

# SOLID WASTE FACILITY PERMIT

**Facility Number:**  
**43-AN-0042**

<b>1. Name and Street Address of Facility:</b> ATT Recycle dba Leo Recycle 215 Leo Avenue San Jose, CA 95112	<b>2. Name and Mailing Address of Operator:</b> ATT Recycle Inc. dba Leo Recycle 215 Leo Avenue San Jose, CA 95112	<b>3. Name and Mailing Address of Owner:</b> Hung Nga Enterprise, LLC THQuest 220 Leo Ave. #H San Jose, CA 95112
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**4. Specifications:**

**a. Permitted Operations:**  Transfer/Processing Facility (MRF)

**b. Permitted Hours of Operation:** Open to Public: 5:30 AM to 7:00 PM, Monday through Friday  
5:30 AM to 5:30 PM, Saturday and Sunday  
Operation Hours: 24 hours per day, 7 days per week.  
See TPR for holidays the facility is closed.

**c. Permitted Maximum Tonnage:** 500 Tons per Day (tpd)

**d. Permitted Traffic Volume:** Traffic regulated by T14 CCR Section 17418.3: Traffic flow through the facility shall be controlled to prevent the following: (1) interference with, or creation of, a safety hazard on adjacent public streets or roads, (2) on-site safety hazards, and (3) interference with operations.

**e. Key Design Parameters** (Detailed parameters are shown on site plans bearing EA and CalRecycle validations):

	Total	Transfer/Processing		
<b>Permitted Area</b> (in acres)	2.5 acres	2.5 acres		
<b>Design Capacity</b>		2,080 tons (see TPR)		

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.

<b>5. Approval:</b>  _____ Approving Officer Signature Rachel Roberts, Deputy Director, Code Enforcement	<b>6. Enforcement Agency Name and Address:</b>  City of San Jose Department of Planning, Building and Code Enforcement Code Enforcement Division, Local Enforcement Agency 200 East Santa Clara Street # T-4 San Jose, CA 95113
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<b>7. Date Received by CalRecycle:</b>	<b>8. CalRecycle Concurrence Date:</b>
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<b>9. Permit Issued Date:</b>	<b>10. Permit Review Due Date:</b>	<b>11. Owner/Operator Transfer Date:</b>
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## 12. Legal Description of Facility:

The legal description of this facility is contained in Section 18221.6(b) and Appendix A of the Transfer/Processing Report. The Assessors Parcel Number for the site is: 477-24-049. The site address is 215 Leo Avenue San Jose, California, 95112.

## 13. Findings:

- a. This permit is consistent with the Santa Clara County Integrated Waste Management Plan, which was approved by CalRecycle on March 9, 2016. The location of the facility was first identified in the Sixteenth Amendment to the Non-Disposal Facility Element (NDFE) pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by 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 City of San Jose Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.
- e. The Leo Recycle Transfer Station EIR Negative Declaration certified by the City of San Jose Planning Department on February 9, 2022 along with Notice of Determination for a Negative Declaration pursuant to PRC 21080(C) under a Special Use Permit Amendment # SPA15-016-02 describe and support the design and operation which will be authorized by the issuance of this permit.

## 14. Prohibitions:

The permittee is prohibited from intentionally accepting or receiving the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency.

As this facility is a Transfer/Processing facility permitted for Construction & demolition debris [defined in CCR Title 14, Section 17381(e)], materials coming onto the site for recycling shall come from Construction/Demolition projects. In addition to the aforementioned prohibited wastes, municipal solid waste, and putrescible wastes are prohibited.

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

	Date		Date
Transfer/Processing Report	May 25,2022	Santa Clara County, Countywide NDFE 16 <sup>th</sup> Amendment (Leo Recycle pgs 68, 69)	March 2016
Negative Declaration (SCH 2021110120)	February 9, 2022	Special Use Permit - No. SPA15-016-02	February 11, 2022

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## 16. Self Monitoring:

The owner/operator shall submit the results of all self-monitoring programs to the Local Enforcement Agency (LEA) within 15 days of the end of the reporting period if not otherwise specified or approved (*for example, 1<sup>st</sup> quarter = January – March, the report is due by April 15.*). Late submittal will result in the issuance of an Area of Concern (AOC), or a Violation of the terms and conditions of this permit.

Program	Reporting Frequency
<p>a. A <b>Daily Incoming</b> report shall be submitted to the LEA by the 15<sup>th</sup> day of the following month. There shall be a separate entry or column for each material: food waste, green material, Recyclables, other. The report shall give the data for each operating day of the month by date as, 1) the quantity (in tons) of material entering the facility, and 2) A final entry or column that compiles all the incoming tonnages for each day, and a total for the month.</p>	<p>MS Excel spreadsheet with dynamic calculations  Monthly</p>
<p>b. A <b>Materials Flow</b> report shall be submitted to the LEA by the 15<sup>th</sup> day of the month following the reporting period. This report shall include these totals for the month: 1) the type and tonnage of materials diverted, 2) the tonnage processed/sorted, and 3) the amount (tons) of residual sent off for disposal. Additional materials records can be requested by the LEA at any time.</p>	<p>MS Excel spreadsheet with dynamic calculations  Monthly</p>
<p>c. Incidents such as fires, injury, accidents, flooding, complaints pertaining to the facility, or any other unusual events at the site shall be recorded in the <b>Log of Special Occurrences (LSO)</b>, including the date, time, details of the occurrence, and what, if anything, was done to correct the problem.</p>	<p>Within 24 hours of the event  On site for review</p>
<p>d. The Operator shall perform load check for excluded/prohibited materials, on every load, upon tipping and in conjunction with the sorting of materials at the site. Finding excluded or prohibited materials/wastes shall be documented on a Load Check Form.</p>	<p>As Noted  On site for review</p>
<p>e. Complying with Leo Recycle’s Load Check Program, the operator shall randomly pick one incoming load each week to closely screen. Any findings of excluded or prohibited wastes shall be documented on a Load Check form.</p>	<p>As Noted  On site for review</p>
<p>f. The Operator shall maintain a list of the current Contract Haulers which are approved by Leo Recycle to transport C&amp;D material to Leo recycle for sorting and recycling, and a list of current Recycling Haulers which are approved by Leo Recycle to enter the facility, receive sorted material loads, and transport them off-site.</p>	<p>List of Hauler name, contact information, and date of approval  On site for review</p>

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## 17. Local Enforcement Agency (LEA) Permit Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14, California Code of Regulations.
- b. The operator shall maintain, at the facility, copies of the LEA approved Transfer Processing Report (TPR) and this permit for review.
- c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the timeframe specified by the LEA. The operator shall utilize Best Management Practices when conducting on-site activities.
- d. All incoming loads of material shall be weighed or tallied, and the amount recorded. Types of materials include C&D/Inerts material including recoverable recyclable materials; Woody Green Waste; E-Waste; pallets, mattresses and appliances.
- e. The maximum permitted daily tonnage through the gate for this facility is 500 tons per day (tpd). The facility shall not receive more than this amount without revision of this permit.
- f. The operator shall maintain a log of special occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage, or any unusual incidents. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence and include date and time, persons involved, and a description of the incident. The log shall be available at all times to site personnel and the LEA.
- g. This permit is subject to review by the LEA and may be temporarily suspended or revoked at any time 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.
- h. The operator shall notify the LEA in advance of any changes that are desired to be made at the facility. The LEA will determine whether the change(s) is/are minor or significant. Significant changes require a permit revision. In no case shall the operator implement any change(s) without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the LEA at least 180 days in advance of the change.
- i. The operator shall survey the perimeter of the property boundary at least once each operating day and should remove for legal disposal any litter, waste or other illegally disposed materials. Areas and operations of the facility which generate dust shall be swept or watered down in order to control the nuisance resulting from those areas. The operator shall maintain access roads and internal roads in a manner that will minimize dust, mud accumulation, and airborne nuisances.
- j. The LEA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, potential hazard, or the creation of a public nuisance.