

Permitting & Assistance Branch Staff Report
Modified Solid Waste Facilities Permit for
Turlock Transfer
SWIS No. 50-AA-0004
June 13, 2023

Background Information, Analysis, and Findings:

This report was developed in response to Turlock Transfer, Inc.'s request for the Department of Resources Recycling and Recovery (Department) issuance of a proposed modified Solid Waste Facilities Permit (SWFP) for Turlock Transfer, SWIS No. 50-AA-0004, located in the City of Turlock, in Stanislaus County, and owned by Marchant Land Management and operated by Turlock Transfer, Inc. The Department currently serves as the Enforcement Agency (EA) for Stanislaus County. A copy of the proposed modified SWFP is attached. This report contains Permitting & Assistance Branch (PAB) staff's analysis, findings, and recommendations.

The application for a modified SWFP was received on February 23, 2023. Staff completed a review of the application package and found the application package to be complete and correct on March 24, 2023. Action must be taken on this SWFP no later than July 22, 2023. If no action is taken by July 22, 2023, the Department will be deemed to have issued the proposed modified permit.

Proposed Changes:

There are no changes to the key design parameters for the proposed project. Changes to the SWFP include: update the Findings and Prohibitions sections; incorporate updated documents that describe and/or restrict the operation of the facility; update language to the Self-Monitoring section; update Enforcement Agency conditions; and incorporate the updated Transfer Processing Report.

Background:

Turlock Transfer is an existing Large Volume Transfer Processing Facility on 7.17 acres in an Industrial zoned area. The facility began operations in 1971 and originally received a SWFP in 1978. Turlock Transfer takes commercial and residential waste and recyclable materials in the City of Turlock. Material is either taken to a disposal facility, processing facility, composting facility, or sent to recyclers.

Findings:

Staff recommends issuance of the proposed modified 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 issuance. 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) EA Certified Complete and Correct Report of Facility Information	Acceptable: PAB staff accepted the application package as complete and correct on March 24, 2023.
21685(b)(2) EA Five Year Permit Review	Acceptable: A Permit Review Report (PRR) was completed on March 24, 2020.
21685(b)(3) Solid Waste Facilities Permit	Acceptable: PAB staff prepared a proposed Solid Waste Facilities Permit on May 11, 2023.
21685(b)(4)(A) Consistency with Public Resources Code (PRC) 50001	Acceptable: PAB staff found the facility is identified in the Nondisposal Facility Element, dated December 1994.
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 May 23, 2023. See Compliance History below for details.
21685(b)(9) EA CEQA Finding	Acceptable: PAB staff finds that the proposed SWFP is consistent with and supported by the CEQA analysis. See Environmental Analysis below for details.
21650(g)(5) Public Notice and/or Meeting, Comments	Acceptable: A Public Information Notice was mailed and posted on April 11, 2023. No verbal or written comments were received by Department staff. See Public Comments below for details.
CEQA Determination to Support Lead 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 modified SWFP.

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on May 23, 2023 and found the facility to be in compliance with applicable state minimum standards and permit conditions.

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

- 2023 (May) – 2018 (January) – No violations were noted.

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 documents prepared by the Stanislaus County and City of Turlock, acting as Lead Agencies, 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 permit include:

- Addition of organics processing activities;
- Construction of a new transfer/processing building; and
- Updates to the Findings, Prohibitions, Self-Monitoring sections, documents that describe and/or restrict the operation of the facility, the EA conditions of the SWFP, and updates the Transfer Processing Report (TPR).

A Mitigated Negative Declaration (MND), SCH No. 1990021078, was adopted by the Stanislaus County Department of Environmental Resources on December 18, 1990. A Notice of Determination was filed with the State Clearinghouse on December 18, 1990. A Mitigated Negative Declaration, SCH No. 2008042089, was adopted by the City of Turlock on June 20, 2008. A Notice of Determination was filed with the State Clearinghouse on June 20, 2008. The MNDs describe and support the design and operation which will be authorized by the issuance of this permit.

Department staff recommends the MNDs together with the CEQA finding, is adequate for the Branch Chief's environmental evaluation of the proposed project and for the issuance of the modified SWFP 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 Department.

The administrative record for the decision to be made by the Department includes the administrative record, the proposed modified SWFP and all of its components and supporting documentation, this staff report, the ND, and other documents and materials utilized by the Department in reaching its decision to issue the proposed modified 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:

A public information notice, in both English and Spanish, of a proposed Modified Solid Waste Facility Permit was mailed to property owners within 1,000 feet of the facility on April 11, 2023 and posted to Turlock Transfer's website, the Department's website, and posted at three public bulletin boards near the facility. No comments were received by Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on May 16, 2023. No comments were received by Department staff.

Attachment: Proposed Modified SWFP