

**Waste Compliance and Mitigation Program Staff Report**  
Major Waste Tire Storage Facility Permit Renewal  
California Asbestos Monofill, Inc.  
TPID No. 1101541/SWIS No. 05-TI-0726  
March 5, 2012

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

This report was developed in response to an application received from the operator of California Asbestos Monofill, Inc., (CAM) located at 4849 O’Byrnes Ferry Road in the City of Copperopolis for a Major Waste Tire Storage Facility Permit renewal. The CAM location is a closed asbestos mine on 576 acres of land located in the southwestern portion of Calaveras County, approximately six miles south of the town of Copperopolis, on O’Byrnes Ferry Road.

On November 19, 1997, the operator, CAM, was issued a Major Waste Tire Facility Permit (WTFP) authorizing the storage of up to 46,300 tires on 1.5 acre portion of the CAM, which is located two miles away from the closed asbestos mining pit. The operator utilized the WTFP for a brief period of time. Since May of 1999, no tires have been accepted or stored at the CAM tire facility. The Department (previously the CIWMB) last approved and renewed the permit on January 22, 2007. No changes to the 2007 permit have been proposed.

An application for a Major WTFP was received by Permitting and Assistance Branch staff on September 22, 2011 and was accepted as complete and correct on October 12, 2011. Pursuant to Title 14 CCR, §18425, CalRecycle has 180 calendar days from the date the application is accepted as complete to issue or deny the issuance of a Waste Tire Facility Permit. CalRecycle is required to act no later than April 9, 2012. (The current 2007 WTFP expired on January 22, 2012).

The following table summarizes the staff’s findings relative to the permit application:

	Findings	
Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	The California Asbestos Monofill was inspected by the grantee, Paul Eades, on December 21, 2011. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR, Sections 18431(a) (b) (c) (d)	All application forms were accepted by Permitting and Assistance Branch staff as complete on October 12, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR, Section 18431(h)	<i>Local Vector Control:</i> The Calaveras County Environmental Management Agency’s acceptance of vector control practices was signed by Paul A. Feriani, R.E.H.S, on April 7, 2011. <i>Local Fire Authority:</i> On December 14, 2011, the Copperopolis Fire Protection District stated in a letter that it supports the requirements set forth in the Conditional Use	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

	Permit for the California Asbestos Monofill, which has developed a Fire Prevention and Monitoring Plan as part of the facility's Emergency Action Plan.	
Closure Costs and Financial Liability 14 CCR, Sections 18474 and 18491	Staff from the Financial Assurances Section of the Permits and Certification Division on January 24, 2012, found that the Trust Fund in support of closure costs and the Certificate of Liability Insurance meet the state requirements.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
California Environmental Quality Act (CEQA)	Acting as Lead Agency, the CIWMB (Now CalRecycle) prepared a Negative Declaration, State Clearinghouse No. 199710249, for the initial issuance of the major waste tire facility permit for this facility See additional CEQA information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office  Waste Evaluation and Enforcement Branch	March 2, 2012  February 21, 2012	

**Compliance History:**

The facility is not currently operating; non-operation and compliance with tire storage standards was verified by the tire enforcement grantee on December 21, 2011.

**Environmental Analysis:**

Under CEQA, CalRecycle must consider and avoid or substantially lessen where possible, any potential significant environmental impacts of the proposed Major WTFP before CalRecycle issues that permit. In this case, CalRecycle is the lead agency under CEQA and must make a determination as to whether this proposed permit is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The CIWMB (now CalRecycle), acting as Lead Agency for CEQA, prepared a Negative Declaration (ND), State Clearinghouse No. 1997102049, for the issuance of a Major WTFP to the CAM in Calaveras County. The ND considered potential impacts associated with the storage of waste tires at the CAM facility. The ND was approved by the Board on November 19, 1997, and a Notice of Determination was filed with the State Clearinghouse on November 21, 1997. An EIR Addendum was adopted on August 11, 2008, which analyzed changes in operations unrelated to those activities authorized by the permit.

Staff has determined that the renewal of this permit poses no new or additional environmental impacts beyond those previously evaluated in the ND prepared for the initial issuance of the Major WTFP. The permit renewal is not an expansion of use. Therefore, staff has determined that this project is Categorical Exempt as defined in the Section 15301 (Class 1) for existing facilities of the CEQA Guidelines.

Staff recommends that CalRecycle, acting as a lead agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities, to be filed with the State Clearinghouse after CalRecycle's issuance of the Major WTFP, in that the proposed permit is to be issued to an existing facility that will not expand or significantly change its operations from what currently exist. Further, there are no grounds under CEQA for CalRecycle to prepare any additional environmental documents.

Staff further recommends the Categorical Exemption is adequate for the Acting Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed Major WTFP and all of its components and supporting documentation, this staff report, the Categorical Exemption and other documents and material utilized by CalRecycle in reaching its decision on issuing this permit. The custodian of CalRecycle's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

**Public Comments:**

Permitting and Assistance Branch staff discussed the proposed Major WTFP at CalRecycle's monthly meetings conducted on January 17 and February 21, 2012. No public comment has been received by CalRecycle staff.

Attachment: Major Waste Tire Facility Permit