

Permitting & Assistance Branch Staff Report
Revised Solid Waste Facilities Permit for the
Grand Central Recycling & Transfer Station
SWIS No. 19-AA-1042
November 9, 2023

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 Grand Central Recycling & Transfer Station, SWIS No. 19-AA-1042, located in Los Angeles County and owned and operated by Grand Central Recycling & Transfer, 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 initially received on September 25, 2023. A new proposed SWFP was received on October 26, 2023. Action must be taken on this SWFP no later than December 25, 2023. If no action is taken by December 25, 2023, 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 (2004)	Proposed Permit
Name and Mailing Address of Operator	Grand Central Recycling and Transfer Station, Inc. 999 Hatcher Ave. City of Industry, CA 91748	Grand Central Recycling & Transfer, Inc. 17445 East Railroad Street City of Industry, California 91748
Name and Mailing Address of Owner	Grand Central Recycling and Transfer Station, Inc. 999 Hatcher Ave. City of Industry, CA 91748	Grand Central Recycling & Transfer, Inc. 17445 East Railroad Street City of Industry, California 91748
Permitted Hours of Operation	Receipt of Waste: 24 hours, 7 days per week Processing: 24 hours, 7 days per week	<ul style="list-style-type: none">• Receipt / Processing of Non-Hazardous Solid Waste: 24 hours per day/ 7 days a week*• Ancillary Operations/Facility Operating Hours: 24 hours per day/ 7 days per week* *Specific hours for waste receipt, ancillary operation and public use are stated in the approved Transfer Processing Report (TPR)

Parameter	Current Permit (2004)	Proposed Permit
Permitted Maximum Tonnage	Permitted Tons per Operating Day TOTAL: 5,000 Non-Hazardous – Municipal Solid Waste, including separated or co-mingled recyclables - 5,000 Non-Hazardous – Sludge - None Non-Hazardous – Inert – N/A Designated (See Section 14 of Permit) – None Hazardous (See Section 14 of Permit) - None	Maximum tonnage of 5,000 tons per day (TPD) includes non-hazardous solid waste.
Permitted Traffic Volume	N/A	894 Vehicles per day (VPD)
Permitted Area (in acres)	10.26	Total: 10.26 acres Transfer/Processing: 10.26 acres

Other Changes include: Updating the legal description of the facility section, findings section, prohibition section, the documents that describe and/or restrict the operation of the facility section, the self-monitoring section, and the LEA conditions section.

Key Issues:

The proposed SWFP will allow for the following:

1. Updating the SWFP with the mailing address of the operator and owner;
2. Addition of a permitted traffic volume of 894 vpd; and
3. Incorporation of an updated Transfer/Processing Report (TPR).

Background:

This is an existing facility that is revising the permit and updating the TPR to include a 38,850 square foot expansion to their existing transfer and material recovery facility building. The existing building is 108,450 square feet. The expanded facility will be operational in 2024 to include organic waste receiving, processing, and diversion operations to reflect the Senate Bill (SB) 1383 regulations.

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 25, 2023.
21685(b)(2) LEA Five Year Permit Review	Acceptable: A Permit Review Report (PRR) was prepared by the LEA on September 25, 2019. The LEA provided a copy to the Department on September 25, 2019. 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 October 26, 2023.
21685(b)(4)(A) Consistency with Public Resources Code (PRC) 50001	Acceptable: The LEA provided a finding in the proposed SWFP received on October 26, 2023 that the facility is consistent with PRC 50001. Permitting and Assistance Branch (PAB) staff found the facility is identified in the Nondisposal Facility Element, as described in the NDFE dated August 2000.
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 8, 2023. 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 25, 2023, 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 23, 2023. No comments were received by LEA or Department staff. See Public Comments below for details.

27 CCR Sections	Finding
21570(g) Disadvantaged Community Public Meeting	Acceptable: The facility is located within 1 mile of a disadvantaged community (DAC) as defined pursuant to Section 39711 of the Health and Safety Code. The operator satisfied the regulatory requirements by using the LEA's public notice to distribute to the DAC and attending the LEA's public meeting. The LEA provided a summary regarding comments and responses during the public meeting, on behalf of themselves and the operator.
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 8, 2023 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:

- 2023 – 2018 - 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 documents prepared by the City of Industry, Planning Department, 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: updating the SWFP with the mailing address of the operator and owner, addition of a permitted traffic volume of 894 vpd, and incorporation of an updated Transfer/Processing Report (TPR).

An Environmental Impact Report (EIR), State Clearinghouse No. 1999101001, was circulated for a 45-day comment period from April 3, 2000 to May 17, 2000. The Final EIR was certified by the City of Industry City Council on June 22, 2000. A Supplemental

Environmental Impact Report (SEIR), State Clearinghouse No. 1999101001, was circulated for a 45-day comment period from June 23, 2003 to August 6, 2003. The Final Supplemental EIR was certified on September 25, 2003.

Under CEQA Guidelines Section 15162, when an EIR has been certified or a negative declaration (ND) adopted for a project, no subsequent environmental document shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project, which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or ND;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

PRC Section 21068 defines "Significant effect on the environment" as a substantial, or potentially substantial, adverse change in the environment. CEQA Guidelines Section 15382 further defines, a "Significant effect on the environment" as meaning a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A lead or responsible agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary and none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR have occurred, pursuant to Section 15164(a) of the CEQA Guidelines.

Thus, Section 15164(a) of the CEQA Guidelines provides that an addendum to an EIR is the appropriate documentation when the Lead Agency or a Responsible Agency has determined that none of the conditions described in CEQA Guidelines Section 15162 exist – specifically there are no new significant environmental effects as a result of the changed project.

An Addendum to the EIRs was prepared by the City of Industry, dated December 2021 and adopted by the City of Industry City Council on January 27, 2022.

The LEA has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental documents.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the EIRs and Addendum 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.

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 Addendum to the EIRs adopted by the City of Industry City Council, 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 August 23, 2023, via a Microsoft Teams virtual meeting. No 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 17, 2023. No comments were received by Department staff.

Attachment: Proposed Revised SWFP