

SOLID WASTE FACILITY PERMIT

Facility Number:

15-AA-0402

1. Name and Street Address of Facility:

Lehigh Southwest Cement Company
EMSW Conversion Facility
13573 Tehachapi Blvd.
Tehachapi, CA 93561

2. Name and Mailing Address of Operator:

Lehigh Southwest Cement Company
EMSW Conversion Facility
13573 Tehachapi Blvd.
Tehachapi, CA 93561

3. Name and Mailing Address of Owner:

Lehigh Southwest Cement Company
EMSW Conversion Facility
13573 Tehachapi Blvd.
Tehachapi, CA 93561

4. Specifications:

- a. **Permitted Operation:** Engineered Municipal Solid Waste (EMSW) Conversion Facility
- b. **Permitted Hours of Operation:** 24 hours per day, 7 days per week including all holidays
- c. **Permitted Maximum Tonnage:** 350 Tons per day of EMSW
- d. **Permitted Traffic Volume:** 15 Vehicles per day delivering EMSW
- e. **Storage limit:** 2450 Tons of EMSW on site at any given time
- f. **Permitted Area:** 2.2 Acres

Upon a significant change in design or operation from that described herein, 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.

5. Approval:

Approving Officer Signature
Donna Fenton, Director
Kern County Environmental Health Division

6. Enforcement Agency Name and Address:

Kern County Public Health Services Department
Environmental Health Division
2700 "M" Street, Suite 300
Bakersfield, CA 93301

7. Date Received by CalRecycle:

JAN 07 2015

8. CalRecycle Concurrence Date:

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

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12. Legal Description of Facility:

The legal description as required in CCR Title 27 Section 21600, is contained in the Lehigh Southwest Cement Company's Engineered Municipal Solid Waste Conversion Facility Transfer Processing Report (TPR) dated October 30, 2014.

13. Findings:

- a. This permit is consistent with the Kern County Integrated Waste Management Plan and the Countywide Siting Element which was approved by CalRecycle on December 16, 2014. Both the revision of the County Integrated Waste Management Plan and the Countywide Siting Element were approved by the Kern County Board of Supervisors on November 4, 2014. The location of the facility is identified in the Countywide Siting Element, pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by the CalRecycle, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. The Kern County Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC 44151.
- e. A Final Environmental Impact Report was filed with the State Clearinghouse (SCH # 2012121052), and certified by the Kern County Board of Supervisors on November 14, 2013.

14. Prohibitions: The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the California Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Transfer Processing Report and approved amendments thereto and as approved by the enforcement agency. Only EMSW, Biomass, and Waste Tires are allowed to be accepted at the EMSW facility.

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

	Date		Date
Report of Facility Information: Transfer Processing Report – (TPR)	October 2014	Preliminary or Final Closure and Postclosure Maintenance Plan	N/A
Waste Discharge Requirements Order No.	N/A	Closure Financial Assurance Documentation	N/A
Eastern Kern - APCD Permit to Operate #045	2015	Operating Liability Certification	N/A
Final Environmental Impact Report: (FEIR) (SCH # 2012121052)	11/14/2013	Conditional Use Permit – CUP - No. 38, Map No.167	11/14/2013
CalRecycle's Approval to the Amendment to the Countywide Siting Element of the Kern County Integrated Waste Plan	12/16/2014	Amendment to the Countywide Siting Element of the Kern County Integrated Waste Management Plan - Resolution No. 2014-345	11/04/2014

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16. Self-Monitoring:

The owner/operator shall submit the results of all self - monitoring programs, to the Enforcement Agency within 30 days of the end of the reporting period (*for example, 1st quarter = January – March, the report is due by April 30, etc. Information required on an annual basis shall be submitted with the 4th quarter monitoring report.*)

Program

Reporting Frequency

- | Program | Reporting Frequency |
|---|------------------------------|
| a. Notify the Enforcement Agency (EA) in the event of any of the following: fires, earthquake damage, flooding, explosions, and other unusual occurrences, injuries, property damage, accidents, receipt or rejection of hazardous, radioactive, or any other unpermitted wastes. | Within 24 hours of the event |
| b. Maintain a written record and notify the Local Enforcement Agency of any nuisance, public health, or safety complaint. | Within 30 days of the event |
| c. Submit to the EA a report of actions taken by the operator to remedy or correct any major incidents such as fires, earthquake damage, injury and property damage accidents, explosions, flooding and other unusual occurrences. | Within 30 days of the event |
| d. Submit the types and quantities (in tons) of all feed stocks entering the facility per day. | Quarterly |
| e. Submit the number and types of disposal vehicles using the EMSW facility per day. | Quarterly |
| f. Submit the results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials. | Quarterly |
| g. Provide copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints. Notify the Enforcement Agency of any nuisance, public health, or safety complaint. | Quarterly |
| h. Perform daily load checks on at least 10% of all incoming EMSW vehicle loads for monitoring and detection of hazardous and/or prohibited wastes. Keep copies of all load checks for EA or other agency review. | Quarterly |
| i. Provide records of quarterly California Certified Laboratory testing of the EMSW entering the conversion facility for Hazardous Waste determination. | Keep records on site |
| j. Provide records of quarterly California Certified Laboratory testing of the finished cement product (either clinker materials or Portland cement) for Hazardous Waste determination. | Quarterly |
| k. Provide records of quarterly testing performed to determine that the EMSW has an energy content equal to, or greater than, 5,000 BTU per pound. | Quarterly |
| l. Provide records of quarterly testing of the moisture content and the noncombustible waste percentage. | Quarterly |
| m. Provide a list of all transfer processing stations that mechanically reduced the fraction of chlorinated plastics and materials in the EMSW received. | Quarterly |
| n. Retention of Hazardous Materials Manifests/Material Profiles provided by the originator on all EMSW loads received. | Annual Summary |

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17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards as specified in California Code of Regulations, Title 14, Chapter 3. Minimum Standards for Solid Waste Handling and Disposal, Article 6.0. Transfer/Processing Operations and Facilities Regulatory Requirements, and Public Resources Code (PRC) Section 40131.2.
- b. Perform daily load checks on at least 10% of all incoming waste vehicle loads for monitoring and detection of hazardous and/or prohibited wastes and material that is not EMSW, biomass, or tires.
- c. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, earthquake damage, and significant injuries, accidents or property damage, and other unusual occurrences. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA for inspection at all times.
- d. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- e. The maximum permitted daily tonnage of engineered municipal solid waste for this facility is 350 tons per day, and shall not receive more than this amount without a revision to this permit. The facility may also accept biomass as defined in PRC 40106 and waste tires for use as substitute fuels. The facility is allowed to receive 69,295 tons/calendar year of biomass material, and can store no more than a one month supply of waste tires on site.
- f. This permit is subject to review by the EA and may be temporarily suspended or revoked at any time by the EA for sufficient cause, in accordance with Division 30 of the Public Resource Code, Part 4, Chapter 4, Article 2, Sections 44305 et seq. and associated regulations.
- g. The Enforcement Agency (EA) reserves the right to suspend or modify waste receiving and handling operations due to an emergency, a potential health hazard, or the creation of a public nuisance.
- h. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. The operator shall not implement any changes without first submitting a written notice of the proposed change, in the form of a Transfer Processing Report (TPR) amendment, to the EA at least 180 days in advance of the change.
- i. The operator shall maintain the engineered municipal solid waste storage areas in a manner that prevents public nuisances, liquid accumulation, litter, and vector attraction and harborage.
- j. A copy of this permit shall be maintained at the facility.
- k. The EMSW Conversion Facility shall comply with the following requirements:
 - (1) The waste to be converted is beneficial and effective in that it replaces or supplements the use of fossil fuels.
 - (2) The waste to be converted, the resulting ash, and any other products of conversion do not meet the criteria or guidelines for the identification of a hazardous waste adopted by the Department of Toxic Substances Control pursuant to Section 25141 of the Health and Safety Code as verified by quarterly California Certified Laboratory testing of the EMSW waste entering the conversion facility and finished cement product (either clinker materials or Portland cement) for Hazardous Waste determination.
 - (3) The conversion is efficient and maximizes the net calorific value and burn rate of the waste.
 - (4) The waste to be converted contains less than 25 percent moisture and less than 25 percent noncombustible waste as determined by quarterly testing for moisture content and noncombustible waste.
 - (5) The waste received at the facility for conversion is handled in compliance with the requirements of PRC Section 40131.2, and no more than a seven day supply of waste, based on the throughput capacity of the operation is stored at the facility at any one time.
 - (6) No more than 500 tons of waste per day in converted at the facility where the operation takes place.
 - (7) The waste has an energy content equal to, or greater than, 5,000 BTU per pound, as determined by quarterly testing.
 - (8) Prior to being received the waste to be converted must have been mechanically processed at a transfer or processing station to reduce the fraction of chlorinated plastics and materials.
- l. Waste tires shall be stored in accordance with waste tire storage standards in Title 14, Division 7, Chapter 3, Article 5.5.