



Solid Waste Local Enforcement Agency

Frequently Asked Questions

Proposed New Solid Waste Facility Permit for Capistrano Greenery

General Permitting Questions

Q. Who is the Orange County Solid Waste Local Enforcement Agency (LEA)?

A. The Orange County Health Care Agency (HCA) Environmental Health Division is the Solid Waste Local Enforcement Agency in Orange County – designated by the Orange County Board of Supervisors and certified by the California Department of Resources Recycling and Recovery (CalRecycle) which delegates authority to enforce State solid waste laws and regulations.

Q. What does the LEA do?

A. The LEA enforces State solid waste regulations for active and closed landfills, transfer-processing facilities, green waste operations, and limited volume transfer operations by:

- Issuing permits with limits/conditions pertaining to solid waste handling, processing and storage
- Conducting routine inspections
- Investigating complaints
- Issuing Enforcement Orders when needed
- Coordinating with other regulatory agencies
- Providing regulatory assistance

Q. What is the permit process for a new solid waste facility permit (SWFP)?

A. Below are the steps the LEA takes on receipt of an application package for a new SWFP:

1. The LEA has 30 days from receipt, to consider the application as complete and correct
2. If complete, the LEA accepts the application and notifies CalRecycle and the Regional Water Quality Control Board within five (5) days
3. Within 60 days of receipt of the application, the LEA must conduct a public informational meeting to receive public input on the proposed new permit
4. Within 60 days of accepting the application and after the informational meeting, the LEA prepares and submits to CalRecycle the proposed new permit along with the public's comments from the informational meeting and the LEA's response
5. CalRecycle staff will conduct a pre-permit inspection of the facility
6. CalRecycle will consider proposed new permit as an agenda item during their public meeting
7. CalRecycle will either concur or object to the LEA's issuing of the proposed new SWFP and send a letter to the LEA
8. The LEA will issue a new signed permit to the operator if and when CalRecycle concurs with the permit

Q. When will the LEA forward the proposed new permit to CalRecycle?

A. The LEA will prepare a new SWFP and forward it to CalRecycle for concurrence by August 6, 2021, or shortly thereafter.

Q. When will CalRecycle consider the proposed new permit?

A. The proposed new facility permit will be on the CalRecycle's public monthly meeting agenda to be conducted between the August - September, 2021 timeframe. For more information about the meeting, please contact LEA Supervisor, Kathryn Cross at (714) 433-6270 or by e-mail at kcross@ochca.com.

Q. How can I submit comments on the proposed new permit?

A. If you have questions after reviewing the above information or would like to make an appointment to review the SWFP application package, please contact the Environmental Health office via phone at (714) 433-6000 or by email at ehhealth@ochca.com. If you would like to comment on the proposed permit action, you may do so at the meeting or send your written comments by US mail to HCA, Environmental Health Division, 1241 E. Dyer Road, Suite 120, Santa Ana, CA 92705, Attn.: Solid Waste – LEA or via email to Shyamala Rajagopal, srajagopal@ochca.com or to Kathryn Cross, kcross@ochca.com by July 26, 2021.

Q. Can I appeal the LEA and/or CalRecycle's decision to issue new solid waste facility permit?

A. After issuance of the new SWFP to Capistrano Greenery, that action can be appealed to the Solid Waste Hearing Officer. Call Kathryn Cross at (714) 433-6270 or via e-mail kcross@ochca.com for information on the appeal process.

Q. Whom do I contact regarding an odor complaint at Capistrano Greenery?

A. If you have an odor complaint to report, you can submit an online complaint to Orange County Waste & Recycling (OCWR) at <https://ocwrnsp.ocgov.com/Complaint/Create?LandfillId=7>. You can also contact the Solid Waste LEA Complaint Hotline, (714) 433-6404 or submit an online complaint at the HCA's website, <http://www.ochealthinfo.com/eh/home/complaints>.

Q. How often are solid waste facilities/operations inspected by the LEA?

A. Active landfills, transfer-processing facilities, and green waste facilities with full or registration permits are inspected monthly by the LEA. Other greenwaste operations, limited volume transfer operations, and closed landfills are inspected either quarterly or yearly. Capistrano Greenery will be inspected monthly as it is a full SWFP.

Q. Do the new SWFP require California Environmental Quality Act (CEQA) analysis?

A. The CEQA analysis must be done before a SWFP application can be accepted. OCWR prepared an Initial Study and processed a Mitigated Negative Declaration for the proposed facility in May 2020.

Q. Where can I obtain a copy of the Solid Waste regulations?

A. You can review and download State Solid Waste regulations (Titles 14 and Title 27 of California Code of Regulations) from the CalRecycle website <http://www.calrecycle.ca.gov/>

Specific Project Questions

Q. Why is Capistrano Greenery composting being proposed at Prima Deshecha Landfill?

A. CalRecycle has adopted new regulations throughout the State of California that aim to keep organic waste out of landfills and instead recover it as a resource. Until 2019, Prima landfill received greenwaste that came from residential curbside bins from various cities within Orange County. Waste haulers processed this greenwaste (chipped & ground) and brought it to the landfill. In addition to tarps, the processed green material (PGM) was used as an alternative daily cover (ADC) in place of clean soil to cover the daily refuse at the landfill. However starting January 2020, PGM used as ADC was no longer counted as diversion credit due to AB1594. Prima landfill proposes to compost greenwaste coming in to the landfill, saving landfill space, and creating a viable product that can be used later. Further, converting greenwaste into compost that comes from residential curbside pickups will also assist Orange County cities and unincorporated areas in meeting state mandates for recycling of organic waste materials as per SB1383.

Q. Will there be any big changes from the existing landfill operation?

A. No, the proposed Capistrano Greenery composting operations will not result in any major changes when compared to existing landfill operations. Greenwaste that was being disposed in the landfill or used as ADC in the past will now be redirected to the Capistrano Greenery facility.

Q. What is the proposed project?

A. The proposed composting operation will consist of a series of green waste piles arranged in rows and managed in a controlled environment. These piles are called “windrows.” The size of each windrow is expected to be about 100 feet long, 20 feet wide, and 12 feet high. The piles will be turned, watered, and monitored for temperature to facilitate the natural process of decomposting until the material is nutrient rich compost. The entire composting process takes about 5 months to complete which includes about 12 weeks of active composting phase where the piles are turned/watered and about 8 weeks of curing phase where the compost stabilizes to a finished product.

Q. What is the proposed size and capacity of the Capistrano Greenery facility?

A. The proposed Capistrano Greenery is located over a portion of in-place refuse on the west side of Zone 1 of Prima landfill on a surface that consists of crushed asphalt and concrete. The facility covers about 18.6 acres and can receive a maximum of 204 tons/day of feedstock materials.

Q. What are some protocols followed at the landfill and greenwaste facilities to minimize odors?

A. At Prima Landfill, the primary means of controlling odors are by misters and the application of daily cover over the active face at the end of each operating day. For Capistrano Greenery, as per their Odor Impact Minimization Plan (OIMP), a few methods to minimize odors include feedstock management, moisture control, and rejecting odorous loads. The OIMP is included in the Report of Composting Site Information document prepared for the Capistrano Greenery composting operations that identifies operating procedures and design considerations to minimize odors.

Q. Will the proposed composting operation generate more truck traffic?

A. Capistrano Greenery will generate approximately 10 two-way new truck trips per day, with these trucks taking finished compost to end markets. The net effect for the traffic counts for green waste arriving to the facility is negligible since the volume of feedstock is the same material previously accepted at the facility.