

## PERMITTING & ASSISTANCE BRANCH STAFF REPORT

Revised Solid Waste Facilities Permit for  
EDCO Recovery and Transfer  
SWIS No. 37-AA-0105  
November 25, 2019

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

This report was developed in response to the City of San Diego Development Services Department – Solid Waste 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 EDCO Recovery and Transfer, SWIS No. 37-AA-0105, located in the City of San Diego, owned by Del Properties, L.P., and operated by EDCO Disposal Corporation. 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 October 18, 2019. A new proposed SWFP was received on November 14, 2019. Action must be taken on this SWFP no later than January 13, 2020. If no action is taken by January 13, 2020, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

### **Proposed Changes:**

Proposed changes to the first page of the SWFP:

Parameter	Current Permit (2014)	Proposed Permit
Name & Mailing Address of Property Owner	Burr Properties 6670 Federal Boulevard Lemon Grove, CA 91945  Cavadias Properties PO Box 13707 San Diego, CA 91945	Del Properties, L.P. Steve South, Authorized Agent 6670 Federal Boulevard Lemon Grove, CA 91945
Permitted Hours of Operation	6:00 AM to 7:00 PM, Monday-Saturday	Indoor Waste Receiving: 5:00 AM to 7:00 PM, Monday – Sunday Internal Waste Processing: 12:00 AM to 11:59 PM, Monday – Sunday See Transfer Processing Report for list of Holiday Closures
Total Permitted Site	1.61 acres	2.03 acres
Design Capacity	1716 tons per day	See Transfer Processing Report

Parameter	Current Permit (2014)	Proposed Permit
Permitted Operation	Transfer Station Material Recovery Facility (MRF)	Transfer/Processing Facility (MRF) In-Vessel Digestion

Other changes to the SWFP include:

1. Updates to the following sections of the SWFP: “Description of Facility” section, “Findings,” documents that describe and/or restrict the operation of the facility, “Self Monitoring” section, and “LEA Conditions,” including rewording, additions and/or deletions for the purpose of updating and/or clarifying; and
2. Incorporate the updated Transfer Processing Report (TPR).

### **Key Issues:**

The proposed SWFP will allow for the following:

1. Increase the permitted hours of operation from 6:00 AM to 7:00 PM, Monday – Saturday to Indoor Waste Receiving 5:00 AM to 7:00 PM, Monday – Sunday and Internal Waste Processing 12:00 AM to 11:59 PM, Monday – Sunday;
2. Increase the total permitted area from 1.61 acres to 2.03 acres;
3. Increase the transfer building from 29,550 square feet to 60,680 square feet;
4. Construct an in-vessel digestion facility; and
5. Add material recovery facility sort lines.

### **Background:**

The facility is an existing large volume transfer station and material recovery facility, formerly known as the EDCO Transfer Station and before that the San Diego Resource Recovery Transfer Station, which was owned and operated by Bay Cities Services, Inc.

The facility lies within the Barrio Logan/Harbor 101 Community Plan area. The site is designated Residential/ Commercial/Industrial, a multi-use land use designation.

### **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	Findings
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated October 18, 2019.	Acceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report (PRR) was prepared by the LEA on March 18, 2019. The LEA provided a copy to the Department on March 18, 2019. The changes identified in the PRR are reflected in proposed revised SWFP.	Acceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed SWFP on November 14, 2019.	Acceptable
21685(b)(4)(A) Consistency with Public Resources Code (PRC) 50001	The LEA provided a finding in the proposed SWFP received on November 14, 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 November 15, 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 November 18, 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 October 18, 2019, that the proposed SWFP is consistent with and supported by the existing CEQA documentation. See Environmental Analysis below for details.	Acceptable

27 CCR Sections	Findings	Findings
21650(g)(5) Public Notice and/or Meeting, Comments	A Notice of Substitute Public Information Meeting was posted by the LEA on August 29, 2019. No written comments were received by the LEA or Department staff. See Public Comments section below for details.	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 Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on November 18, 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 (5) years:

- 2019 (October) – No violations were noted.
- 2018 (September) – One violation for 14 CCR 17407.8 – Dust Control.
- 2017 – 2014 – No violations were noted.

The violation was 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 City of San Diego, Development Services Center, 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:

1. Increase the permitted hours of operation from 6:00 AM to 7:00 PM, Monday – Saturday to Indoor Waste Receiving 5:00 AM to 7:00 PM, Monday – Sunday and Internal Waste Processing 12:00 AM to 11:59 PM, Monday – Sunday;
2. Increase the total permitted area from 1.61 acres to 2.03 acres;

3. Increase the transfer building from 29,550 square feet to 60,680 square feet;
4. Construct an in-vessel digestion facility; and
5. Add material recovery facility sort lines.

These changes are supported by the following environmental document.

A Mitigated Negative Declaration (MND), State Clearinghouse No. 2018091033, was circulated for a 30 day comment period from September 18, 2018 to October 17, 2018. 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 (MMRP). The MND and MMRP were adopted by the Lead Agency on December 3, 2018.

The City of San Diego Development Services Department (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 MND 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 MND 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 MND 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. In accordance with Title 27 Section 21660.4, a previously held public information meeting was conducted by the City of San Diego Planning Commission on November 8, 2018 and the LEA was present, recognized, and available to answer questions. There were no public comments received. The LEA posted a public notice on August 29, 2019. 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 November 19, 2019. No comments were received by Department staff.