

## Permitting & Assistance Branch Staff Report

New Solid Waste Facilities Permit for the  
Sierra Waste Recycling and Transfer Station  
SWIS No. 34-AA-0214  
May 16, 2012

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

This report was developed in response to the Sacramento County Environmental Management Department's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed new Solid Waste Facilities Permit (SWFP) for the Sierra Waste Recycling and Transfer Station, SWIS No. 34-AA-0214, located in Sacramento County. The facility is owned by Bal Soin and operated by Sunil Dutt. A copy of the proposed permit is attached. The report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was originally received on March 29, 2012. A new proposed permit was received on May 16, 2012. Action must be taken on this permit no later than July 15, 2012. If no action is taken by July 15, 2012, the Department will be deemed to have concurred with the issuance of the proposed new SWFP.

The following are the key design parameters of the proposed project:

	Proposed Permit
Operator	Sunil Dutt
Owner	Bal Soin, Chander Soin, Sunil Dutt
Facility Type	Transfer/Processing Facility
Proposed Permitted Hours/Days of Operation	6:00 AM through 6:00 PM; Monday-Sunday
Proposed Permitted Maximum Tonnage	1000 tons per day *See EA condition 17(g)
Proposed Permitted Traffic Volume	150 vehicles per day, not including employee vehicles
Proposed Permitted Area (acres)	5.62
Design Capacity (tons per day)	1,000
Proposed Waste Types	The facility is permitted to receive commercial and public waste including: construction and demolition debris, inert debris, recyclable materials, non-curb-side collected green waste, wood waste, and mixed loads of waste. Incidental putrescible waste from accepted loads shall not exceed 10% by weight.

### **Key Issues**

The proposed permit will allow for the following:

The maximum permitted daily tonnage for this facility is 1,000 tons per day (tpd). Initially, the facility is allowed to receive a maximum of 500 tpd with a phased tonnage increase schedule that is further outlined under Condition 17(g).

**Background:**

Sierra Waste Recycling and Transfer Station currently operates under a Registration Tier Permit issued in 2009. The Registration Permit allows for chipping and grinding of 500 tons per day of wood waste and green material. The operator is applying for a full Solid Waste Facilities Permit for the transfer/processing of 1,000 tons per day of wood waste and green material and the addition of construction and demolition waste.

**Findings:**

Staff recommends concurrence in the issuance of the proposed new 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	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated March 26, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on May 16, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on March 29, 2012, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Nondisposal Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated April 24, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
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 April 25, 2012. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on March 29, 2012, that the proposed permit is consistent with and supported by the existing CEQA documentation. See CEQA information below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on March 14, 2012. No written comments were received by LEA or Department staff.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed new SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

**Compliance History:**

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on April 25, 2012 and found the facility is in compliance with applicable state minimum standards and permit conditions.

The facility currently operates under a Registration Permit issued in 2009. Based on the LEA's monthly inspection reports, there have been no violations noted since the issuance of the Registration Permit.

**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 Sacramento County Department of Environmental Review and Assessment (DERA), acting on behalf of the Sacramento County Environmental Management Department (LEA) 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 proposed permit under consideration is to allow a solid waste facility to transfer and process up to 1,000 tons per day of wood waste, green material and construction and demolition waste. These changes are supported by the following environmental document.

A Negative Declaration (ND)(SCH# 2012012060) was adopted by the Sacramento County LEA on March 19, 2012. The project analysis concluded that there will be no significant impacts to the environment resulting from the project. The LEA has provided a finding that the proposed new 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 ND 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 new SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the Lead Agency. Department staff further recommends the ND, together with the CEQA finding, 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/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 new SWFP and all of its components and

supporting documentation, this staff report, the ND 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 new SWFP. The custodian of the Department's administrative record is Dona Sturgess, 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 substitute public informational meeting per 27 CCR 21660.4 as part of the public hearing to adopt the Negative Declaration on March 14, 2012, at the office of the Sacramento County Environmental Management Department. Seven members of the public were in attendance and asked CEQA related questions only. No oral comments were offered on the proposed new Solid Waste Facility Permit and no written comments were received by the LEA or Department staff.

The Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on April 17 and May 15, 2012.