



Department of  
Resources Recycling and Recovery

Yana Garcia  
Secretary for Environmental Protection  
Rachel Machi Wagoner  
CalRecycle Director

October 17, 2023

Aimee Halligan  
OC Waste & Recycling  
601 North Ross Street, 5th Floor  
Santa Ana, CA 92701



**Subject: SCH No. 1999041035** – Notice of Preparation of a Draft EIR - Increase in Maximum Daily Operations at Prima Deshecha Landfill – Orange County (SWIS No. 30-AB-0019)

Dear Ms. Halligan:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments on the proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

### **PROJECT DESCRIPTION**

Orange County Waste & Recycling (OCWR), acting as Lead Agency, has prepared and circulated a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

Prima Deshecha Landfill (Landfill) is owned by the County and operated by OCWR. OCWR is a County department that is overseen by the Board of Supervisors. Prima Deshecha Landfill encompasses 1,530 acres and is located in southeastern Orange County, partially within San Juan Capistrano (570 acres), San Clemente (133 acres), and unincorporated Orange County (827 acres). The landfill is located at 32250 Avenida La Pata, and access is provided by Interstate 5, Ortega Highway (State Route 74), and Avenida La Pata. The Prima Deshecha Landfill site is divided into five zones, named Zones 1 through 5. Zone 1 is the current landfilling area, with an estimated closure date of approximately 2050. Zone 4 is the future landfill development area, with an estimated closure date of approximately 2102.

The proposed project would increase the permitted daily maximum tonnage of waste received at the Landfill from 4,000 tons per day (TPD) to 8,000 TPD. Waste would continue to be disposed of in existing areas of the Landfill that are designated for disposal. The proposed Project would allow for up to 36 operational emergency days on which the 8,000 TPD limit could be exceeded. Such operational emergency days could occur if another OCWR facility is temporarily closed, as a result of a freeway closure or other unforeseen event, necessitating diversion of waste to the Landfill. The proposed increase would not change the nature or

location of approved activities within the Landfill, including the limits of refuse, nor would it alter the footprint, property limits, or configuration of the Landfill.

### **COMMENTS**

CalRecycle staff's comments on the proposed project are listed below. Where a specific location in the document is noted for the comment, please ensure the comment is addressed throughout all sections of the Draft EIR. Comments on the NOP are summarized below:

1. Initial Study. Pg. 17 Section 3.2.2 Current Landfill Operations – states only municipal solid waste is accepted at the Landfill. No special wastes or liquid wastes other than treated wood waste are accepted at the Landfill. Will the proposed increase from 4,000 TPD to 8,000 TPD include any other waste types other than municipal solid waste and wastes described in the 2018 Joint Technical Document (JTD)? If so, please specify the waste types.
2. Initial Study. Pg. 17 Section 3.3.1 Project Components – States the proposed project would also allow for up to 36 operational emergency days during which the 8,000 TPD limit could be exceeded. Is there a proposed limit for how much over the 8,000 TPD limit will be exceeded? Note that any days the Landfill anticipates needing to exceed the 8,000 TPD limit, may still require prior approval by the Local Enforcement Agency (LEA) pursuant to Title 14 California Code of Regulations Section 17210 et al. and 17211 et al.
3. Initial Study. It is stated that the proposed project would not change the hours of operation (pg. 26), the estimated closure year (pg. 18) or expand the landfill's footprint horizontally or vertically (pg. 54). Will there be any changes to the design capacity (currently permitted as 53.1 million cubic yards (mcy) for Zone 1 and 118.5 mcy for Zone 4) and max depth (currently permitted as 210 feet for Zone 1 and 430 feet for Zone 4)? If so, please specify the updated numbers.
4. Per the currently issued April 19, 2019 Solid Waste Facility Permit, Page 4, Section 17. Local Enforcement Agency Conditions, subsection Permitting, letter i., "Permit Revision: Pursuant to PRC 44004(b), the facility operator shall submit an application to the LEA at least one hundred eighty (180) calendar days prior to implementing proposed significant change(s) that require permit revision, as determined by the LEA based on 27 CCR 21665(e). Examples include, but are not limited to, changes in facility's: permitted hours and/or days of waste disposal operations, permitted tonnage limit, permitted total facility and/or waste disposal area(s), maximum waste fill elevation(s), maximum depth of waste, air space capacity and estimated closure years."

### **Solid Waste Regulatory Oversight**

The Orange County Health Care Agency, Environmental Health Division, Local Enforcement Agency is responsible for providing regulatory oversight of solid waste handling and disposal activities, including inspections and permitting, at the Prima Deshecha Landfill. Please contact the LEA, Shyamala Rajagopal, at 714.433.6270 or by e-mail at [SRajagopal@ochca.com](mailto:SRajagopal@ochca.com) to discuss solid waste regulatory requirements for the proposed project.

**CONCLUSION**

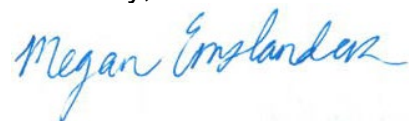
CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the NOP and hopes that this comment letter will be useful to the Lead Agency in preparing the Draft EIR and in carrying out their responsibilities in the CEQA process.

CalRecycle staff requests copies of any subsequent environmental documents, copies of public notices, and any Notices of Determination for this proposed project.

If the environmental document is adopted during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests 10 days advance notification of the date of the adoption and proposed project approval by the decision-making body.

If you have any questions regarding these comments, please contact me at 916.341.6363 or by e-mail at [Megan.Emslander@calrecycle.ca.gov](mailto:Megan.Emslander@calrecycle.ca.gov).

Sincerely,



Megan Emslander, Environmental Scientist  
Permitting & Assistance Branch – South Unit  
Waste Permitting, Compliance & Mitigation Division  
CalRecycle

cc: Ben Escotto, Supervisor  
Permitting & Assistance Branch – South Unit

Shyamala Rajagopal, Supervisor  
Orange County LEA