



City of San José, Department of Planning, Building, and Code Enforcement
Code Enforcement Division – Local Enforcement Agency (LEA)

NOTICE OF PUBLIC HEARING

[Public Resources Code §44004]

In the Matter of:

**City of San José Local Enforcement Agency’s Proposed Determination on Application
for Revision to Existing Solid Waste Permit for the Premier Recycle Transfer
Processing Facility (SWIS # 43-AN-0023) located at
260 Leo Avenue, San José, California 95112**

The hearing will be held:

Thursday, December 6th, 2012

At 6:00 p.m.

At Location: Premier Recycle Company

260 Leo Avenue

(in the Office Conference Room)

San José, California 95112

**A copy of the proposed Revised ‘Full’ Solid Waste Facilities Permit is available
for review between 9:00 a.m. and 5:00 p.m. Monday through Friday at:**

**City of San Jose, City Hall
Code Enforcement Division – LEA
200 East Santa Clara Street
San José, California 95113**

LEA Contact: Sharon Clute at (408) 535-7680

Facility Contact: Brock Hill 408-297-7910

Introductory Statement

As a property owner, tenant, or person who has requested notice, please be advised that the City of San Jose Solid Waste Local Enforcement Agency (LEA) will be holding an informational public hearing in compliance with AB1497 regarding a proposed revision to the Solid Waste Facility Permit for Premier Recycle Company. The LEA is certified by the California Department of Resources Recycling and Recovery (CalRecycle) to enforce state laws and regulations at solid waste sites within the City of San Jose.

Description of Project and LEA's Preliminary Determination

Premier Recycle is an existing Transfer/Processing Facility of approximately 1.75 acres located at 260 Leo Avenue in San Jose. The site is just off of South 7th St. between Phelan and Tully roads. On October 30, 2012, the LEA accepted for review a Solid Waste Facility Permit (SWFP) application package from Premier Recycle Company requesting an increase in daily tonnage, longer open and operating hours, and the addition of a sort line. The proposed revision to SWFP# 43-AN-0023 would allow the facility to be open from 3am to 6pm for incoming loads, with operations being allowed 24 hours a day. The LEA's preliminary determination is that the proposed permit revision be approved.

Purpose of the Meeting

This Informational Meeting is for any interested parties to learn more about the proposed permit revision, and to provide comments to the LEA regarding the proposed action. The decision to issue or not to issue the SWFP revision must be made by the LEA within 120 days of the date the application was deemed complete as required by Statute. Prior to issuance of the SWFP, the LEA must request and receive concurrence from CalRecycle. If you wish to be notified of the CalRecycle meeting, please notify the LEA in writing no later than December 10th, 2012.

Please note, the City of San Jose Planning Division has already approved a Conditional Use Permit for this project, and as part of the land use approval process, conducted a public meeting in December 2011 specific to CEQA issues (air, water, traffic, noise, etc.). This meeting will not address those concerns.

Where to get Additional Information

A copy of the proposed SWFP revision is available for public review by appointment in the LEA office located at 200 E. Santa Clara Street, San Jose CA 95113

Options for Submitting Comments and LEA Contact Information

If you have any questions after reviewing the above information or would like to schedule an appointment to review the draft SWFP revision, please contact Sharon Clute at 408-535-7680. You may also email the LEA regarding this matter at Sharon.Clute@sanjoseca.gov. If you would like to comment on the project you may do so at the meeting, but if you are unable to attend, you may send your written comments via email to Sharon Clute within 14 days of the date of this notice.

Appeals Process Information

For information on the appeals process pursuant to PRC 44307 after the decision to issue or deny the permit revision(s) has occurred, you may contact Sharon Clute at 408-535-7680, or Paul Tavares, LEA Supervisor at 408-535-7945.

Special Needs

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call for accommodation under the Americans with Disabilities Act. We ask that you call 408-535-7770 (VOICE) or 408-998-5299 (TTY) at least two business days before the meeting.