



January 19, 2022

Governor's Office of Planning & Research

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Mr. Hector Guerra, Chief Environmental Planner
County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

STATE CLEARINGHOUSE

**Subject: Draft Focused Environmental Impact Report for
the Visalia Landfill - Compost and Biomass Conversion Facility
SCH# 2021020054, Facility No. 54-AA-0009, Tulare County**

Dear Mr. Guerra:

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

The Tulare County Resource Management Agency (RMA), acting as Lead Agency, has prepared and circulated a Notice of Completion (NOC) for a Focused Environmental Impact Report (FEIR) 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 proposed Compost and Biomass Conversion Facility (proposed project) is located at the existing Visalia Disposal Site, on an approximately 36 acre site located at the northeast corner of Avenue 328 and Road 80 approximately six miles northwest of the City of Visalia. The site is currently zoned as AE-40.

The proposed project would allow the operation of a covered aerated static pile (CASP) compost facility. The compost facility would occupy 36 acres of the 634 acre landfill parcel. The compost facility will be designed to accept up to 200,000 tons per year (TPY) in increments of 50,000 TPY and can store up to 200,000 cubic yards on-site of organic material; installation and use of composting equipment; installation of a 50,000 square foot processing building and 1,000 square foot office building; construction of compost pads, and a lined pond. The proposed project would employ 15-20 employees and operate Monday-Friday between 6:00 a.m. to 4:00 p.m., and 7:00 a.m. to 12:00 p.m. (noon) on Saturdays; summer hours may begin earlier than 6:00 a.m.

The hours of operations for receiving waste material will harmonize with the landfill with the following hours of operations: Monday – Friday 7:00 am to 4:00 pm Saturday 8:00 am to 4:00 pm. The hours of operations of processing material will be 24 hours per day, 7 days per week. The waste material received in the processing building may be processed 24 hours per day to accommodate surge piles and to ensure processing within a 48-hour holding time period from the time of receipt.

The proposed project would also allow a 2.0 mega-watt (MW) biomass conversion facility at the landfill. The facility will produce electricity, heat and biochar using wood fuel which includes wood waste. The facility will utilize approximately 18,000 bone dry tons (BDT) of wood chips per year or 25,000 tons per year of wet recovered wood waste and produce approximately a net amount (after parasitic load) 2.0 MW of electrical energy per hour. In addition to this the facility will also produce approximately 20-30 MM BTU of waste heat and approximately 300-600 pounds of biochar per hour. The facility is planned to operate 24/7.

COMMENTS/QUESTIONS

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 FEIR in addition to the specific location noted.

Facility Boundary:

- The project description describes that the compost activity will operate on a soil borrow area. Does this borrow area encompass the 36 acres, and include both the Compost Facility and the Biomass Facility? Please clarify how many acres will be dedicated to each of the two activities.
- Will there be any overlap of operations between the two proposed activities and/or with the landfill activities (i.e., equipment or scales, etc.)?
- Will any portion of these activities be located on top of the landfill waste footprint?
- Since the proposed project also includes new structures in close proximity to the landfill waste footprint and there is the potential for landfill gas migration from the landfill, the design and construction of any structures need to meet the requirements of Title 27, California Code of Regulations (27 CCR), Section 21190.

Solid Waste Facility Permit (SWFP), Facility No. 54-AA-0009:

- The current name of the facility on the SWFP is "Visalia Disposal Site". Although disposal site and landfill can be used interchangeably, it is best to stay consistent with the name of the facility. Does the operator plan to change the name of the facility to Visalia Landfill or keep the name as Visalia Disposal Site?
- The current permitted maximum tonnage at the Visalia Disposal Site is 2,000 tons per day (tpd). Will the facility need to increase its daily tonnage to accommodate the proposed project? The FEIR will need to evaluate the potential

impacts for the additional daily tonnage for the proposed activities and if the 2,000 tpd is proposed to be exceeded.

- The current permitted traffic volume is 900 vehicles per day. Will this number need be increased? An increase in the permitted traffic volume will need to be analyzed in the FEIR.
- Will the compost activity be added as an activity to the current SWFP, or will the proposed activities be permitted as separate facilities?
 - The compost activity may need a Compostable Materials Handling Facility Permit.
 - The biomass activity may not be subject to CalRecycle's permitting requirements if the activity meets biomass conversion as defined in PRC Section 40106.
 - See the following link for CalRecycle's regulatory tiers - <https://www.calrecycle.ca.gov/lea/regs/tiered/tierchart>.
- Page 1-6: 1.4 Facility Permitting History. The Visalia Landfill currently operates under Solid Waste Facility Permit No. 54-AA-0009, issued by CalRecycle on July 29, 2014. The permit is due for renewal on July 29, 2024. The permit authorizes the disposal of up to 2,000 TPD.
 - This information does not impact the project description, however, is incorrect. CalRecycle did not issue the SWFP, rather concurred on the Tulare County Local Enforcement Agency's (LEA) issuance of the SWFP. Also, SWFPs are not required to be "renewed", rather reviewed every 5 years. The next five year permit review for Visalia Landfill is due by July 29, 2024.
- Page 896/1013 (PDF pages): CalRecycle E-1-77 Form. This application form states that a "New" Solid Waste Facility Permit (SWFP) is requested. The operator may permit the proposed project under the same SWFP as the Visalia Disposal Site. Please contact the Tulare County LEA for SWFP options.
 - Also, part 3, Facility Information of the application is filled out for the landfill and therefore is incorrect. The application will need to be filed for the Compost and Biomass Facility. Please see the application instructions for filing.
 - Directions for Completion of Form E-1-77 <https://www.calrecycle.ca.gov/LEA/Forms/#Permit>

Incoming material:

- Please include all the types of materials/feedstocks that will be accepted for each proposed activity.
- Will the material be source-separated?
- Where will all the material be accepted for both the CASP and the biomass operation? Where and how will incoming material be processed?
- Will additional material be accepted from new sources?

- How will any residual material be handled and/or disposed of?

Daily tonnage:

- How much material can be accepted in one day for each proposed activity? Will there be a daily limit on incoming material (in tons)?

Storage:

- Does the 200,000 cubic yard capacity include all material onsite including incoming material, pre-processed material, CASP capacity, and finished stored material? Please clarify the total site design capacity.
- What is the storage capacity of the biomass activity?
- Please describe how material will be stored and for how long. Will there be a limit on the amount of material or how long the material can be stored onsite?

Hours of Operation:

The project description for proposed hours of operation for the Compost Facility are Monday-Friday between 6:00 a.m. to 4:00 p.m., and 7:00 a.m. to 12:00 p.m. (noon) on Saturdays; summer hours may begin earlier than 6:00 a.m. and 24/7 for the Biomass Facility.

- Page 9 of the Composting Facility Operation Plan lists hours for receiving material as Monday – Friday from 7:00 a.m. to 4:00 p.m. and Saturday 8:00 a.m. to 4:00 p.m., and processing hours will be 24 hours, 7 days per week. The hours in the Operation Plan are not consistent with the project description above. The proposed hours should be consistent throughout the FEIR and clearly identified for each activity.
- Please clarify the allowable hours of operation for the Compost Facility. Will any hours during the day or night be restricted? Is operation on Sundays restricted? Please include operation hours as well as ancillary hours (i.e., maintenance), and/or emergency hours.
- Additionally, the proposed project states, “A majority of the trips will occur between 7:00 a.m. and 9:00 a.m., and between 4:00 p.m. and 6:00 p.m.” These hours are inconsistent with the proposed project hours. Please clarify hours and traffic.
- Will any hours, such as receipt of material be restricted at the Biomass Facility?

Below are links to CalRecycle’s CEQA Toolbox which may assist the Lead Agency in preparing the FEIR for solid waste facilities, including composting activities:

- <https://www.calrecycle.ca.gov/swfacilities/permitting/ceqa/toolbox>
- <https://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Compost/>

Solid Waste Regulatory Oversight

The Tulare County Department of Health Services, Division of Environmental Health is the Local Enforcement Agency (LEA) for Tulare County and responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting. Please contact the LEA, Sioux Lee at (559) 624-7400, 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 in carrying out their responsibilities in the CEQA process and preparation of the Draft FEIR.

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) 341-6772 or by e-mail at Joy.Isaacson@calrecycle.ca.gov.

Sincerely,



Joy Isaacson, Environmental Scientist
Permitting & Assistance Branch – South Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Eric Tanner, CalRecycle
Jessica Gocke, Tulare County LEA