COMMUNITY DEVELOPMENT DEPARTMENT

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Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

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May 14, 2025

Mr. Bruce Slaton
P.O. Box 1031
Soulsbyville, CA 95372

Subject: LEA Compliance and Notification Tier (LEA Permit) Requirements for Property located at 18955 Industry Way, Assessor's Parcel No. 97-090-10

Dear Mr. Slaton,

The purpose of this letter is to formally document the Tuolumne County Local Enforcement Agency's (LEA) findings regarding the business activities at 18955 Industry Way, Sonora. Additionally, it outlines the steps required to bring the site into compliance with state and local solid waste regulations. This includes clarifying the need for a Notification Tier approval, summarizing the history of the site's use and permitting, and providing a checklist of required submittals to the LEA. Our goal is to work collaboratively with you to resolve any regulatory concerns and ensure that your operations are carried out in a manner that meets applicable health, safety, and environmental standards.

General

The business at the above address is a "manufacturing, processing, and refining" land use in the Business Park (BP) zoning district. In working with you over the last several years, the County has observed that the business operation at this location is the intake, crushing, storage, and distribution of inert debris—including concrete and asphalt. Inert debris, means solid waste and recyclable materials that are source separated or separated for reuse, do not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives and do not contain significant quantities of decomposable waste (Cal. Code Regs. Tit. 14, § 17381). The inert debris on the site has been used for personal property improvements, off-site contracting jobs, and made available for public sale or donation. The debris placed on the property in the noted location in Attachment A was done under County building permit B2023-01196. Debris handled on site has included crushed and uncrushed concrete and asphalt (with and without serpentine content).

The site is categorized as a Type A Inert Debris Processing business and a Type A Inert Debris Fill. Type A inert debris includes materials such as concrete, asphalt, glass, fiberglass, and clay products that do not contain soluble pollutants at concentrations in excess of water quality objectives and has not been treated in order to reduce such pollutants.

LEA Permit Clarification

You have indicated that CalRecycle previously advised you that no "permit" was needed due to the scale of your operation. We acknowledge the potential confusion between "permit" and "notification" – these are two different types of regulations/approvals under the LEA – and while we agree that no "permit" from CalRecycle is required, your operation, using inert debris for a fill and/or certain handling (Type A Inert Debris Processing and Type A Inert Debris Fill), is subject to the *Notification* tier requirements under CCR, Title 14, §§ 17381–17386 and related provisions. This site is considered a Small Volume Inert Debris Processing Operation as it receives less than 25 tons per operating day for the purposes of storage, handling, transfer, or processing, which requires a Notification authorization (Cal. Code Regs. Tit. 14, § Section 17383.7).

Although the building permit allowed inert debris to be placed as fill, the site is also required to be permitted under a 'Notification' Tier by the LEA (Cal. Code Regs. Tit. 14, § Section 17383.7). This determination has been made by the local LEA in conjunction with CalRecycle and the State Waterboard based on the activities that have occurred on the property and the type of material used for the fill.

Notification Required

Currently the fill is considered by the local LEA as an Unpermitted Inert Debris Solid Waste Disposal Site. The checklist of requested documentation is necessary to obtain compliance with the Notification tier requirements, which includes listing in the Solid Waste Information System (SWIS) for tracking purposes. Once the Notification authorization is complete, the on-site debris processing can continue.

To move forward in achieving the Notification, the following needs to be submitted to the LEA within 30 days of the date of this letter:

- Notification Tier Application (via OpenGov) and fee
- Small Volume Construction & Demolition/Inert (CDI) Debris Processing Operation Plan. Attachment B outlines standards that the site will be required to meet for ongoing operations after the Notification is authorized.
- Site Stability and Maintenance Plan
- Plot Map showing site topography and location of fill, storage, and processing areas
- Post-Closure Land Use Plan

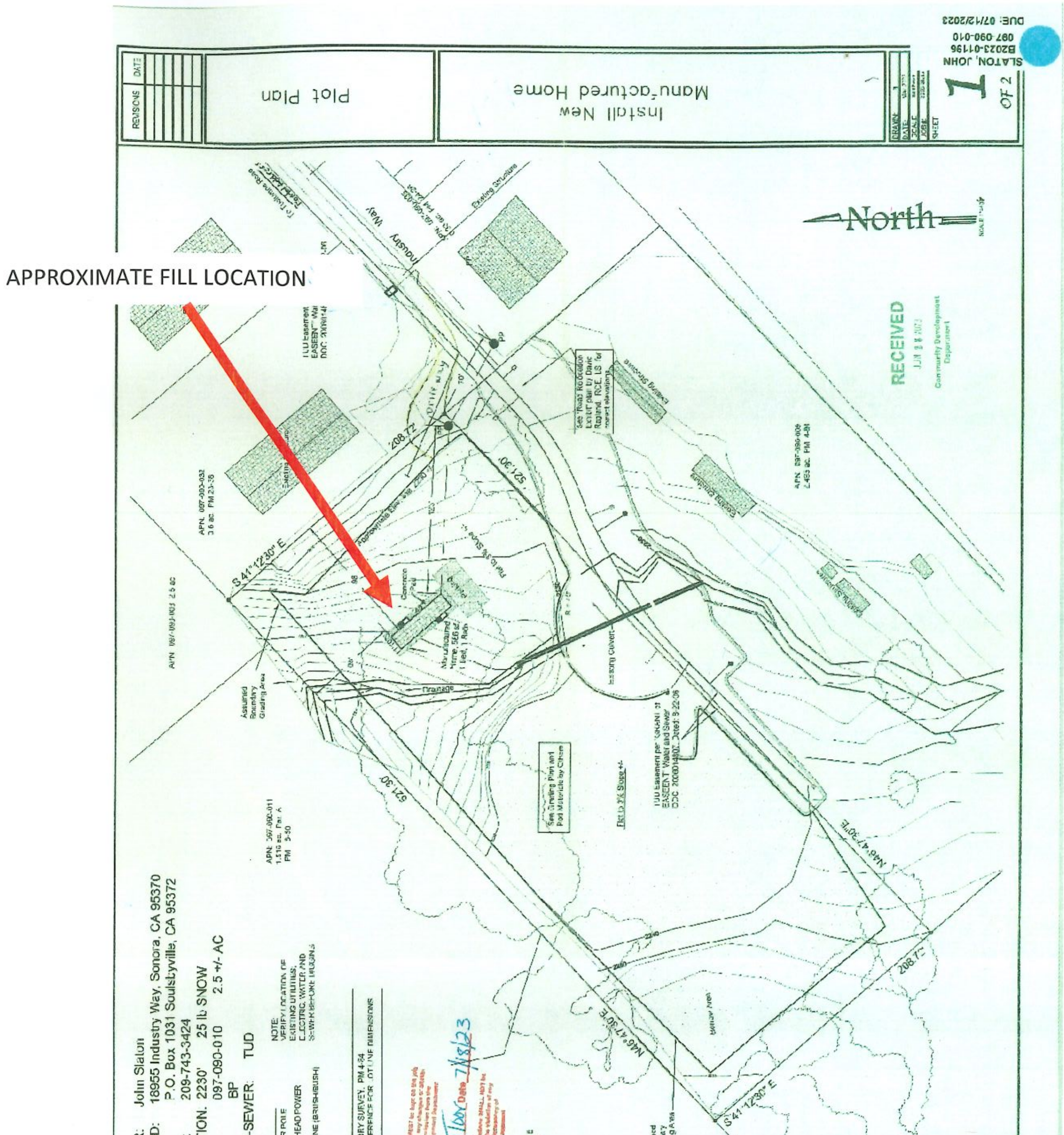
Until the Notification process is complete, the only activity on the site that can occur can be related to the Building Permit.

If you have questions or need assistance with any of the forms or processes, please feel free to contact me at 209-533-5665.

Sincerely,

Debbie Larson, REHS
Environmental Health Director
Tuolumne County Local Enforcement Agency

Attachment A – Building Permit B2023-01196 and Fill Location



Attachment B – Operation Plan Requirements

1. Refrain from accepting, storing, or crushing asphalt containing serpentine rock, unless testing and treatment records are provided to the LEA,
2. Indicate on plans the location and use of materials:
    - Used on-site.
    - Used for off-site contracting.
    - Available for public sale.
3. Use a certified scale to determine product weight and maintain incoming/outgoing load records,
4. Sort inert debris within 15 days.
5. Remove residual material within 48 hours.
6. Do not store inert material for longer than 1 year.
7. Permitted product types (subject to conditions):

Allowed	Prohibited
Clean crushed concrete (off-site origin) – wet methods required	Asphalt containing serpentine rock – regardless of crushing status, unless chemical treated and tested,
Crushed asphalt without serpentine (off-site origin) – wet methods required and no offsite odors	Materials other than Type A

Under the Notification tier process, the LEA can require specific design requirements and operational standards for the site, which can include measures to control or limit noise (Cal. Code Regs. Tit. 14, § 17408.3), drainage (Cal. Code Regs. Tit. 14, § 17407.3), hazardous, liquid, and special wastes (Cal. Code Regs. Tit. 14, §17407.5), and dust (Cal. Code Regs. Tit. 14, § 17407.4). After the LEA has reviewed the above submission, the resulting Notification may include additional operating standards to prevent the facility from being a nuisance (Cal. Code Regs. Tit. 14, § 17408.5).