



July 1, 2021

Governor's Office of Planning & Research

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Lead/Public Agency
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July 01 2021

STATE CLEARINGHOUSE

Subject: SCH No. 2019100659 – Draft Environmental Impact Report Lost Hills Composting and Bioenergy – Kern County SWIS No. 15-AA-0308

Dear Ms. Hoover:

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

Kern County Planning and Community Development Department, acting as Lead Agency, has prepared and circulated a Draft Environmental Impact Report (Draft 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.

The project site is in an unincorporated area of northwestern Kern County. The unincorporated community of Lost Hills is located approximately 4.3 miles to the southeast. Two State highways (State Route [SR-] 46 and SR-33) are located 1.6 miles south and 6.4 miles west, respectively, from the project site. Interstate (I-)5 is located approximately 5 miles east of the project site. Land in the project vicinity is generally characterized as a sparsely developed, rural agricultural area located in western Kern County. The nearest residence to the project site is 2.3 miles east of the project site at Munger Farms.

The project site is comprised of two adjacent sites, Sites A and B, which are separated by Holloway Road. Site A is an existing Class III non-hazardous industrial waste landfill facility located at 14045 Holloway Road on the west side of Holloway Road at the G P Road junction. Existing landfill operations and the future eASP composting facility would

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be sited within Site A. Site B is an equipment staging and storage lot on the east side of Holloway Road, north of G P Road and would be the future site of the bioenergy facility.

The project proponent is requesting modifications to two existing CUPs and requesting one CUP to be issued for the following:

- The construction and operation of a 640,000-ton-per-year (TPY) extended Aerated Static Pile (eASP) composting operation, in response to State climate law mandates to increase composting as part of landfill-related greenhouse gas (GHG) emission reductions, on a 136.2-acre portion of the existing 331-acre Lost Hills Environmental Industrial Landfill that has reached capacity;
- Allow for additional waste streams to be disposed of within the landfill;
- Extend the hours of operation to 24 hours per day, 365 days per year; and
- The construction and operation of a 3-megawatt (MW) (net) bioenergy facility on an approximate 6-acre portion of the Holloway Gypsum Mine.

The project proponent includes a request for land use entitlements necessary to facilitate the continued use of a Class III Non-Hazardous Industrial Waste Landfill facility with additional waste streams and expanded hours of operation, and the construction and operation of a new composting facility and bioenergy facility. Implementation of the proposed project would require the following approvals

(a) **Modification No. 1, CUP #1, Map 28:** Amendment to the boundaries of CUP #1, Map 28 of the existing mining facility to remove 6 acres, which will become the location for the proposed bioenergy facility.

(b) **Issuance of CUP #13, Map 28:** Establishment of a new CUP that would facilitate the construction of a 3 MW (net) bioenergy facility.

(c) **Modification No. 2 CUP # 9, Map 28:** Amendment to CUP #9, Map 28 of the existing Class III Non-Hazardous Industrial Waste Landfill to include:

A revision in the allowable waste streams permitted at the landfill to allow the acceptance and disposal of various materials; and

A revision to allow for an increase in permitted hours of operations and construction and operation of an eASP composting facility sited on 136.2 acres within the current permitted facility boundary. Material accepted for composting at the facility would include biosolids, green waste, food waste, manure, and wood waste for a total of 640,000 TPY.

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Lost Hills Environmental, LLC (the project proponent) owns Site A and operates the existing Lost Hills Environmental Industrial Landfill, which has been in operation since 1997. Operation of the 331-acre industrial waste landfill is allowed by CUP #9, Map 28. No permitted facility or permitted disposal area boundary changes are proposed to CUP #9, Map 28. Site A was previously known as H.M. Holloway Inc. Landfill, and prior to that the H.M. Holloway Gypsum Mine. The existing landfill is situated on 331 acres of previously mined land and consists of pits known as Pit "E," Pit "F," and Pit "G," as well as a connecting pit referred to as Pit "FG." These pits provide a total disposal footprint of 193 gross acres (includes total acreage of active landfill pit areas and surrounding buffers; 176 net acres not including buffers); the remaining 138 acres are a buffer and utilized for ancillary activities, including, but not limited to, overburden storage, monitoring equipment, a leachate system, water storage, a truck washing station, and a required buffer area around the facility.

Lost Hill Environmental LLC. owns Site B and utilizes the area for equipment staging and storage for the H.M. Holloway Gypsum Mine. The project proponent has requested

The permitted daily incoming tonnage will increase from 2,000 tpd to 3,753 tpd to accommodate both the landfill disposal and composting and bioenergy operations. Vehicles accessing the facility per day will increase from 91 to a combined 313.

COMMENTS

1. Will the proposed additional organic waste types be comingled with currently allowed waste types and other proposed non-organic materials, or kept segregated?
2. Page 3-22 mentions construction activities associated with the landfill facility. Is this in reference to the final closure construction for Pit E to accommodate the composting activity or other actions needed at the disposal facility to accommodate the additional waste types?
3. The materials proposed for use as ADC may need to perform a Demonstration Project at the discretion of the LEA to evidence they will meet the requirements of Daily Cover.
4. MM 4.5-4 A revised, Project-specific, site health and safety plan shall be provided to the Local Enforcement Agency for approval prior to acceptance of waste.

Based on the description of the plan, it is not clear that the Local Enforcement Agency will have authority to approve the plan.

Solid Waste Regulatory Oversight

A revised Full Solid Waste Facilities Permit will be required before operations within the above specified parameters can commence. The Kern County Department of Environmental Health is the Local Enforcement Agency (LEA) and responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections. Please contact the LEA, Jeffrey Marshall at (661) 862-8775 to discuss the regulatory requirements for the proposed project.

CONCLUSION

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the environmental document and hopes that this comment letter will be useful to the Lead Agency preparing the 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) 341-6405 or by e-mail at Christine.Karl@calrecycle.ca.gov.

Sincerely,

Christine Karl, Environmental Scientist
Permitting & Assistance Branch – North Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Nevin Yeates, Manager Permitting & Assistance Branch – North Unit
Jeffrey Marshall, LEA