

**Permitting and Assistance Branch Staff Report**  
 New Major Waste Tire Facility Permit for CRM Co. LLC  
 TPID No. 1837326  
 January 28, 2016

**Background Information and Analysis:**

This report was developed in response to an application for a New Major Waste Tire Facility Permit (WTFP) received from the owner and operator, Barry Takallou of CRM Co. LLC, located at 1404 South Fresno Avenue, in the City of Stockton. CRM Co. LLC will operate on 8.66 acres which includes an existing warehouse located within an Industrial, General (IG) zone. Tires will be stored outdoors and the processing and storage of crumb rubber will be indoors.

An application for a New Major WTFP was received by Permitting and Assistance Branch staff on September 30, 2015 and accepted as complete on October 22, 2015. Pursuant to Title 14, California Code of Regulations (14 CCR), Section 18425, CalRecycle has 180 calendar days from the date the application is accepted as complete and correct to either issue or deny the issuance of a Major WTFP. CalRecycle is required to act by April 19, 2016.

**Findings:**

Staff recommends approval of the issuance of the proposed WTFP. All of the required submittals and findings required by 14 CCR Sections 18423(b) and Section 18431 have been met to support issuance. The findings that are required to be made by CalRecycle when reaching a determination are summarized in the table below. The documents on which staff's findings are based are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

The following table summarizes staff's findings relative to the permit application:

	Findings	
Compliance with Tire Storage Standards - 14 CCR Sections 17350-17356	Tire enforcement staff of the Waste Evaluation and Enforcement Branch (WEEB) conducted an inspection of the facility on October 12, 2015, and no violations were cited. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Application Forms (500-504) - 14 CCR Sections 18431(a) through (f)	All application forms were accepted by Permitting and Assistance Branch (PAB) staff as complete and correct on October 22, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Financial Assurance Mechanisms & Operating Liability - 14 CCR Section 18431(g)	PAB staff in the Financial Assurances Unit found the Financial Assurances documentation for closure of the facility and operating liability in compliance as described in their memorandum dated January 28, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements - 14 CCR Section 18431(h)	<i>Local Vector Control:</i> The operator obtained vector control authority approval from Mr. John Fritz of the San Joaquin County Mosquito & Vector Control District on August 27, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

	<i>Local Fire Authority:</i> Mr. Phil Simon of the Stockton Fire Department approved the fire prevention measures for both indoor and outdoor tire storage on September 21, 2015.	
California Environmental Quality Act (CEQA)	PAB staff determined that the issuance of the New Major WTFP is statutorily exempt from the requirements of CEQA. See Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	January 26, 2016	
Waste Evaluation and Enforcement Branch	January 6, 2016	

**Compliance History:**

An inspection was conducted by CalRecycle WEEB and PAB staff on October 12, 2015. The facility is currently non-operational and will not become operational until it obtains a major WTFP. During an inspection of the facility, zero waste tires were observed. Since the facility is non-operational, there were no manifests to review. It was confirmed in the Waste Tire Management System (WTMS) that no manifest for the facility were generated. No violations were noted at the time of inspection.

**Environmental Analysis:**

Under CEQA, CalRecycle must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed New Major WTFP before CalRecycle issues the permit. In this case, CalRecycle is a lead agency under CEQA and must make a determination as to whether this proposed WTFP is categorically or statutorily exempt or additional CEQA analysis is necessary in the form of a Negative Declaration or Environmental Impact Report.

The proposed project is for the outdoor storage of up to 200,000 waste tires/passenger tire equivalents and the indoor processing and storage of crumb rubber. This proposal is considered to be a project under CEQA [CEQA Guidelines 15378(a)(3)] and the facility is required to obtain a WTFP pursuant to 14 CCR Section 18420.

The City of Stockton Community Development Department approved and issued Conditional Use Permit P15-158 for the facility on May 20, 2015 and determined the project is categorically exempt pursuant to 14 CCR Section 15301. The Conditional Use Permit allows for the operation of a tire recycling facility. The facility is consistent with the City of Stockton Industrial General zoning designation. It is determined that the project is statutorily exempt pursuant to Public Resources Code (PRC) Section 21083.3. The Stockton General Plan 2035 Environmental Impact Report (EIR), State Clearinghouse No. 2004082066, describes and supports the design and operation which will be authorized by the issuance of this WTFP.

CalRecycle staff finds the proposed project is consistent with the Stockton General Plan 2035 EIR. CalRecycle staff made the finding/determination that a Statutory Exemption, Public

Resources Code (PRC), Section 21083.3(b) – General Plan Consistency is appropriate for CalRecycle’s issuance of this proposed Major WTFP

Staff recommends that CalRecycle, acting as a Lead Agency under CEQA, prepare a Notice of Exemption (NOE) based on the Statutory Exemption (PRC Section 21083.3(b)) in that the proposed project is consistent with the Stockton General Plan 2035 EIR. The NOE will be filed with the State Clearinghouse following CalRecycle’s issuance of the New Major WTFP.

Staff further recommends the Statutory Exemption is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within CalRecycle's expertise and authority, or which are required to be carried out or approved by CalRecycle.

The administrative record for the decision to be made by CalRecycle includes the proposed New Major WTFP and all of its components and supporting documentation, this staff report, and other documents and materials utilized by CalRecycle in reaching its decision on issuing this WTFP. The custodian of CalRecycle’s administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

**Public Comment**

CalRecycle staff provided an opportunity for public comment during CalRecycle’s Monthly Public Meeting on November 17, 2015, December 15, 2015 and January 26, 2016. No written or oral public comments have been received by CalRecycle staff.

Attachment: Major WTFP