

# **17<sup>th</sup>** Technical Training Series



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200 South Pine Avenue · Long Beach, California, 90802



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WRITING A SOLID WASTE  
FACILITY PERMIT (SWFP) ”

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# Objectives

- ▶ This training is intended for new LEAs with no experience in writing a SWFP and a refresher to current LEAs who have not processed a new, revised, or modified SWFP recently.



# Goals and function of a Solid Waste Facilities Permit

- ▶ The primary goal of a solid waste facilities permit is to ensure protection of the public health and safety and prevention of environmental damage. The long-term protection of the environment is the guiding criterion (Public Resources Code 44012).





# Statutory requirements for a SWFP

- ▶ Authorize the operation of the solid waste facility in accordance with California law and regulations (PRC 44014 [b]).
- ▶ Minimize overlap with other regulatory agencies (PRC 43100 et. seq.).
- ▶ Specify limitations, prohibitions, terms and conditions that the enforcement agency determines to be appropriate for the design and operation of a solid waste facility (PRC 44001, 44002 and 44004).
- ▶ Be consistent with the CEQA analysis for the project (PRC 44004, 27 CCR 21650).

# Practical requirements for writing a SWFP

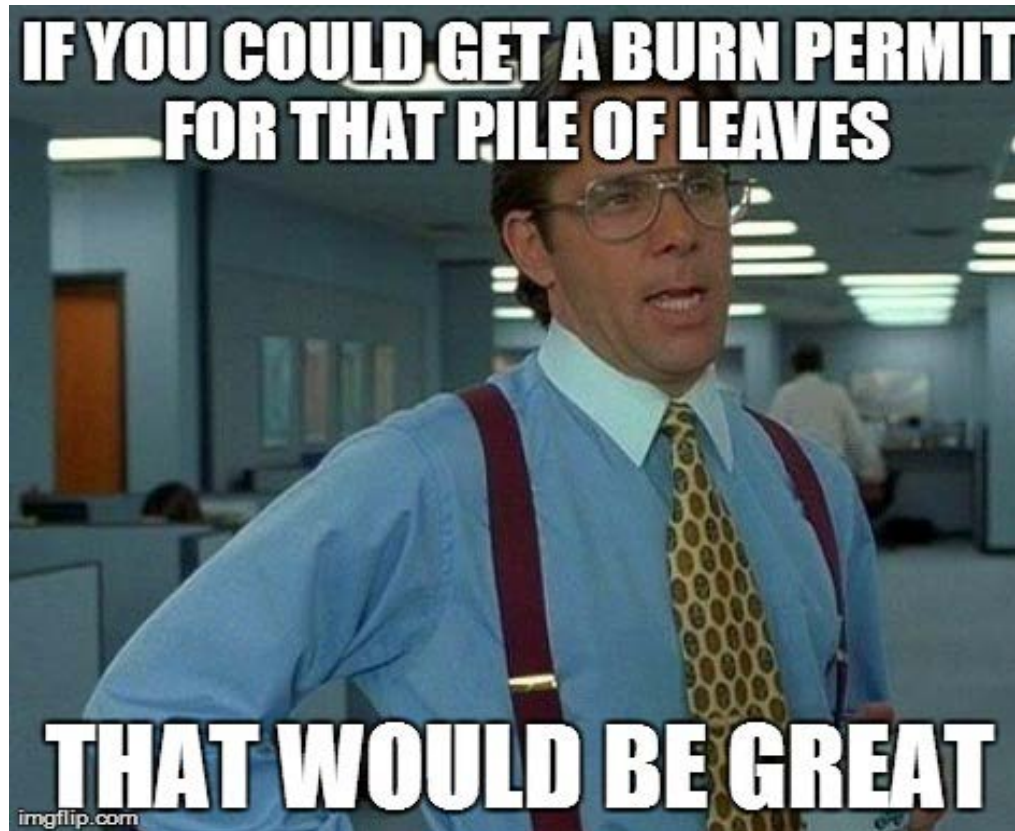
- ▶ Be written to reasonably accommodate anticipated fluctuations to reflect at least a five-year plan of the facilities' activities and operations, thus minimizing the need for frequent revisions.
- ▶ Specify limitations and prohibitions based on:
  - a) The LEA's knowledge of past operating practices.
  - b) The LEA's review of the facility design and operation.
  - c) Local enactments under the LEA's authority and site specific conditions.

# CalRecycle's Permit Toolbox

The Permit Toolbox provides online tools and resources to provide guidance to local enforcement agencies (LEA), operators, applicants, and CalRecycle staff in obtaining, processing, and maintaining new and revised solid waste facility permits and completing other permit-related tasks and responsibilities.

<http://www.calrecycle.ca.gov/SWFacilities/Permitting/>

# Guidelines for Writing a Solid Waste Facilities Permit





# SOLID WASTE FACILITY PERMIT

Facility Number: |

1. Name and Street Address of Facility:

2. Name and Mailing Address of Operator:

3. Name and Mailing Address of Owner:

**4. Specifications:**

- a. Permitted Operations:  Solid Waste Disposal Site  Transformation Facility  
 Transfer/Processing Facility (MRF)  Other: \_\_\_\_\_  
 Composting Facility (MSW/green material/C&G)

- b. Permitted Hours of Operation: Receipt of Refuse/Waste: \_\_\_\_\_  
Ancillary Operations/Facility Operating Hours: \_\_\_\_\_

- c. Permitted Maximum Tonnage: \_\_\_\_\_ Tons per Day

- d. Permitted Traffic Volume: \_\_\_\_\_ Vehicles per Day

- e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CalRecycle validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)					
Design Capacity (cu.yds)					
Max. Elevation (Ft. MSL)					
Max. Depth (Ft. MSL)					
Estimated Closure Year					

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.

5. Approval:

\_\_\_\_\_  
Approving Officer Signature  
(Name and Title)

6. Enforcement Agency Name and Address:

7. Date Received by CalRecycle:

8. CalRecycle Concurrence Date:

9. Permit Issued Date:

10. Permit Review Due Date:

11. Owner/Operator Transfer Date:

# Filling out the permit - Step 1

## ▶ Name and Address of Facility

**1. Name and Street Address of Facility:**

# Filling out the permit - Step 2

## ▶ Name and Mailing Address of Operator

**2. Name and Mailing Address of Operator:**

# Filling out the permit - Step 3

- ▶ Name and Mailing Address of Land Owner

**3. Name and Mailing Address of Owner:**

# Filling out the permit - Step 4

## ► Specifications

### 4. Specifications:

- a. Permitted Operations:  Solid Waste Disposal Site  Transformation Facility  
 Transfer/Processing Facility (MRF)  Other: \_\_\_\_\_  
 Composting Facility (MSW/green material/C&G)

- b. Permitted Hours of Operation: Receipt of Refuse/Waste: \_\_\_\_\_  
Ancillary Operations/Facility Operating Hours: \_\_\_\_\_

- c. Permitted Maximum Tonnage: \_\_\_\_\_ Tons per Day

- d. Permitted Traffic Volume: \_\_\_\_\_ Vehicles per Day

- e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CalRecycle validations):

	Total	Disposal	Transfer/Processing	Composting	Transformation
Permitted Area (in acres)					
Design Capacity (cu.yds)					
Max. Elevation (Ft. MSL)					
Max. Depth (Ft. MSL)					
Estimated Closure Year					

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.



# Filling out the permit - Step 5

## ► Approval

**5. Approval:**

*Picky Smith*

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Approving Officer Signature  
(Director, Environmental Health)

# Filling out the permit - Step 6

## ▶ Local Enforcement Agency Name and Address

**6. Enforcement Agency Name and Address:**

Sunshine County Environmental Health Division  
Solid Waste Local Enforcement Agency  
3156 N. Murph|Street  
Palm City, CA 95381

# Filling out the permit - Step 7

## ► Date Received by the CalRecycle

**7. Date Received by CalRecycle:**

**3/9/2017**

# Filling out the permit - Step 8

## ► CalRecycle Concurrence Date

8. CalRecycle Concurrence Date:

# Filling out the permit - Step 9

## ▶ Permit Issued Date

**9. Permit Issued Date:**



# Filling out the permit - Step 10

## ▶ Permit Review Due Date

**10. Permit Review Due Date:**

# Filling out the permit - Step 11

## ▶ Operator/Owner Transfer Date

**11. Owner/Operator Transfer Date:**

# Filling out the permit - Step 12

## ▶ Legal Description of Facility

### **12. Legal Description of Facility:**

The legal description of this facility is contained in Appendix of the (title of RFI), dated \_\_\_\_.

# Filling out the permit - Step 13

## ► Findings

### 13. Findings:

- a. This permit is consistent with the (name of county) County Integrated Waste Management Plan, which was approved by CalRecycle on (date). The location of the facility is identified in the (Countywide Siting Element or Nondisposal Facility Element), pursuant to Public Resources Code (PRC), Section 50001(a).
- b. This permit is consistent with the standards adopted by CalRecycle, pursuant to PRC 44010.
- c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the enforcement agency, pursuant to PRC 44009.
- d. The \_\_\_\_\_ Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.
- e. A (CEQA document(s)) was filed with the State Clearinghouse (SCH # \_\_\_\_\_) and certified by the (name of agency) on (date). The (CEQA document(s)) describes and supports the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on (date).

# Filling out the permit - Step 14

## ► Prohibitions

### **14. Prohibitions:**

The permittee is prohibited from accepting the following wastes:

Hazardous, radioactive, medical (as defined in Chapter 6.1, Division 20 of the Health and Safety Code), liquid, designated, or other wastes requiring special treatment or handling, except as identified in the Report of Facility Information and approved amendments thereto and as approved by the enforcement agency.



# Filling out the permit - Step 15

- ▶ The following documents describe and/or restrict the operation of this facility

15. The following documents describe and/or restrict the operation of this facility:			
	Date		Date
<u>(Report of Facility Information, JTD, TPR)</u> Amendments		<u>(Preliminary or Final) Closure and Postclosure</u> Maintenance Plan	
Waste Discharge Requirements Order No.		Closure Financial Assurance Documentation	
APCD Permit to Operate #		Operating Liability Certification	
<u>(CEQA document(s)) (SCH # _____)</u>		Land Use and/or Conditional Use Permit	

# Filling out the permit - Step 16

## ► Self-Monitoring

### **16. Self Monitoring:**

The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period *(for example, 1<sup>st</sup> quarter = January – March, the report is due by April 30, etc.. Information required on an annual basis shall be submitted with the 4<sup>th</sup> quarter monitoring report, unless otherwise stated.)*

# Filling out the permit

## Step 16 Continued

Program	Reporting Frequency
a. The types and quantities (in tons) of waste, including separated or commingled recyclables, entering the facility per day.	Quarterly
b. The number and types of vehicles using the facility per day.	Quarterly
c. Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Quarterly
d. Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Quarterly
e. <i>Results of the landfill gas monitoring program.</i>	Quarterly
f. <i>Wet weather preparedness report/winter operations plan.</i>	Annual – due by November 1
g. <i>Fill sequencing plan for the forthcoming year.</i>	Annually
h. <i>Remaining site capacity.</i>	Annually
i.	
j.	

# Filling out the permit - Step 17

## ► LEA Conditions

### 17. Enforcement Agency (EA) Conditions:

- a. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 27 and/or 14, California Code of Regulations.
- b. The operator shall maintain a log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and the EA at all times.
- c. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the EA.
- d. The maximum permitted daily tonnage for this facility is \_\_\_\_\_ tons per day, and shall not receive more than this amount without a revision of this permit. *(If applicable, include a statement regarding what counts toward the permitted tonnage.)*
- e. This permit is subject to review by the EA and may be temporarily suspended or revoked at any time by the EA for sufficient cause, in accordance with Division 30 of the Public Resource Code, Part 4, Chapter 4, Article 2, Sections 44305 ~~et seq~~ and associated regulations.
- f. The EA reserves the right to suspend or modify waste receiving and handling operations due to an emergency, a potential health hazard, or the creation of a public nuisance.
- 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 EA at least 180 days in advance of the change.
- h. A copy of this permit shall be maintained at the facility.

i.

j.

k.

# Enforceable Permit Conditions and Findings

- ▶ All limits or conditions should be within the LEA's authority
- ▶ Mitigation measures that are adopted as part of the CEQA analysis are often included in the LEA conditions. The LEA should only include those mitigation measures that it has the authority to enforce under the PRC, 14 CCR and 27 CCR.
- ▶ Proposed limits or conditions that may overlap with the Regional Water Quality Control Board or local air district limits should be established only after coordinating with the appropriate agency and operator and before the proposed limits are included in the permit, pursuant to 27 CCR 20005 and 20030 and PRC 43101 et seq.

# Unenforceable Permit Conditions & Findings

- ▶ This permit is subject to review by the LEA and may be suspended, revoked, or revised at any time for sufficient cause.

*Change to: This permit is subject to review by the EA and may be temporarily suspended or revoked at any time by the EA for sufficient cause, in accordance with Division 30 of the Public Resource Code, Part 4, Chapter 4, Article 2, Sections 44305 et seq and associated regulations.*

- ▶ The fencing of the facility shall be in accordance with the provisions of the EIS/EIR and CUP.

*Changed to: The fencing of the facility shall be in accordance as described in the RFI.*

# Unenforceable Permit Conditions & Findings (continued)

- ▶ The operator shall pay all tonnage and applicable fees to the LEA as required by the county ordinance and fee resolution. *Exclude from proposed permit. Cannot reference or enforce county ordinance outside authority.*
- ▶ All vehicles shall be maintained in good operating condition. *Exclude from proposed permit, outside the regulatory authority of LEA.*
- ▶ Prior to commencing operation of this facility, the operator shall have complied with all Agencies requirements, including, but not limited to the local fire department, APCD, and RWQCB. *Exclude from proposed permit outside the scope of LEA's authority)*
- ▶ Facility must comply with EHD conditions of approval of Use Permit 12-000-11. *Outside the scope of LEA's authority. LEA could use a condition from the Use Permit only if it pertains to Title 14/27 and the condition reflects back to the RFI or describes the condition without reference to the CUP.)*

# Unenforceable Permit Conditions & Findings (continued)

- ▶ Noise levels at the property boundaries shall be in conformance with the City Noise Ordinance No. 156.363, which states that the maximum permissible noise level for an M3-2 Zone is 70 decibels. Approved hearing protection shall be provided for employees and visitors, if necessary. *Exclude from proposed permit, outside the regulatory authority of LEA.*
- ▶ The operator shall submit all copies of correspondence between the landfill and other regulatory agencies to the LEA.

*Change to: The operator shall maintain records available for inspection by the enforcement agency and CalRecycle.*



Questions?