



DATE: September 26, 2018

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Anu Natarajan, Legislative & Regulatory Affairs Manager

SUBJECT: Amendment to the Alameda County Integrated Waste Management Plan (CoIWMP) for Alameda County Industries (ACI) Transfer/Processing Expansion for facility located at 610 Aladdin Avenue in San Leandro

SUMMARY

Alameda County Industries (ACI) is proposing modifications and expanded operations at its existing solid waste transfer and recycling facility located at 610 Aladdin Avenue in the City of San Leandro. ACI is seeking an amendment to the Alameda County Integrated Waste Management Plan (CoIWMP).

At its July 25, 2018, meeting, the WMA Board held a public hearing and unanimously voted (17-0) to:

- (1) Amend the CoIWMP (Exhibit 1) to include the modifications to the existing Alameda County Industries facility.
- (2) Find that the Alameda County Industries Facility conforms to the CoIWMP as amended, and
- (3) Direct staff to place the ordinance on the calendar for adoption at the September 26, 2018, meeting.

A link to the report is available here: [ACI-CoWIMP-Ordinance2018-01-07-25-18.pdf](#)

DISCUSSION

Project Description

ACI is proposing its current expansion to meet increasing tonnages from its current service area in anticipation of the increasing trend in recyclables and organics diversion as a result of new State mandates and a successful outreach program. ACI is proposing to increase the maximum permitted tonnage, extend operating hours and material storage times to allow flexibility in transfer and processing operations to avoid peak traffic times and maximize recovery and diversion. However, the total number of vehicle trips per day will not increase from the currently permitted 193 vehicles per day.

ACI is making the following specific changes to its facility and operations:

- Increasing the overall permitted tonnage for the facility from 412 tons per day (tpd) to 620 tpd
- Removing the Transfer Facility's current maximum limit of 280 tpd
- Extending the waste acceptance, transfer, and processing hours to 24 hours a day, 7 days a week from the current 13 hours a day, Monday through Saturday
- Accepting food waste/organics and other materials from third-party haulers and other jurisdictions for transfer and offsite processing
- Modifying maximum material storage holding time for municipal solid waste and organic materials to 48 hours
- Onsite pre-processing of food waste and organics

NOTICE OF PUBLIC HEARING

A Notice of Public Hearing was posted in five newspapers in Alameda County on August 17, 2018 and September 14, 2018.

RECOMMENDATION

Staff recommends that the Waste Management Authority Board take the following actions:
Hold a second public hearing of the ColWMP Amendment ordinance (Attachment A), waive the requirement to read the full text of the Ordinance, read by title only, and adopt the Ordinance.

Attachments:

Attachment A: Ordinance 2018-01

- Exhibit 1: Text Changes to the Countywide Integrated Waste Management Plan
- Exhibit 2: Siting Criteria Findings
- Exhibit 3: Conditions of Approval

Attachment A

ORDINANCE 2018-01

AN ORDINANCE Adopting Amendments to the Countywide Integrated Waste Management Plan, and Finding Plan Conformance for the ALAMEDA COUNTY INDUSTRIES ALADDIN TRANSFER/PROCESSING FACILITY IN THE CITY OF SAN LEANDRO.

The Board of the Alameda County Waste Management Authority (“Authority”) ordains as follows:

SECTION 1 (Enactment)

The Board of the Authority does hereby enact this Ordinance in full consisting of Section 1 through Section 5.

SECTION 2 (Findings)

- (a) The Authority finds that the California Integrated Waste Management Act (California Public Resources Code §§ 40000 et seq.) requires the preparation and adoption of a Countywide Integrated Waste Management Plan (“CoIWMP”).
- (b) The Authority finds that the Alameda County Joint Exercise of Powers Agreement for Waste Management directs that the Authority prepare, adopt, revise, amend, administer, enforce, and implement the CoIWMP.
- (c) The Authority finds that it adopted a CoIWMP, dated February 26, 2003, and has adopted minor amendments since then. A five-year review of the CoIWMP was conducted in November 2009, a factual update was adopted in April 2010, and amendments were made in January 2011, December 2011, July 2013, April 2015, July 2016, January 2017, and March 2017.
- (d) The Authority finds that on October 5, 2017, the City of San Leandro granted an approval to Alameda County Industries Inc. (“ACI”) for the removal of limitations on the tonnage processed through the Materials Recovery Facility and Transfer Facility (collectively, the “Transfer Facility” or “project”) up to the 620 tons per day (“TPD”) total site capacity, for extending waste acceptance, transfer, a processing hours to 24 hours per day, and for other operational and site changes.
- (e) The Authority finds that on October 5, 2017, the City of San Leandro prepared, considered, and adopted a mitigated negative declaration and initial study for the project as required by the California Environmental Quality Act (“CEQA”) and approved the Conditional Use Permit for the project.

(f) The Authority finds that on February 27, 2018, ACI submitted the required information to the Authority to amend the ColWMP to increase the tonnage processed at the project site to 620 TPD total site capacity and to remove the tonnage limitations of the Transfer Facility's current maximum limit of 280 TPD at 610 Aladdin Ave, San Leandro and to make a finding of conformance with the ColWMP.

(g) The Authority finds that the Recycling Board, acting as the Local Task Force, has reviewed and commented on the proposed amendment, and the Planning Committee of the Authority has considered the ColWMP amendment, including any comments by the Local Task Force, and has recommended approval of the ColWMP amendment and conformance finding.

(h) The Authority finds that the Authority staff provided all required notice and held duly noticed public hearings on July 25, 2018 and September 26, 2018 to consider said ColWMP amendment and conformance finding.

(i) The Authority finds that the Authority Board of Directors reviewed the application and materials presented by ACI in support of the application, and considered all materials and testimony presented by the public, Local Task Force, ACI, and Authority staff.

(j) The Authority finds that it is a responsible agency under CEQA, that this project underwent the required review under CEQA, and that the Authority's action is within the scope the activities addressed by the City of San Leandro's mitigated negative declaration and initial study ("MND/IS").

(k) The Authority finds that the Authority Board has independently reviewed and considered the City of San Leandro's MND/IS.

(l) The Authority finds that since the City of San Leandro's adoption of the MND/IS, no substantial changes have occurred and no new information or changed circumstances exist that require revisions to the MND/IS due to new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects.

(m) The Authority concurs with the City of San Leandro that the project will not result in any significant environmental impacts.

SECTION 3 (CEQA Determination)

The Authority's approval of the ColWMP and conformance determination, as conditioned, will have a less than significant impact on the environment as documented in the MND/IS.

SECTION 4 (Amendment of ColWMP)

The Authority hereby amends the ColWMP as set forth in the ColWMP Amendment text attached hereto as Exhibit 1 and made a part of this Ordinance, subject to the Conditions of Approval attached hereto as Exhibit 3.

SECTION 5 (Conformity Determination)

The Authority does hereby determine that the proposed project is in conformance with the ColWMP as amended, including the siting criteria as set forth in the siting criteria findings attached hereto as Exhibit 2 and made a part of this Ordinance, and that the project, as conditioned by the Conditions of Approval attached hereto as Exhibit 3, would be in conformance with the ColWMP as amended.

SECTION 6 (Notice and Effective Date)

This ordinance shall be posted at the Authority Office for at least thirty (30) days after its second reading by the Board and shall become effective thirty (30) days after the second reading.

Passed and adopted this [26th day of September, 2018] by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

I certify that under penalty of perjury that the foregoing is a full, true and correct copy of
ORDINANCE NO. 2018-01

WENDY SOMMER
EXECUTIVE DIRECTOR

EXHIBIT 1

TEXT CHANGES TO THE COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN for the Alameda County Industries (ACI) Transfer/Processing Facility

The Alameda County Countywide Integrated Waste Management Plan, adopted February 26, 2003, is hereby amended as set forth below. In the sections that follow, text to be added to the Plan is shown in **underline bold** and text to be deleted is shown in strikethrough.

1. Table 2-7, on page II-24, summarizes information regarding transfer stations in Alameda County. Amend Table 2-7 as provided below:

TRANSFER STATION	OWNER/OPERATOR	WASTESHEDS	DISPOSAL TONNAGE TOTAL TPY/TPD-5	SITE ACREAGE	DESIGN/PERMITTED CAPACITY
ACI San Leandro	Alameda County Industries	MSW: City of <u>San Leandro and</u> Recyclables: Alameda County. No public self-haul allowed <u>Food Scraps and Organics: Bay Area</u>	Any combination of MSW, C&D or compostables, or other solid waste, not to exceed 280 TPD by direct transfer operations and an unrestricted amount of or recyclables as long as total site capacity of 412620 TPD is not exceeded	2.17	<u>592940</u> TPD/ <u>412 620</u> TPD

2. On pages II-29 and II-30 under the heading "d) ACI Transfer/Processing Facility" amend the first, second and third paragraphs as follows:

The Alameda County Industries' (ACI) Transfer/Processing facility located at 610 Aladdin Avenue in San Leandro operates under a full solid waste facility permit issued for ~~412620~~ tons per day (TPD) total site capacity. ~~The ACI Transfer/Processing Facility operates under the following limitations: direct transfer operations for any combination of MSW, C&D, compostables or other solid waste not to exceed 280 TPD; and, an unrestricted amount of recyclables processed through the Material Recovery Facility provided the total site capacity maximum of 412 TPD is not exceeded. The Transfer/Processing Facility only receives MSW from within the City of San Leandro service area franchised in 2007 to ACI.~~

The Material Recovery Facility processes recyclables from San Leandro, Alameda, and other jurisdictions. At the recommendation of the County Environmental Health Department, the Full Solid Waste Facility Permit was sought in 2007 to combine and expand the Direct Transfer Facility with the previously exempt Material Recovery Facility. The facility recycling rate is projected to be 57% for the ~~412620~~ TPD. As additional food waste is collected in place of MSW, the recycling rate is expected to increase to almost 70%. **The facility also pre-processes food waste and organics onsite.**

Collection vehicles using the facility include commercial front-loader trucks, and roll-off bin collection trucks, and side loaders used for residential collection. The solid waste is directly transferred from collection vehicles to a specially designed transfer trailer, which has the capacity to carry 19-20 tons per load. Direct transfer operations do not handle, separate, or otherwise process the incoming solid waste and no waste is stored at the facility for more than ~~an 8-hour a 48-hour~~ period. ~~There is no overnight storage of loaded trailers.~~ The solid waste is transferred only one time from the collection vehicle to the trailer; the waste does not touch the ground nor is it outside the confines of a container or vehicle before, during, or after the transfer. There is no acceptance of self-hauled MSW nor recyclables from the public.

EXHIBIT 2

SITING CRITERIA

for ColWMP Amendment and Conformity Determination for the Alameda County Industries Inc. Transfer/Processing Facility

The Alameda County Waste Management Authority (“Authority”) has reviewed the materials submitted in connection with Alameda County Industries Transfer/Processing facility (“facility”). Based on that review, the Authority hereby makes the following determinations pursuant to the relevant provisions of ColWMP Section VI, Table 6-2:

- **Seismic** – The facility is not located within 200 feet of a known active fault.
- **Floodplains** – The facility is not located within the 100-year flood plain.
- **Wetlands** –The facility is located in a fully developed industrial area within City of San Leandro; no wetlands are impacted by its development.
- **Endangered Species Habitat** – The facility is located in a fully developed industrial area within City of San Leandro. Potential impacts to endangered species habitat identified during the environmental review process for development of the facility have been fully mitigated.
- **Unstable Soils** – The existing structures and proposed transfer building have been designed in accordance with City-approved design standards which ensure the structural integrity of the facility. Unstable soils have not been identified during the design process.
- **Major Aquifer Recharge Areas** – The facility is not located in an aquifer recharge area.
- **Depth to Groundwater** – The facility is not located in an area identified with high groundwater.
- **Permeable Strata and Soils** – The facility is constructed on currently graded and paved site. Soils in the area are predominantly Clear Lake Clay and of generally low permeability, with approximately 50% clay content.
- **Non-attainment Air Areas** – ACI shall comply with all requirements of the Bay Area Air Quality Management District in the operation of the facility.
- **PSD Air Areas** – ACI shall comply with all requirements of the Bay Area Air Quality Management District in the operation of the facility.
- **Mineral Resources Area** – The facility is not located in a Mineral Resources Area of Alameda County.
- **Prime Agricultural Lands/Open Space** – The facility is located in a fully developed industrial area within City of San Leandro and not on agricultural lands or open space.
- **Military Lands** – The facility is located on private lands not owned by any military organization.

- **Other Federal, State, and Indian Lands** – The facility is located on private lands not owned by government or tribal organization.
- **Proximity to Major Transportation Routes** – The facility is located one block from an arterial roadway with arterial access to Highway 880, which is approximately 1.1 miles away via Alvarado St. and Marina Blvd. Incoming collection vehicles have access to the facility from all areas of the City via major roadways.
- **Proximity to Development** – The facility is located in an extensive industrial area in central San Leandro. Roadway access to the major transportation routes is not through residential areas and institutional facilities are not present. The facility is designed and will be operated to minimize impacts to the surrounding community, and to conform to the City of San Leandro standards including the approved conditions of its Conditional Use Permit, as well as state minimum standards in Title 14.
- **Proximity to Public Services** – The facility is located in a fully developed industrial park area and connected to public utilities. Fire, police, and emergency medical services are readily available at this semi-urban location.
- **Proximity to Waste Stream** – The facility is located in central San Leandro with access to all areas of the City via major roadways and highways. Collection areas are distributed to the north, south, and west of the facility.
- **Appropriate Zoning** – The facility is compatible with adjacent industrial land uses and zoning; it is located with the Industrial General (IG) Zone.
- **Conformance with Approved Countywide Siting Element of the Integrated Waste Management Plan** – The facility is consistent with the goals and policies of the Countywide Siting Element and has been designed to enhance landfill diversion of materials for the City of San Leandro and other jurisdictions within the county, and is an integral part of the countywide waste management system.
- **Recreational, Cultural, or Aesthetic Areas** – The facility is not located in an area of recreational, cultural, or aesthetic significance.
- **Airport Zones** – The facility is not located near an airport, within a Federal Aviation Agency approach zone, installation compatible use zone, or safety zone.
- **Gas Migration/Emission** – Not Applicable.
- **Contingency** – The facility maintains an Emergency Contingency Plan to provide for continuity of service in the event of disruptions caused by natural or man-made events.

EXHIBIT 3

Conditions of Approval for ColWMP Amendment and Conformity Determination for the Alameda County Industries Inc. Transfer/Processing Facility

Pursuant to the Joint Powers Agreement establishing the Alameda County Waste Management Authority (“Authority”), the Alameda County Integrated Waste Management Plan, and state law, the ColWMP amendment and conformity determination enacted by the ordinance to which this exhibit is attached is subject to the conditions below:

1. Operations at the Alameda County Industries Inc. (“ACI”) Transfer/Processing Facility located at 610 & 601 Aladdin Avenue, San Leandro, California (“Facility”) shall comply with all requirements governing the design and operation of Transfer/Processing Facility, as set forth in Title 14 of the California Code of Regulations.
2. The materials that may be processed through the Facility are limited to the materials that the Facility is currently permitted to accept.
3. The total permitted capacity of 620 TPD shall not be exceeded except as otherwise permitted in the modified Conditional Use Permit issued by the City of San Leandro on October 5, 2017 (“CUP”), and the Facility shall operate within the conditions contained within the CUP.
4. The Facility shall be constructed and operate in compliance with the descriptions and assumptions made in the Final Initial Study – Mitigated Negative Declaration adopted by the City of San Leandro to the extent applicable to the Facility.
5. The transfer station operator must identify the weight of all waste materials received at the transfer station, by jurisdiction of origin, and report the results to the Authority, as provided by Authority Ordinance 98-01. The transfer station operator must identify the weight of all material transferred for disposal, by landfill destination.
6. The ordinance to which these Conditions of Approval is attached shall take effect only upon ACI’s acceptance of these conditions and its agreement to indemnify and hold harmless the Authority, its agents, officer, and employees according to the terms in paragraph 7 below.
7. ACI shall defend (with counsel acceptable to the Authority), indemnify and hold harmless the Authority, its agents, officers and employees for any costs, including attorneys’ fees, incurred by the Authority, its agents, officers or employees in the defense of any action brought against the Authority, its agents, officers or employees, in connection with the approval or implementation of Authority Ordinance No. 2018-01. The Authority may elect, at its sole discretion, to participate in the defense of such action, and ACI shall reimburse the Authority, its agents, officers or employees for any

costs, including attorneys' fees, that the Authority, its agents, officers or employees incur as a result of such action. This indemnification shall be binding upon the Authority, ACI and all their successors and assigns.

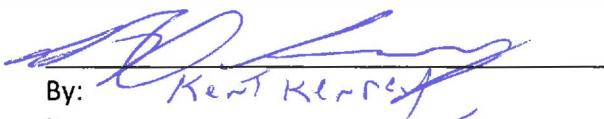
8. ACI shall comply with the Alameda County Integrated Waste Management Plan, all applicable existing and future ordinances and resolutions of the Authority (including, but not limited to, Ordinance 2009-01 and Resolution 2009-03), and all conditions imposed by the City of San Leandro and other regulatory agencies.

9. These conditions of approval shall restrict the operation of the Facility and shall be incorporated in, and enforceable under, the ACI Solid Waste Facilities Permit issued by the Alameda County Local Enforcement Agency and may be enforced by the City of San Leandro in connection with its enforcement of its permits for the Facility.

10. Any activities beyond those provided for by Ordinance 2018-01 shall require a new ColWMP amendment and conformance determination by the Authority.

ACCEPTANCE BY APPLICANT ACI

This ColWMP amendment and conformance determination is hereby accepted upon the express terms and conditions hereof, and shall have no force or effect unless and until agreed to, in writing, by applicant. The undersigned hereby acknowledges the approved terms and conditions and agrees to fully conform to and comply with said terms and conditions.


By: *Kent Kersey*
Its: *Managing Partner* 
Date

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