



March 18, 2021

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Governor's Office of Planning & Research

Mar 18 2021

STATE CLEARINGHOUSE

Subject: SCH No. 2004111015 - Supplemental Environmental Impact Report (EIR) for the Shafter Wasco Recycling & Sanitary Landfill Compost and Waste Diversion Project, Facility No. 15-AA-0057, Kern County

Dear Ms. Mayes:

The Department of Resources Recycling and Recovery (CalRecycle) staff offer the following comments for this proposed project as part of the California Environmental Quality Act (CEQA) process.

Project Description

This SEIR has been prepared to identify and evaluate environmental impacts associated with implementation of the proposed project by the Applicant. The project is proposing modifications to existing landfill and diversion operations to include the following: (1) construction and operation of a covered aerated static pile forced aeration composting system with best available control technology in the existing diversion area; (2) composting approved feedstocks consistent with CalRecycle definitions; (3) enhancement to existing diversion activities by providing additional self-haul transfer and processing activities in the existing diversion area; (4) increase to the permitted hours for the receipt of waste to 7:00 a.m. to 7:00 p.m., seven days per week; (5) an increase in ancillary and facility operating hours to 24-hours a day, seven days per week; and (6) addition of 50.21 acres into the solid waste facility permit and land use permits as permitted facility boundary and solid waste disposal facility buffer.

Implementation of the project as proposed would require: a) Amendment to the Kern County General Plan (KCGP) to change a portion of the existing Code 3.4.1 (Solid Waste Facility Buffer) designation to a Map Code 3.7 (Other Waste Facilities) designation for 20 acres of the existing project site for a 100,000 ton per year compost facility; b) change to the designation of an existing portion of the project site from Map Code 8.1 (Intensive Agriculture – Min. 20-Acre Parcel Size) to 3.4.1 (Solid Waste Disposal Facility Buffer) for 50.21 acres of landfill buffer to create an additional

buffer zone; c) amendment to the KCGP Appendix E Map “Shafter-Wasco RSLF” to show the revised permitted facility with designated buffer and compost areas; and d) modification of the existing Conditional Use Permit (CUP No. 1, Map 78) to: a) Increase permitted facility area to include buffer area; b) designate 20 acres for a 100,000 ton/year compost facility; c) establish a finished compost storage time limit of 180 days to accommodate seasonal markets; d) integrate enhanced self-haul recycling operations into existing waste diversion operations; e) increase hours for the receipt of waste; and f) increase facility operating hours.

In addition, this SEIR, once certified by the Kern County Board of Directors, will be used by Kern County Public Health Services Department – Environmental Health Division, with concurrence by the California Department of Resources Recycling and Recovery (CalRecycle), to: a) increase size of the permitted facility to include buffer area; b) increase composting design capacity; c) increase hours for the receipt of waste; and d) increase facility hours of operation.

The Kern County Public Works Department will apply for revised or new Waste Discharge Requirements Order (WDRs) from the California Regional Water Quality Control Board – Central Valley Region for composting operations to operate a 100,000 tons per year Tier II designed compost facility, and apply for a Request for Authority to Construct and Permit to Operate from San Joaquin Valley Air Pollution Control District, to operate a composting facility under Rule 4565 and Rule 4566. The proposed project does not propose an increase in maximum tonnage, traffic volumes, refuse footprint, or landfill design capacity beyond what is currently permitted. The estimated closure date is being updated to reflect current disposal projections, waste settlement, regional growth rates, enhanced diversion programs, and fluctuations in incoming tonnages; the updated estimated closure date is not due to a design capacity expansion.

Since certification of the 2009 EIR, the California State Legislature has passed numerous statutes (Assembly Bills 341, 1594, 1826, and Senate Bill 1383) requiring the reduction of methane emissions resulting from landfill operations and the removal of organic materials from the disposal waste stream. As a result, the Project proponent has evaluated existing solid waste management services and determined additional programs will require implementation at the Shafter-Wasco Recycling and Sanitary Landfill (RSLF) to meet state mandates.

COMMENTS

The current Shafter-Wasco Landfill Solid Waste Facilities Permit will require a revision to reflect the following in addition to any specific terms and conditions applicable to the operations to comply with State Minimum Standards as determined appropriate by the LEA.

- Increase the permitted facility boundary to 407.69 acres that will include the additional buffer area;
- Increase the composting design capacity from zero tons per year to 100,000 tons per year on 20 acres; Increase the hours for the receipt of waste from 7:00 a.m. to 5:00 p.m., seven days per week to 7:00 a.m. to 7:00 p.m., seven days per week;
- Increase facility operating hours, including ancillary activities and non-disposal operations, from seven days per week 7:00 a.m. to 5:00 p.m. to 24 hours a day, seven days per week; and
- Update estimated closure year from 2059 to 2055.

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Prior to implementation of the project, the operator shall submit an application package for a solid waste facilities permit revision pursuant to 27 CCR, section 21570 which shall be processed by the Local Enforcement Agency pursuant to 27 CCR, section 21650.

The Report of Facility Information/Joint Technical Document will also need to be updated through the permit revision process to describe the above changes with the addition of a Report of Composting Site Information and an updated Preliminary Closure Post-Closure Maintenance Plan and Non-Water Corrective Action Plan, if not currently on file.

The links below provide guidance in the preparation of environmental documents in complying with the CEQA requirements for solid waste disposal and composting facilities.

<http://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Disposal.htm>

<https://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Compost/>

Solid Waste Regulatory Oversight

The Kern County, Environmental Health Department is the Local Enforcement Agency (LEA) and is responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting. Please contact the LEA, Jeffrey Marshall at (661) 862-8775 or MarshallJ@kerncounty.com to comply with 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.

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 certification and proposed project approval by the decision making body.

CalRecycle staff requests copies of any subsequent environmental documents, Findings and Statement of Overriding Considerations (if one is required), Mitigation Monitoring and Reporting Program, copies of public notices and any Notices of Determination for this proposed project.

Thank you for the opportunity to comment on this project. If you have any questions regarding these comments, please contact me at (916) 341-6304 or e-mail me at Christine.Karl@calrecycle.ca.gov.

Sincerely,

Christine Karl, Environmental Scientist
Permitting & Assistance Branch, North Section
Waste Permitting, Compliance & Mitigation Division

Cc via e-mail: Jeffrey Marshall, Kern County Environmental Health Department