



Department of
Resources Recycling and Recovery

Yana Garcia
Secretary for Environmental Protection
Rachel Machi Wagoner
CalRecycle Director

December 13, 2023

Patrick Egle, Senior Planner
San Bernardino County Department of Public Works
825 East Third Street
San Bernardino, CA 92415



Subject: SCH No. 2023110564 – Initial Study/Mitigated Negative Declaration – San Timoteo Sanitary Landfill Stockpile 3 Project – San Bernardino County (SWIS No. 36-AA-0087)

Dear Mr. Egle:

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

San Bernardino County Department of Public Works (DPW), acting as Lead Agency, has prepared and circulated a Draft Initial Study/Mitigated Negative Declaration (IS/MND) in order to comply with CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

San Timoteo Sanitary Landfill (STSL) is an existing regional Class III landfill operating on a 366-acre site located within the southwest corner of the City of Redlands in San Bernardino County. The landfill is located at 31 Refuse Road, south of San Timoteo Canyon Road with the scale facilities located just inside the entrance gate. The STSL is owned and operated by the San Bernardino County Solid Waste Management Division. The STSL has a permitted max tonnage of 2,000 tons per day and accepts only Class III non-hazardous solid waste in accordance with waste classification regulations in Title 27 California Code of Regulation (27 CCR). Solid waste delivered to the STSL is generally classified as residential, commercial, agricultural, industrial, and mixed municipal.

The permitted area of the STSL consists of two phases and includes Unit 1 that is closed, Unit 2 Phases 1, 2, 3-1, 3-2, and 4, and Unit 2, Phase 5 that is proposed for construction. The current active working face for landfilling is occurring in Unit 2 Phases 1, 2, 3-1, 3-2, and 4, located on the southwestern side limit of disturbance associated with the landfill. During the construction of Unit 2, Phase 5, 2,620,000 cubic yards of excavated earthen materials would have to be stockpiled in an area designated as Stockpile 3 for future use as cover, which is within the landfill site limits but outside the current permit limits of disturbance. During excavation of Unit 2, Phase 5, the current trash haul road would be used by excavators to

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remove materials from Unit 2, Phase 5 and to create Stockpile 3. The public and contract trash disposers would use a temporary access road on the western side of the landfill to access Unit 4 for trash disposal. Equipment used to excavate earthen materials and create the stockpile would be staged onsite adjacent to the work area when not in use. The upper level of the stockpile would be at the level of the landfill access road and could also be used to stage equipment.

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 IS/MND. Comments on the MND are summarized below:

1. Initial Study. Pg. 8, Section 3., Project Design Features – States that during excavation of Unit 2, Phase 5, the current trash haul road would be used by excavators to remove materials from Unit 2, Phase 5 and to create Stockpile 3. The public and contract trash disposers would use a temporary access road on the western side of the landfill to access Unit 4 for trash disposal. Will there be any other proposed changes to daily operations during the proposed 30-month construction time frame? Please specify how else the proposed project may affect daily operations at the landfill.
2. Initial Study. Pg. 12, Section 7. Project Description Summary – States that Stockpile 3 is within the landfill site limits but outside the current permit limits of disturbance. Will there be any changes to the landfill permitted area (currently permitted as 114 acres for disposal and 366 acres for total permitted area). If so, please specify the proposed permitted areas in acres.
3. Initial Study. Pg. 12, Section 7. Project Description Summary – States during the construction of Unit 2, Phase 5, it is estimated that 2,620,000 cubic yards of earthen materials will be excavated. Will Unit 2, Phase 5 propose any change in the permitted max depth (currently permitted at 1,800 feet mean sea level) and/or the permitted max elevation (currently permitted at 2,110 feet mean sea level). If so, please indicate the proposed changes to the permitted maximum depth and elevation of the landfill in feet mean sea level. Also will Unit 2, Phase 5 propose any change in the design capacity (currently permitted at 23,685,785 cubic yards); if so, please specify the proposed permitted design capacity in cubic yards. Lastly, will the construction of Unit 2, Phase 5 propose any change in the estimated closure year (currently permitted at 2043). If so, please specify the updated estimated closure year.
4. Initial Study. Pg. 15, Section 4. Environmental Checklist Form, Subsection 1. Aesthetics, Environmental Setting – It is stated that the STSL is permitted to conduct site activities from 7:00 am to 9:00 pm, please confirm that the proposed project would not change the hours of operation (site activities currently permitted from 7:00 am to 9:00 pm, Monday-Saturday).

5. Proposed significant change(s), as defined pursuant to 27 CCR 21563(d)(6), that require a permit action, based on 27 CCR 21665, can include, but are not limited to, changes in the facility: permitted hours of operations, permitted tonnage limit, permitted total facility and/or waste disposal area(s), maximum waste fill elevation(s), maximum depth of waste, design capacity and estimated closure year. Per the current issued December 28, 2020 Solid Waste Facility Permit, Page 4, Section 17. Local Enforcement Agency (LEA) Conditions, g., "Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of an RFI amendment, to the LEA at least 180 days in advance of the change." The operator should reach out to the LEA to discuss any permitting requirements based on the proposed changes of this project.

Solid Waste Regulatory Oversight

The San Bernardino County Department of Public Health, Division of Environmental Health, Local Enforcement Agency is responsible for providing regulatory oversight of solid waste handling and disposal activities, including inspections and permitting, at the STSL. Please contact the LEA, Tamara King, at 909.677.8009 or by e-mail at Tamara.King@dph.sbcounty.gov to discuss solid waste regulatory requirements for the proposed project.

CONCLUSION

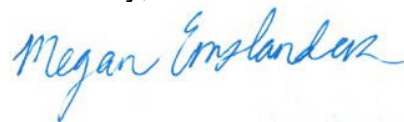
CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on the Draft IS/MND and hopes that this comment letter will be useful to the Lead Agency in preparing the Final MND and in carrying out their responsibilities in the CEQA process.

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

If the environmental document is approved during a public hearing, CalRecycle staff requests 10 days advance notice of this hearing. If the document is approved 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.

Sincerely,



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

IS/MND for San Timoteo Sanitary Landfill (36-AA-0087)

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

Tamara King, Supervisor
San Bernardino County LEA