shall be handled/processed in accordance with the facility's T/PR.

s. For storage of unprocessed food material, the operator shall mix this feedstock with processed greenwaste or other suitable feedstock and cover with a layer a minimum of six inches in thickness of finished compost prior to the end of the same operating day.

t. Unprocessed greenwaste and wood waste unloaded in the tipping area shall be processed within ninety six (96) hours of receipt to minimize traffic flow problems, vector propagation and attraction, odor generation and to prevent fires.

u. Processed greenwaste, wood waste, and food material shall be placed in active composting windrows at a frequency to minimize traffic flow problems, vector propagation and attraction, odor generation and to prevent fires.

v. Fire prevention measures include temperature monitoring of compost and feedstock piles on a daily basis. Temperature readings shall be available for LEA review.

w. Windrows shall be managed to prevent process water (leachate) from percolating through windrows and flowing onto the ground. Efforts shall be taken to absorb liquid or excessive moisture from leaching out of active compost windrows or finished products. Ponding is prohibited.

x. During the days and hours the facility will be in operation, dust suppression (e.g., misting systems, periodic application of water) will be performed to limit the generation of particulate matter (PM 10).

y. The operator shall notify the LEA by phone or email as soon as any maximum permitted daily tonnage limit 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 future recurrence.

z. All incoming commingled recyclables, construction and demolition waste, food material, greenwaste, mixed municipal solid waste, and wood waste will be counted toward the permitted maximum daily tonnage. Materials accepted at the Public Buy Back Center will not be counted toward the permitted maximum daily tonnage.

aa. Personnel assigned to the facility shall be adequately trained in subjects pertinent to transfer/processing operations and maintenance, composting operations, chipping and grinding activities, solid waste management, 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.

17. Local Enforcement Agency Conditions (continued): These conditions shall be in addition to conditions of other document controlling operation and/or design of the facility.

ab. Appropriate safety equipment including hard hats, hearing protection, safety goggles, gloves, safety boots, insect repellent, and respiratory protection shall be provided and available to all personnel assigned to the facility and must be worn as necessary to prevent injuries.