



January 24, 2020

Governor's Office of Planning & Research

JAN 27 2020

STATE CLEARINGHOUSE

Mr. Hector Guerra, Chief Environmental Officer
County of Tulare Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

Subject: Notice of Completion of a Draft Environmental Impact Report for
the Dunn Asphalt and Concrete Batch Plant, SCH# 2019011039,
Tulare County

Dear Mr. Guerra:

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 Tulare County Resource Management Agency, acting as Lead Agency, has prepared and circulated a Notice of Completion (NOC) for a Draft Environmental Impact Report (DEIR) 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 Dunn Asphalt and Concrete Batch Plant (proposed project) is located south of Avenue 280 between Road 76 and State Route 99 at 19800 Road 152 within the unincorporated area of Visalia in Tulare County. The project site is approximately 20 acres, and the site is currently zoned Extensive Agriculture (AE-40). The site was originally used as a cotton gin with existing buildings and is surrounded by agricultural and dairy operations.

The proposed project would allow a truck yard and concrete and asphalt recycling operation. Approximately 30,000 tons per year of concrete and asphalt would be accepted from contractors, crushed into recycling base, then mixed with aggregate, cement, and/or fly ash to produce ready-mix concrete. The hot-mix asphalt (HMA) batch plant will produce approximately 125,000 tons per year of HMA. The proposed project anticipates 306 (278 project, 30 employee) passenger car equivalents (PCE) with hours of operation of 6 a.m. to 4 p.m. Monday through Friday, and 7 a.m. to 12 p.m. on Saturdays; summer hours may begin earlier and end after 6 p.m. The facility would employ 15-20 people and includes a 1,000 square foot office building.

COMMENTS/QUESTIONS

Appendix G of the DEIR states that no comments were received by CalRecycle for the NOP dated January 18, 2019. A comment letter was sent to the Lead Agency on February 7, 2019 via email and was received/stamped by the State Clearinghouse on February 11, 2019.

General project description: Incoming material - Will only source-separated concrete and asphalt be accepted? Will any other material be accepted (e.g., lumber)? How will any residual material be handled and/or disposed of? How much material can be accepted in one day? Will there be a daily limit on incoming material (in tons)? Please describe how material will be stored and for how long. Will there be a limit on the amount of material or how long the material can be stored onsite?

Page ES-3: The project description for traffic volume states that 138 PCE will occur with 106 truck trips in the morning and 17 PCE in the afternoon. The numbers are inconsistent with each other and the project description. What is the total allowed daily traffic volume? Also, the proposed hours of operation, proposed traffic times, and the Transportation/Traffic study peak hours are inconsistent. The proposed project description states that traffic will occur during peak morning hours and afternoon hours. The peak traffic study on page 3.17 states these hours are 7 a.m. to 9 a.m., and 4 p.m. to 6 p.m., however, hours of operation are anticipated to be 6 a.m. to 4 p.m. Please clarify peak traffic hours for the facility as well as the traffic study. Will traffic be limited during those times of the day?

Page 1-1: The project description for proposed hours of operation are 6 a.m. to 4 p.m. Monday through Friday, and 7 a.m. to 12 p.m. on Saturdays; summer hours may begin earlier and end after 6 p.m. Please clarify the allowable hours of operation. Will any hours during the day or night be restricted? Is operation on Sundays restricted? Please include operation hours as well as ancillary hours (i.e., maintenance), and/or emergency hours (i.e., night-time traffic projects or disaster debris handling).

An "Inert Debris Recycling Center" shall not be subject to CalRecycle's Construction and Demolition/Inert Debris Regulatory Requirements of Title 14, California Code of Regulations (14 CCR), if it meets the requirements as listed in 14 CCR, Section 17381.1. Please determine whether or not the proposed facility meets the following summarized criteria to be considered an inert debris recycling center:

- An activity that only receives Type A inert debris material, such as concrete and fully cured asphalt, that has been source separated or separated for reuse (14 CCR, Section 17381.1[a][2]).
- Residual amount of solid waste in the material is less than 10 percent by weight of the amount of material received, as calculated on a monthly basis (14 CCR, Section 17381.1[b][1]).
- The amount of putrescible wastes in the material is less than one percent by volume of the amount of material received and the putrescible wastes shall not

constitute a nuisance, as determined by the Enforcement Agency (14 CCR, Section 17381.1[b][2]).

- Material that has not been processed and sorted for resale or reuse shall be stored on-site for no more than six months. Material stored on-site longer than allowed is deemed unlawfully disposed and subject to enforcement action (14 CCR, Section 17381.1[e]).
- Material that has been processed and sorted for resale shall be stored on-site for no more than 12 months. Material stored on-site longer than allowed is deemed unlawfully disposed and subject to enforcement action (14 CCR, Section 17381.1[e]).

If the proposed project meets the criteria above, it is recommended that operator of inert debris recycling center maintain adequate records documenting that they meet the criteria above.

Please see the following website for more information on Construction/Demolition and Inert Debris processing:

<https://www.calrecycle.ca.gov/SWFacilities/CDI/>

The Tulare County Department of Health Services, Division of Environmental Health is the Local Enforcement Agency (LEA) for Tulare County and responsible for providing regulatory oversight of solid waste handling activities, including inspections and permitting. Please contact the LEA, Keith Jahnke at (559) 624-7400, 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 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.

DEIR Comments Dunn Asphalt and Concrete

January 24, 2020

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If you have any questions regarding these comments, please contact me at (916) 341-6772 or by e-mail at Joy.Isaacson@calrecycle.ca.gov.

Sincerely,



Joy Isaacson, Environmental Scientist
Permitting & Assistance Branch – South Unit
Waste Permitting, Compliance & Mitigation Division
CalRecycle

cc: Jeff Hackett, Manager, CalRecycle
Keith Jahnke, Tulare County LEA