



March 5, 2021

Governor's Office of Planning & Research

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STATE CLEARINGHOUSE

Subject: SCH No. 2018102041 – Draft Environmental Impact Report (DEIR) for the Z-Best Composting Facility Modifications Project. Facility No. 43-AA-0015, Santa Clara County.

Dear Mr. Petersen:

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.

PROPOSED PROJECT SUMMARY

Z-Best Products ("applicant" or "Z-Best") has requested approval of a major modification to a Use Permit and Architectural Site Approval from the County of Santa Clara ("County"). The original application for the approvals was submitted in April 2017 and deemed complete by the County in November 2018. The entitlement requests would allow the technological upgrades to increase the throughput capacity operation of Z-Best municipal solid waste and green waste composting operations. Z-Best's facility is located at 980 State Highway 25, Gilroy, California. The primary proposed modifications include the following:

- Replacing an existing composting technology process with a newer technology that allows compost to be processed in a shorter amount of time, increasing the daily volume of municipal solid waste that may be accepted and processed at the facility;
- Expanding an existing flood water storage pond;
- Modifying an existing storm water retention pond;
- Hiring additional employees and expanding the hours of operations; and
- Relocating the existing facility access driveway to become a new fourth leg of the existing State Route 25 (SR 25)/Bolsa Road intersection and widening SR 25

along the project site frontage to accommodate new turn lanes into and out of the facility.

Comments

1.0 Introduction

The primary proposed modifications include the following:

- Hiring additional employees and expanding the hours of operations;

The Solid Waste Facilities Permit (SWFP) issued by the County of Santa Clara Department of Environmental Health, acting as the local enforcement agency LEA lists the following permitted hours of operation:

- Overall Facility: 6:00 a.m. to 6:00 p.m. – 7days/week; 6:00 a.m. to 10:00 p.m. within processing building; 24 hours per day windrow material receiving, screening, and turning.

The DEIR does not specifically state the proposed expansion of hours of operations. Please clarify if there will be a proposed expansion to the hours of operation stated on the current SWFP.

2.2 Proposed Project Summary

The proposed incoming material daily tonnage increase from 1,500 TPD to 2,750 TPD represents an 83.33% increase in permitted daily tonnage. Since the applicant is not proposing an increase in either green waste or other inert material, it is therefore presumed that the 83.33% daily tonnage increase consists mainly of MSW feedstock.

Local Enforcement Agency inspections in the past have identified issues with space limitations in the existing processing building at the current material volume. Are any modifications to the existing MSW processing building necessary in order to accommodate the proposed MSW tonnage increase? Prior to obtaining a Revised SWFP, the applicant should be prepared to provide information regarding the processing building design capacity including the assumptions, methods, and calculations performed to determine the total capacity. The design capacity should be adequate to ensure processing and storage of MSW remains within the processing building in an effort to control odors, litter and leachate.

Mitigation Measure 5-2

Z-Best shall augment its existing litter management activities to ensure that no Increase in litter attributable to the increase in composting operations under the proposed project would be visible from SR 25. Prior to the County LEA's approval of a revised Solid Waste Facilities Permit, Z-Best shall submit an updated litter management plan for the LEA's review and approval that describes

how project-generated litter will be managed to avoid visual impact. The plan shall include but not be limited to the following measures:

- a. Regular inspections of the project site frontage to identify and clean up any litter that may be generated by on-site operations or trucks hauling materials to or from the site.
- b. Increased frequency of current clean-up activities, such as trash removal from the litter fence and street-sweeping to the extent needed to prevent any increase in the visibility from SR 25 of litter along the project frontage.”

The litter management plan may be incorporated into the Report of Composting Site Information (RCSI), which would require approval from the Local Enforcement Agency. The litter management plan should be limited to activities within the permitted facility boundary, as the LEA does not have enforcement authority outside of the permitted facility boundary.

Solid Waste Regulatory Oversight

The Santa Clara County, Environmental Health Division is the Local Enforcement Agency (LEA) and is responsible for providing regulatory oversight of solid waste handling activities, including inspections. Please contact the LEA, Jaji Murage, at 408.918.3405 to discuss the regulatory requirements for the proposed project.

Prior to implementation of the proposed project, the operator shall submit an application package to the LEA in order to revise their current Solid Waste Facilities Permit pursuant to Title 27 California Code of Regulations (27 CCR), section 21570, which shall be processed by the LEA pursuant to 27 CCR, section 21650.

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

If you have any questions regarding these comments, please contact me at 916.341.6427 or by e-mail at eric.kiruja@calrecycle.ca.gov.

Sincerely,

Eric Kiruja
Permitting & Assistance Branch – North Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Patrick Snider, Supervisor: Permitting & Assistance Branch – North Unit
Jaji Murage, Senior R.E.H.S. County of Santa Clara LEA