



September 13, 2024

Casey Wichert  
City of Brentwood, Director of Public Works  
2201 Elkins Way  
Brentwood, CA 94513

**Subject: SCH No. 2024080229** – Initial Study and Mitigated Negative Declaration for the Solid Waste Organics Diversion Project – City of Brentwood

Dear Mr. Wichert:

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 City of Brentwood Public Works Department, acting as Lead Agency, has prepared and circulated a Draft Initial Study (IS) and Mitigated Negative Declaration (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.

The proposed Solid Waste Organics Diversion Project is located at the City of Brentwood Wastewater Treatment Plant (WWTP) at 2251 Elkins Way, the city's Solid Waste Transfer Station (Brentwood Transfer Station; CalRecycle Solid Waste Information System (SWIS) No. 07-AA-0068) at 2301 Elkins Way, and on City-owned land adjacent to and east of the WWTP, in Contra Costa County. The project site is approximately 12 acres, and the project area is currently zoned for Public Facilities and Parks.

The proposed project would expand the Solid Waste Transfer Station to accommodate new equipment to separate and prepare organic waste for a new anaerobic digester; install an anaerobic digester and associated infrastructure; install centrifuges, biosolids dryers, and pyrolysis units to process material from the anaerobic digester; install pipelines and an interconnector station to convey renewable natural gas generated by the anaerobic digester to a Pacific Gas & Electric main line; construct ancillary facilities related to above project components; realign a paved pedestrian path from Sunset Park to the Marsh Creek trail; and conduct tree removal to accommodate new facilities and pedestrian path realignment.

Per the Brentwood Transfer Station's Solid Waste Facility Permit (SWFP), the maximum permitted tonnage is up to 400 tons per day. The permitted hours of operation are Monday through Friday from 4:00 a.m. to 7:00 p.m., Saturday and Sunday from 7:00 a.m. to 6:00 p.m., and for Public Clean-Up Days (10 per calendar year), 7:00 a.m. to 6:00 p.m., Saturday or Sunday. The maximum permitted traffic volume is 225 incoming refuse and hauling vehicles (includes outgoing transfer trucks) and on Public Clean-Up Days, up to 700 vehicles/day. The permitted acreage is 5.7 acres.

### **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 IS/MND, in addition to the specific location noted.

#### **IS, Page No. 2, Chapter 1.4**

It is stated that the California Integrated Waste Management Board may have jurisdiction over elements of the project.

The California Integrated Waste Management Board is now CalRecycle.

#### **IS, Page No. 5, Chapter 2.4.1**

It is stated the City operates the transfer station under Solid Waste Facility Permit No. 07-AA-0068 issued by the Contra Costa Environmental Health Division on February 14, 2014, and concurred by the California Integrated Waste Management Board.

Currently, CalRecycle acts as the Enforcement Agency (EA) for the City of Brentwood. The most current SWFP was issued by CalRecycle on August 7, 2019.

#### **IS, Page No. 7-9, Chapter 2.5.1**

It is stated that the Solid Waste Transfer Station would be expanded to provide space for new equipment required to extract the organic waste to be processed by the anaerobic digester. The existing transfer station building is approximately 20,800 square feet. A new pre-engineered metal building, approximately 20,000 square feet in size, would be added west of and adjacent to the existing building, at the current location of the yard waste pad. It is further stated that a new yard waste pad would be constructed. This yard waste pad would be a concrete pad with an area of approximately 10,000 square feet, located just south of the existing transfer station fence line.

Will any of this new construction require an increase in the permitted acreage of 5.7 acres and/or a change to the SWFP boundary of the Transfer Station? If so, please provide the updated acreage and boundary lines.

#### **IS, Page No. 7, Chapter 2.5.1**

It is stated that the municipal solid waste coming into the Transfer Station would be sorted and processed using the newly installed equipment to create multiple products to

increase recycling volume for the city and produce an organic waste slurry for the anaerobic digester.

Confirming the slurry will be produced at the transfer station and sent off site to the WWTP for anaerobic digestion?

**IS, Page No. 9, Chapter 2.5.2**

It is stated that the City would construct an approximate 2-million gallon anaerobic digester to process WWTP biosolids, organic material from municipal solid waste, some yard waste, and high strength waste. The anaerobic digester would be constructed on City-owned land adjacent to and east of the transfer station and WWTP.

Will the anaerobic digester and subsequent processing equipment be located within the boundaries of the WWTP? If so, Title 14 of the California Code of Regulations (14 CCR) Section [17896.6](#) (a)(1) states that there are In-Vessel Digestion exclusions (from solid waste permitting requirements) for Publicly Owned Treatment Works Treatment Plants (POTWs). Will the WWTP meet this exclusion? If not, the anaerobic digestion activity could be subject to solid waste permitting requirements. What is the maximum daily tonnage that will be received, proposed hours of operation, maximum traffic volume (vehicles per day) and acreage? Please reach out to the EA contact to discuss possible permitting requirements.

**IS, Page No. 10, Chapter 2.5.3**

It is stated that the biosolids dryer and pyrolysis system (BDPS) would process digested biosolids (digestate) from the anaerobic digester into biochar; the pyrolysis system would convert approximately half of the volatile organic material to biochar. It is also stated that the location for the additional centrifuges, biosolids dryers, and pyrolysis units under the project overlaps with the location proposed for the WWTP Phase II Expansion Project resulting in overlapping construction areas.

Confirming that the BDPS would be located within the boundaries of the WWTP? Per Public Resources Code (PRC) Section [40201](#), "Transformation" means incineration, pyrolysis, distillation, or biological conversion other than composting. The pyrolysis activity could be subject to solid waste permitting requirements as a Transformation activity. Here is a link to the CalRecycle website for more information: <https://calrecycle.ca.gov/swfacilities/permitting/permittype/fullpermit/>. What is the maximum daily tonnage that will be received, proposed hours of operation, maximum traffic volume (vehicles per day) and acreage? Please reach out to the EA contact to discuss possible permitting requirements.

**IS, Page No. 18, Chapter 2.7.2, Table 2**

Table 2 describes operational truck and workforce traffic for both the Transfer Station and WWTP.

It appears that traffic could be potentially increased to implement the project, but it is not clear how the Transfer Station could specifically be impacted. The Transfer Station is currently permitted for 225 vehicles per day. Would this number need to be changed and if so, to what? Will any of the other SWFP parameters, as described in the Project Description section of this comment letter, need to be changed? If so, which parameters and what would be the changes?

### **Additional Information**

The following is a link to CalRecycle's CEQA homepage which may assist the Lead Agency in preparing the Final MND:

<https://calrecycle.ca.gov/swfacilities/permitting/ceqa/>.

### **Solid Waste Regulatory Oversight**

CalRecycle is the EA for the City of Brentwood and responsible for providing regulatory oversight of solid waste handling activities, including permitting and inspections. Please contact me, Cody Oquendo, to discuss any 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 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 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 916.341.6719 or by e-mail at [Cody.Oquendo@calrecycle.ca.gov](mailto:Cody.Oquendo@calrecycle.ca.gov).

Sincerely,



Cody Oquendo, Environmental Scientist  
Permitting & Assistance Branch – South Unit  
Waste Permitting, Compliance & Mitigation Division  
CalRecycle

IS/MND for the Solid Waste Organics Diversion Project

September 13, 2024

Page 5 of 5

cc: Benjamin Escotto, CalRecycle  
Jeff Hackett, CalRecycle  
Alexenia Aldape, CalRecycle  
Randy Friedlander, CalRecycle  
Jon Carlson, City of Brentwood