

Permitting & Assistance Branch Staff Report
 Revised Solid Waste Facilities Permit for
 Universal Waste Systems, Inc.
 SWIS No. 19-AA-1140
 November 16, 2021

Background Information, Analysis, and Findings:

This report was developed in response to the Los Angeles County Department of Public Health, 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 Universal Waste Systems, Inc., SWIS No. 19-AA-1140, located in the City of Santa Fe Springs, Los Angeles County and owned and operated by Universal Waste Systems, Inc. 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 received on September 24, 2021. Action must be taken on this SWFP no later than November 23, 2021. If no action is taken by November 23, 2021, 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 (2016)	Proposed Permit
Permitted Hours of Operation	Materials Receiving 7:00 A.M to 7:00 P.M, Monday-Saturday...Closed on Sundays Operations and Transfer 6:00 A.M to 10:00 P.M, Monday-Saturday	Receipt of Non-Hazardous Solid Waste: 7:00 A.M. to 7:00 P.M. Monday-Saturday...Closed on Sundays Operations and Transfer 6:00 A.M. to 10:00 P.M. Monday-Saturday
Permitted Maximum Tonnage	Total...1,500 tons per day (TPD)** (see 13f on page 2)	Maximum tonnage of non-hazardous solid waste shall not exceed 1,500 tons per day (TPD)
Permitted Traffic Volume	N/A vehicles per day	N/A
Name and Street Address of Facility	Universal Waste Systems, Inc. Material Recovery Facility and Transfer Station 9010 & 9016 Norwalk Blvd. Santa Fe Springs, CA 90670	Universal Waste Systems, Inc. Material Recovery Facility and Transfer Station 9016 Norwalk Blvd. Santa Fe Springs, CA 90670

Parameter	Current Permit (2016)	Proposed Permit
Permitted Area (acres)	3.81	3.81 acres and 0.52 acre (22,500 square foot) leased railroad right-of-way.

Other Changes include:

1. Updates to the following sections of the SWFP: “Legal Description of Facility,” “Findings,” documents that describe the operation of the facility, “Self-Monitoring,” and “LEA Conditions”; and
2. Updates to the Transfer/Processing Report.

Key Issues:

The proposed SWFP will allow for the following:

1. Increase the permitted acreage from 3.81 acres to 4.33 acres;
2. Update the site address; and,
3. Incorporate the updated Transfer/Processing Report.

There will be no change in the current permitted tonnage or hours of operation.

Background:

This is an existing large volume transfer/processing facility that processes municipal solid waste, green material, construction and demolition waste, and recyclables. The APN for the updated address is 8168-001-044 and it is located in an industrial area. The facility comprises of four buildings (A-D) and truck scales. Building A consists of the facility office and material/recovery facility (MRF). Building B consists of bale storage, loading and restrooms. Building C consists of the transfer station and building D consists of offices, a breakroom and scale house.

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
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	Acceptable: The LEA provided the required certification in their permit submittal letter dated September 24, 2021.
21685(b)(2) LEA Five Year Permit Review	Acceptable: A Permit Review Report (PRR) was prepared by the LEA on November 5, 2021. The LEA provided a copy to the Department on November 5, 2021. The changes identified in the PRR are reflected in the proposed revised SWFP.
21685(b)(3) Solid Waste Facilities Permit	Acceptable: Staff received a proposed Solid Waste Facilities Permit on September 24, 2021.
21685(b)(4)(A) Consistency with Public Resources Code (PRC) 50001	Acceptable: The LEA provided a finding in the proposed SWFP received on September 24, 2021 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 October 1, 2021.
21685(b)(8) Operations Consistent with State Minimum Standards	Acceptable: 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 16, 2021. See Compliance History below for details.
21685(b)(9) LEA CEQA Finding	Acceptable: The LEA provided a finding in their permit submittal package received on September 24, 2021, that the proposed SWFP is consistent with and supported by the existing CEQA documentation. See Environmental Analysis below for details.
21650(g)(5) Public Notice and/or Meeting, Comments	Acceptable: A Public Informational Meeting was held by the LEA on August 20, 2021. No written or verbal comments were received by LEA or Department staff. See Public Comments below for details.
CEQA Determination to Support Responsible Agency's Findings	Acceptable: 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.

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on November 16, 2021 and found that the facility is 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 since the first inspection was conducted in December 2016:

- 2021 (April) – 2021 (January) - Violation of PRC 44004 - Significant Change and Violation of PRC 44014 (b) - Operator Complies with Terms & Conditions
- 2020 (November) – 2020 (October) – Violation of PRC 44004 - Significant Change and Violation of PRC 44014 (b) - Operator Complies with Terms & Conditions
- 2020 (September) – 2016 (December) - 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 make a determination as to whether this revised SWFP is categorically or statutorily exempt or additional CEQA analysis is necessary.

The City of Santa Fe Springs (Lead Agency) prepared a Notice of Exemption on March 18, 2021, in order to incorporate approximately 22,500 square feet of an adjacent railroad right-of-way (ROW) for ingress to the facility, employee parking, and to locate ancillary solid waste facility processing and safety equipment. The ROW is leased by Universal Waste Systems, Inc. and has been used as part of the facility operation.

The LEA has determined that, pursuant to 14 CCR, Section 15301, this permit application would fall under Categorical Exemption, Class 1 – Existing Facilities. This Categorical Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, beyond that existing at the time of the Lead Agency's initial approval of the project.

Department staff conducted a preliminary review to determine whether a Categorical Exemption is adequate for the Department's concurrence on this revised SWFP. Department staff made the finding/determination that a Categorical Exemption, 14 CCR, Section 15301 – Existing Facilities was adequate for the Department's concurrence of this revised SWFP. Staff's finding is based on the premise that there is negligible or no expansion of use beyond that existing at the time of the Lead Agency's determination.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities, to be filed with the State Clearinghouse after the Department's concurrence of the revised SWFP in that the proposed SWFP is to be issued to an existing facility that will not expand or significantly change its operations beyond that existing. Further,

there are no grounds under CEQA for the Department to prepare an environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP.

Department staff further recommends the Categorical Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and authority, 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 Notice of Exemption, 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 virtual public informational meeting on August 20, 2021 via Microsoft Teams platform, in response to the COVID-19 pandemic. 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 October 19, 2021, and November 16, 2021. No comments were received by Department staff.

Attachment: Proposed Revised SWFP