



Department of
Resources Recycling and Recovery

Jared Blumenfeld
Secretary for
Environmental Protection

Scott Smithline
CalRecycle Director

October 3, 2019

Governor's Office of Planning & Research

OCT 03 2019

STATE CLEARINGHOUSE

Mr. Chris Theisen
General Manager
Ventura Regional Sanitation District
1001 Partridge Drive, Suite 150
Ventura, CA 93003

Subject: SCH No. 1995031009 – Revised Notice of Preparation of a Supplemental Environmental Impact Report for Toland Road Landfill – Toland Optimization Plan (Facility Number 56-AA-0005) – Ventura County

Dear Mr. Theisen:

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 Ventura Regional Sanitation District (VRSD), acting as Lead Agency, has prepared and circulated a Notice of Preparation (NOP) in preparing a Supplemental Environmental Impact Report (EIR) 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 Toland Road Landfill – Toland Optimization Plan (proposed project) is located at 3500 Toland Road in unincorporated Ventura County currently zoned Open Space. The project site is approximately 1.7 miles north of Highway 126, between the cities of Santa Paula and Fillmore. The Tax Assessor's parcel numbers for the property that comprises the 214-acre project site include 041-0-140-090, 041-0-140-100, and 041-0-140-235.

Surrounding land uses within two miles of the landfill consist of open space, agricultural land (primarily avocado and citrus orchards) with a few scattered residences, a school (located on the opposite side of Highway 126), and a regional park.

The proposed project would request the following modifications to Conditional Use Permit (CUP) No. 3141:

- (1) Eliminate the maximum permitted daily tons of 1,500 tons per day (tpd) and replace it with a condition that allows a maximum daily municipal solid waste (MSW) tonnage

based on the MSW capacity of 152 heavy truck trips per day as evaluated in the 1996 Final EIR for the current CUP;

- (2) Eliminate the 2027 closure date;
- (3) Eliminate the 15-million-ton lifetime cap;
- (4) Allow Toland Road Landfill to be filled to its maximum elevation of 1,435 feet above mean sea level as set forth in the CUP;
- (5) Modify the CUP conditions of approval related to the decommissioned biosolids facility.

The CUP Modification request will not modify the approved final grades of the landfill, equipment used on site, nor the type of waste accepted. No impacts to the surrounding natural resources or agricultural operations would occur as part of this project.

COMMENTS

CalRecycle staff's comments on the proposed project are included below. Please ensure the comments will be addressed throughout all sections of the NOP.

Permitted Daily Throughput

The proposed change of eliminating the maximum permitted daily tonnage of 1,500 tpd will have to be further explained per Title 27, California Code of Regulations (27 CCR), Section 21600(b)(2)(A), which requires a description of wastes proposed for acceptance and estimated waste volumes including current daily average and peak daily waste flows as well as a five year projected waste flow. In addition, if the waste flow for the CUP is to be based solely on the MSW capacity of 152 heavy truck trips per day, what is considered a "heavy truck" and what about public vehicles that access the facility?

Site Life Estimate and Volumetric Capacity

The proposed change of eliminating the 2027 closure date will need to be further explained as to what the new estimated site life will be per 27 CCR, Section 21600(b)(3)(C), which requires an estimate of the site life based on the capacity of the site and the waste flow projections and assumptions regarding the compaction density used in life expectancy calculations.

The proposed change of eliminating the 15 million ton lifetime cap will need to be further clarified per 27 CCR, Section 21600(b)(3)(B) which requires calculations for volumetric capacity of the site expressed in cubic yards net permitted capacity available for waste disposal which include the amount of capacity consumed by soils used for liner construction, daily and intermediate cover, and final cover if included in the total capacity given. Topographic maps, including the delineation of the site property boundary and the disposal area used for the volumetric calculations and the date of survey shall be provided. The volumetric capacity calculations shall be certified by a registered civil engineer or registered geologist.

Joint Technical Document

The background information supporting the proposed changes of eliminating maximum permitted daily tonnage, removal of 2027 closure date, eliminating of the 15 million ton lifetime cap, and any other changes being made as a result of the proposed project must be submitted as an amendment to the Joint Technical Document pursuant to 27 CCR, Section 21590. The

following internet link accesses checklists developed by CalRecycle staff as a guide to Lead Agencies in the preparation of environmental documents, such as for landfills:
<http://www.calrecycle.ca.gov/SWFacilities/Permitting/CEQA/Documents/Guidance/Disposal.htm>

Furthermore, a change to the disposal facility design or operation such as an increase in permitted tons per operating day, a change in the estimated closure date, and design capacity at Toland Road Landfill are considered significant changes and will require a revision to the Solid Waste Facilities Permit (SWFP). Prior to implementation of such a change, the operator shall submit an application package for a SWFP revision pursuant to 27 CCR, Section 21570 which shall be processed by the Local Enforcement Agency (LEA) pursuant to 27 CCR, Section 21650.

Please note that when issuing or revising a SWFP, the LEA may impose those terms and conditions in a SWFP that it deems necessary and appropriate to govern the design and operation of the facility to protect public health and safety and the environment for those aspects within their authority, including parameters such as the permitted daily tonnage and design capacity. Although changes are proposed to be made to the CUP, the LEA may continue to include parameters such as permitted daily tonnage, design capacity, and estimated closure date in the SWFP. Therefore, it is recommended that the Supplemental EIR include analysis of the potential impacts for any proposed changes from the current SWFP issued by the LEA on August 29, 2002.

Solid Waste Regulatory Oversight

The Ventura County, Environmental Health Division is the LEA and is responsible for providing regulatory oversight of solid waste handling activities, including inspections. Please contact the LEA, Rebecca Lustig, at 805.654.2821 to discuss 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 preparing the NOP 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.

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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

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

Rebecca Lustig, Supervisor
Ventura County LEA