

Permitting & Assistance Branch Staff Report
 Revised Solid Waste Facilities Permit for
 Recology Vallejo
 SWIS No. 48-AA-0089
 September 11, 2019

Background Information, Analysis, and Findings:

This report was developed in response to the Solano County 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 Recology Vallejo, SWIS No. 48-AA-0089, located in Solano County, and owned and operated by Recology Vallejo. A copy of the proposed SWFP is attached. This report contains Permitting & Assistance Branch (PAB) staff’s analysis, findings, and recommendations.

The proposed SWFP was initially received on July 19, 2019. A new version was received on September 11, 2019. Action must be taken on this SWFP no later than November 10, 2019. If no action is taken by November 10, 2019, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Changes:

The following changes to the first page of the SWFP are being proposed:

Parameter	Current Permit (2014)	Proposed Permit
Permitted Hours of Operation	Receipt of Refuse/Waste: 5:00 a.m. to 5:00 p.m., Five days per week, Monday through Friday Batteries-Oil-Paint-Antifreeze (B.O.P.A.) / E-Waste: 8:00 a.m. to 4:00 p.m., Thursday-Saturday Ancillary Operations/Facility Operating Hours: 24 hours per day, Seven days per week	Material Receipt: Monday – Sunday, 5:00 a.m. to 7:00 p.m. Ancillary Operations/Facility Operating Hours: 24 hours per day, Seven days per week (See TPR)
Permitted Maximum Tonnage	300 Tons per Day	600 Tons per Day
Permitted Vehicles	199 Vehicles per Day (VPD) (incoming, averaged over Seven-day week) Seven-day week means any consecutive seven-day period	360 Vehicles per Day (incoming, rolling Seven-day average) Rolling Seven- day average means the average of any consecutive seven-day period
Design Capacity (tons)	514 Tons per Day	775 Tons per Day

Other Changes include:

1. Updates to permit conditions; and
2. Updates to the Transfer Processing Report.

Key Issues:

The proposed SWFP will allow for the following:

1. Increase the hours of waste receipt from 5:00am to 5:00pm Monday through Friday, to 5:00 a.m. to 7:00 p.m. Monday through Sunday;
2. Increase the permitted maximum tonnage from 300 tons per day to 600 tons per day; and,
3. Increase the permitted traffic limit from 199 vehicles per day (incoming, averaged over a seven day week) to 360 vehicles per day (rolling seven day average).

Background:

Recology Vallejo is a large volume transfer/processing facility located on a 9.36-acre property in Vallejo, California. The facility was issued a solid waste facility permit on November 18, 2014. The facility accepts commingled recyclables, B.O.P.A. (batteries-oil-paint-antifreeze), e-waste, green waste, and food waste.

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	Finding	Finding
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated July 19, 2019.	Acceptable
21685(b)(2) LEA Five Year Permit Review	A permit review report (PRR) was prepared by the LEA on August 14, 2019. The LEA provided a copy to the Department on August 15, 2019. The changes identified in the PRR are reflected in the proposed revised SWFP.	Acceptable

27 CCR Sections	Finding	Finding
21685(b)(3) Solid Waste Facilities Permit	Staff received a proposed Solid Waste Facilities Permit on September 11, 2019.	Acceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA provided a finding in the proposed SWFP received on July 19, 2019 that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Nondisposal Facility Element, as described in their memorandum dated August 6, 2019.	Acceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on August 7, 2019. See Compliance History below for details.	Acceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on July 19, 2019, that the proposed SWFP is consistent with and supported by the existing CEQA documentation. See Environmental Analysis below for details.	Acceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on June 12, 2019. No written comments were received by LEA or Department staff. No oral comments were received by LEA Department staff.	Acceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. PAB staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	Acceptable

Compliance History:

WEEB staff in the Inspection and Enforcement Agency Compliance Unit conducted a pre-permit inspection on August 7, 2019 and found that the facility was in compliance with applicable state minimum standards and permit conditions.

Below are the details of the facility’s compliance history based on the LEA’s monthly inspection reports during the last five years:

- 2019 – (January - July) – No violations were noted.
- 2018 – No violations were noted.
- 2017 – (January, February) – Two violations of PRC 44014(b) – Operator Complies with Terms and Conditions, (January, February, April) – Three violations of 17414 – Record Keeping Requirements.
- 2016 – (April, October) – Two violations of PRC 44014(b) – Operator Complies with Terms and Conditions.
- 2015 – No violations were noted.

All violations were corrected to the satisfaction of 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 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 Solano County Department of Resource Management, 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 SWFP include:

- An increase to the permitted maximum tonnage from 300 tons per day to 600 tons per day;
- An increase the permitted traffic limit from 199 vehicles per day (incoming, averaged over a seven day week) to 360 vehicles per day (rolling seven day average);
- An increase in the hours of waste receipt from 5:00am to 5:00pm Monday through Friday, to 5:00am to 7:00pm Monday through Sunday.

These changes are supported by the following environmental document.

A Negative Declaration (ND), State Clearinghouse No. 2018122007, was circulated for a 30 day comment period from December 5, 2018 to January 3, 2019. The project analysis concluded there are no significant impacts. The ND was adopted by the Lead Agency on April 3, 2019.

The Solano County Department of Resource Management, Environmental Health Division (LEA), has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the ND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA record and recommends the ND is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the ND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Ryan Egli, 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 June 12, 2019, at 2021 Broadway Street, in the City of Vallejo. 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 Public Meeting on August 20, 2019. No comments were received by Department staff.

Attachment: Proposed Revised SWFP