

**DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**

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October 29, 2012

Hector Guerra
Tulare County Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

Subject: SCH No 2012101010 - Notice of Preparation for an Environmental Impact Report for Harvest –Tulare Anaerobic Digestion (AD) and Compressed Natural Gas (CNG) Facility Project, d.b.a. Tulare County Compost and Biomass Facility No. 54-AA-0026

Dear Mr. Guerra:

Thank you for allowing the Department of Resources Recycling and Recovery (CalRecycle) staff to provide comments for this 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 Preparation for a Draft EIR in order to comply with the CEQA and to provide information to, and solicit consultation with, Responsible Agencies in the approval of the proposed project.

The proposed project is located at 24487 Road 140 in Tulare County. The proposed project would: (1) allow the addition of an anaerobic digester at Tulare County Compost and Biomass; (2) allow the processing of organic material into fuel and digestate to be used as a soil amendment; and (3) increase the total annual tonnage limit for the new anaerobic digester and compost facility tonnage from 86,000 tons per year to 216,000 tons per year. The facility will be either a high solids digester (food and green waste) or a low solids digester (primarily food). Both feedstock options will be evaluated in the EIR. The facility would produce transportation fuel through compressed natural gas (CNG) and a refueling station would be constructed, or the gas would be directly injected into a nearby gas pipeline. Both gas options will be evaluated in the EIR.

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Comments

The Tulare County Department of Health Services, Division of Environmental Health (as the Local Enforcement Agency (LEA) for Tulare County) and CalRecycle are responsible for providing regulatory oversight of solid waste handling activities such as compost and anaerobic digestion (AD) facilities. The permitting and regulatory requirements for compost and AD facilities are contained in Title 14 and Title 27 of the California Code of Regulations (14 or 27 CCR). CalRecycle staff encourages the lead agency to utilize the Program EIR, Statewide Anaerobic Digester Facilities for the Treatment of Municipal Organic Solid Waste, dated June 2011, certified by CalRecycle as a resource to assist the lead agency in preparing the Draft EIR. The Final Program EIR can be viewed on CalRecycle's webpage at: <http://www.calrecycle.ca.gov/SWFacilities/Compostables/AnaerobicDig/default.htm>.

Project Description

Please provide a detailed description of how the waste materials that will be digested will be handled onsite prior to being placed in the digester. Please describe any changes to the design and operations of the existing compost facility as a result of receiving and handling the digested material discharged from the digester. Will all of the digestate be aerobically composted onsite? Will new measures need to be made to manage the windrows to ensure there is adequate pathogen reduction? Any digestate composted onsite will need to be sampled and meet the requirements of 14 CCR Section 17868. Any un-composted digestate or composted digestate that does not meet the requirements of 14 CCR Section 17868 is considered solid waste and must be handled as solid waste. What methods will be used to handle digestate or composted digestate considered to be solid waste that is not composted on site and will be removed from the site?

Feedstock

Please provide a more detailed description of the amounts or types of feedstocks that will be part of the new project as well as their sources. Does the food waste consist of pre-consumer waste, post-consumer, from restaurants, groceries, or residents? Waste materials taken out of the waste stream at different stages, or from different sources, can have more contaminants (non-digestible fraction) than at other stages or sources. How are the waste materials handled before entering the digester stage of the process? Will the waste require grinding or shredding or other processing prior to placement in the digester? How will contaminants be removed, stored and disposed?

Air Quality/Odor

What specific mitigations will be used to reduce potential odors to less than significant during the pre-digestion phase? It will not be appropriate to defer this discussion to the development of the required odor impact minimization plan (OIMP) per 14 CCR Section 17863.4; this information should be discussed in the environmental review. What are the operational considerations or design aspects of the facility that will be required to minimize and mitigate odor impacts? Will a biofilter be used? What contingencies will be in place to address odors if the control system(s) fails?

CalRecycle developed a list of potential mitigation measures in our Program EIR for AD facilities. See the link above referencing the Program EIR to assist the lead agency in determining appropriate odor mitigations for the project.

Vectors

Food waste often attracts vectors including rodents and birds. What are the operational considerations to reduce potential impacts resulting from the attraction of vectors to the food waste?

Litter

Describe the litter control measures that will be implemented to address the increase in volume and types of feedstocks that may have large amounts of contaminants.

Tonnage

The project description states that up to 156,000 tons/year of green material and food waste, plus 60,000 tons/year of manure will be processed by the project. The compost facility is currently permitted for 500 tons/day. How much will the daily tonnage increase as a result of the project? What will be the total daily design capacity for the AD operation (in tons)? What will be the total daily design capacity for the entire facility (in tons)?

Traffic

The composting facility is currently permitted for 85 vehicles entering the site each day. What will be the total number of vehicle trips per day as a result of the project? Will there be any changes in design or operation to accommodate an increase in traffic?

Hours of Operation

The composting facility is currently permitted to operate from 7:00 a.m. to 4:30 p.m. Monday through Friday and 8:00 a.m. to 4:00 p.m. Saturdays, closed on Sundays. What will be the change in operating hours resulting from the project?

Permitted Boundary

The composting facility is currently permitted to operate on 35 acres. Part of the project description describes constructing a refueling station on the existing composting facility's 35 acres. Will there be a change in the permitted boundary? If so, what design changes would occur? The acreage calculation in a solid waste facilities permit takes into account the amount of material being handled on the site at any one time. Will the operational area available for windrow composting be reduced to allow for the establishment of the AD activities?

Permits

The Local Enforcement Agency of this proposed project is the Tulare County Department of Health Services, Division of Environmental Health (Keith Jahnke (559) 624-7430 or kjahnke@tularehhsa.org). Please contact the Local Enforcement Agency to discuss permit requirements for the project and the existing composting facility.

Conclusions

CalRecycle staff thanks the Lead Agency for the opportunity to review and comment on this environmental document and hopes that this comment letter will be useful to the Lead Agency in preparing the draft EIR and 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 project. Refer to 14CCR, Section 15094(c) that states:

If the project requires discretionary approval from any state agency, the local lead agency shall also, within five working days of this approval, file a copy of the notice of determination with the Office of Planning and Research [State Clearinghouse].

If the environmental document is adopted during a public hearing, CalRecycle staff requests ten days advance notice of this hearing. If the document is adopted without a public hearing, CalRecycle staff requests ten days advance notification of the date of the adoption and project approval by the decision-making body.

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, Waste Management Specialist
Permitting & Assistance Branch
Waste Permitting, Compliance & Mitigation Division
CalRecycle

Enclosure

cc: Ken Decio, CalRecycle
Virginia Rosales, CalRecycle

Keith Jahnke, LEA
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