



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

## Puente Hills Landfill

James E. Hartl, AICP  
Director of Planning

December 19, 2002

County Sanitation District No. 2 of Los Angeles County  
1955 Workman Mill Road  
Whittier, CA 90601

**SUBJECT: CONDITIONAL USE PERMIT CASE NO. 02-027-(4)**  
**To authorize the continued operation and expansion of a Class III solid waste disposal facility.**  
**2800 South Workman Mill Road, Unincorporated Whittier**  
**Workman Mill and Hacienda Heights Zoned Districts**

Dear Applicant:

**PLEASE NOTE:** This document contains the Planning Commission's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 3 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

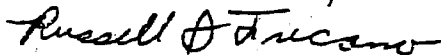
The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Regional Planning Commission's decision to the Board of Supervisors through the office of Violet Varona-Lukens, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012. Contact the Executive Office for the necessary forms and the amount of the appeal fee at (213) 974-1426. The appeal must be postmarked or delivered in person within fifteen days after this notice is received by the applicant.

If no appeal is made during this fifteen-day period, the Regional Planning Commission action is final. Upon completion of the fifteen-day period, the applicant can submit to the Department of Regional Planning staff the acceptance affidavit and any fees, deposits, plans or other materials required by the permit conditions. If you have any questions regarding this matter, please contact the Zoning Permits Section at (213) 974-6435.

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December 19, 2002  
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Very truly yours,

DEPARTMENT OF REGIONAL PLANNING  
James E. Hartl, AICP  
Director of Planning



Russell J. Fricano, Ph.D., AICP  
Acting Supervising Regional Planner  
Zoning Permits II Section

Attachments: Findings, Conditions, Implementation and Monitoring Program, and Mitigation and Monitoring Reporting Program.

c. Board of Supervisors, Department of Public Works (Mike Mohajer, Environmental Programs) Department of Public Works (Traffic and Lighting), Department of Public Works (Building and Safety), Department of Health Services (Virginia Maloles, Solid Waste Management Program), Department of Parks and Recreation (Tonda Lay, Trails Coordinator), Zoning Enforcement, and Mike Hughes (President, Hacienda Heights Improvement Association), Testifiers.

RJF

CONDITIONAL USE PERMIT CASE NO. 02-027-(4)

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES

REGIONAL PLANNING COMMISSION HEARING DATES: SEPTEMBER 5, 2002  
SEPTEMBER 18, 2002  
OCTOBER 2, 2002  
NOVEMBER 4, 2002

**SYNOPSIS:**

This case was heard before the Regional Planning Commission on September 5, 2002, September 18, 2002, October 2, 2002, and November 4, 2002.

**PROCEEDINGS BEFORE THE COMMISSION**

September 5, 2002 Public Hearing

A duly noticed hearing was held before the Regional Planning Commission. Four Commissioners were present; Commissioner Bellamy was absent. Staff gave a summary presentation of the project. The Commission next heard testimony in support of the project.

Twenty persons testified in support of the project, the applicant and representatives of local government and agencies. The local government officials expressed their support of the project noting that Puente Hills Landfill provides cost effective waste disposal, facilitates alternatives to landfilling such as recycling, and provided financing for programs that preserve and maintain open space and native habitat areas. Other testifiers voiced their support for the proposed waste-by-rail system and the applicant's program of using cost-levelization to finance the facility.

The applicant, the Los Angeles County Sanitation District, presented testimony in support of its request. The applicant first noted individual jurisdictions' state-mandated obligations to divert 50% of municipal solid waste generated within the jurisdiction and to identify 15 years of disposal capacity for wastes that are not diverted. The Sanitation District noted that a shortfall in local disposal capacity could occur as early as 2003 without the continued operation of the landfill. The objectives of the permit were to continue to provide environmentally sound and cost-effective disposal capacity; to continue the recycling and energy recovery programs; to provide funding for open space preservation and to fund the implementation of a waste-by-rail system.

The applicant next summarized issues addressed in the Environmental Impact Report and the associated public participation program. Primary issues raised included water quality,

odor, public health, traffic, dust, appearance, property values and landfill alternatives. The applicant also noted a program of household hazardous waste and electronic waste collections events, a groundwater protection system and a gas collection system. In response to issues of odors identified in an independent study, the applicant conducted further test tests using a wind tunnel. In response to the issues raised in the independent study, he applicant presented a system of trenching mitigation measures, which could be implemented to mitigate odors. Further presentations were made regarding traffic issues and dust control. The applicant presented methods for designing of refuse cells (related to the landform). Visual simulations were also presented showing the landfill with native and ornamental vegetation. The applicant also summarized its property value claim programs.

Referring to the alternatives presented in the EIR, the applicant provided a scenario to each alternative. The applicant further stressed that up to \$1,000,000 in funding would be provided over the life of the landfill to study alternative technologies for waste management. The applicant also summarized the cost of waste disposal including the implementation of a fee levelization program to fund the waste-by-rail system.

The applicant presented the basic infrastructure of the waste-by-rail system including intermodal operations and the Materials Recovery Facility authorized under Conditional Use Permit 92-251-(4). The applicant noted that the acquisition of both remote-landfilling facilities was still pending litigation. Once resolved the applicant would be required to complete the purchase agreement, negotiate the rail contracts and design and construct rail and landfill facilities. The applicant predicted that after resolution of litigation the start-up of waste-by-rail would be five-seven years.

The applicant presented testimony in support of its request for extended hours for the hauling of dirt to the facility and proposed new mitigation measures including the commitment to signalizing the landfill entrance; development of alternative gas collection trench construction methods; re-rerouting additional dirt trucks away from potentially impacted intersections and the provision of additional water cannons for dust control.

The Regional Planning Commission continue the public hearing to September 18, 2002

#### September 18, 2002 Public Hearing

A duly noticed hearing was held before the Regional Planning Commission. All Commissioners were present. Twenty-three persons provided testimony: Testimony included opposition testimony and other comments related to the proposed permit. A representative of State Senator Gloria Romero testified on her behalf. According to the testimony presented, the Senator expressed concern about the project and suggested conditions to be included in the permit. Testifiers in opposition included representatives of the Hacienda Heights Improvement Association (HHIA) and residents of the surrounding area. Opposition testimony covered a number of project-related impacts including strong

odors, dust, loose trash, noise, traffic, vectors, ground vibration (attributed to the flaring station), alleged acceptance of low-level radioactive waste, and visual impacts of the proposed operation. Local residents also expressed concern over the lack of a specific closing date for the landfill and requested that issues such as traffic and cumulative air quality impacts (including those of the Quemetco Battery Recycling Facility and other facilities) as well as impacts to other surrounding communities, be given further consideration. The community also proposed various requirements for the project including the setting of a specific closure date; a program for reducing the amount of waste accepted at the Puente Hills site; implementation of alternative technologies such as gasification and compression of landfill waste; support of the waste-by-rail system; maintenance of water cannons during landfill operations, better contouring of the landfill area to reflect the natural topography and the streamlining and improvement of the process of compensating residents for losses in property value.

The Commission concluded the testimony and continued the hearing to October 2, 2002, which would include a presentation of proposed conditions by staff. The Commission also requested additional information related to the Quemetco Battery Recycling Facility.

#### October 2, 2002 Public Hearing

A duly noticed hearing was held before the Regional Planning Commission. All Commissioners were present. Twenty-seven persons provided testimony: the applicant and representatives of the community. Staff informed the Commission that a draft of the conditions submitted was preliminary. The conditions were still pending final public agency comments, and resolution of issues such as traffic were still not addressed. The Commission next heard comments on the conditions from the community and the applicant.

Representative groups included the HHIA and the Hacienda La Puente Unified School District. The HHIA noted that some of the preliminary draft conditions were responsive to concerns expressed at the previous hearing, especially the establishment of a closure date and revision to the property valuation program. The HHIA provided further recommendations including exclusion of City of Los Angeles waste, restriction on landfilling activities if watering equipment is not operational and additional measures to be implemented for windy day conditions. The HHIA also promoted the unconditional reduction in daily tonnage received by the landfill. (not tied to the phasing of waste-by-rail). The testifiers finally expressed a need for habitat preservation and the development of alternative technologies; tipping fees would be utilized to provide funding these measures. Testimony was also provided by a representative of the local school district. The letter from the school district, as presented by the representative, expressed concern for impacts related to air, ground water, traffic, dust and noise pollution.

In rebuttal the applicant noted that the contouring may cause a loss in capacity, the adoption of new alternative technologies would have to be determined economically feasible, that a review and recommendation by traffic and lighting would address concerns related to traffic impacts; no radioactive waste was accepted at the landfill and the applicant employed extensive measures for screening radioactive waste; the applicant would fund household hazardous waste round-ups; recycled water used by the landfill was properly treated and did not impact groundwater supplies; the applicant was also committed to the use of operation water cannons to control dust; the applicant had also conducted a wind tunnel study to further assess odor impacts; it was determined by an independent consultant that trenching could effectively mitigate odors; the applicant requested discretion over odor mitigation methods; that the applicant be allowed the option of self-insurance; the applicant further stated that it did not control the origin of the trash received; the setting of a reservation for acceptance of waste from the unincorporated areas, as outlined in the draft conditions, was opposed; that an appeals panel consist of professionals in the appraisal of property; revenue associated with cost levelization for waste by rails should be excluded from the host fee; the applicant has aggressively pursued waste-by-rail and materials recovery programs; given uncertainty, the applicant requested that flexibility be maintained in implementing waste-by-rail, based on economic analysis.

As part of their rebuttal testimony, the Sanitation Districts introduced Dr. Sharon Libicki of ENVIRON Corporation, a recognized expert in the analysis of public health impacts, to respond to concerns raised during public testimony. According to her testimony, the proposed project would not result in a significant public health impact due to air quality impacts, including consideration of potential impacts due to dust.

The Regional Planning Commission provided recommendations for the conditions: plans for varied contouring of the site; landscaping with native vegetation; requirements that local topsoil shall be salvaged; berms of natural contours; a scheduling be provided of deliveries; the appointment of an ombudsman; clarification of areas receiving benefits from tipping fees; hazardous waste round ups be required; allocation for the funding of modernization of technologies; qualification specified for appraisers in the property value program; funding for alternative technologies; a schedule of penalties for Notice of Violations; the use of scrubbers and tarping of vehicles entering and exiting the site; avoidance of language such as "to the extent feasible" or "to the extent possible" eliminated from the draft. The Commission also requested that staff provide additional information regarding the health effects of the Quemetco facility, the status of Senate Bill 1970, and a sample of a property value appraisal report. The Commission continued the public hearing to November 4, 2002.

#### November 4, 2002 Public Hearing

A duly noticed hearing was held before the Regional Planning Commission. Commissioners Bellamy and Helsely were absent. Eleven persons testified: The applicant,

community representatives and local residents. The Commission first heard a presentation by staff. Staff presented a site plan submitted by the applicant that was revised to show the elevation of the landfill face as indicated at the inception of the permit. Staff also summarized changes in the draft conditions from the previous hearing. In addition staff provided a status of Senate Bill 1970: The bill was vetoed by Governor Davis; rather than sign the bill, the Governor placed a moratorium on the acceptance of low-level radioactive waste from de-commissioned waste disposal sites. Staff also summarized material provided by the Department of Health Services on the health effects of the community within the vicinity of the Quemetco facility. Studies indicated that lead concentration in the blood stream and in soil did not pose a health hazard.

The Commission also heard testimony from the applicant and the community. The applicant requested modification in the language of the draft conditions relating to members on the alternative technology subcommittee, and an additional provision for review and comment on submitted reports by Public Works. The applicants also noted that the proposed permit was unprecedented in terms of the restrictions imposed on the facility. The representatives of the HHIA presented photos taken of landfill-related impacts including dust-related impacts. The HHIA also presented a plan for contouring the landfill site. Representatives of the HHIA also commented on the draft conditions, expressing its support for an ombudsman. The HHIA also noted that requirements be specified with, restoration of native plants, that a portion of the money from the Habitat Fund be invested in Hacienda Heights, a simplification of the Property-Loss Compensation procedures, trash disposal fees used to fund a demonstration of conversion technologies and that a 35,500 tons per day limit for all material transported to the site is excessive. Other residents expressed concern about odors in the vicinity of the landfill site.

There being no further testimony, the Commission voted (3-0), to close the public hearing, and begin its deliberation. The Commission first recommended changes to the draft conditions: Condition No. 27 (a): Monies in the Fund shall primarily be used to benefit the Hacienda Heights and Avocado Heights communities as described on the attached map (other communities were proposed). The Commission further recommended that monies in the referenced fund be overseen by the Director of Regional Planning; two revisions were incorporated in Condition 24(c): Additional members may be added to the alternative technology advisory subcommittee, with the consent of the Director of Public Works, with the number of members not to exceed ten, and that legislation and regulations for conversion technologies be supported by the permittee subject to the approval of the Board of Directors of the Sanitation District; The Commission recommended that the final sentence of Condition 24(e) be replaced with language recommended by Whittier Councilman Henderson, that In authorizing expenditures from the fund, the joint powers authority shall give special consideration to land acquisitions, habitat restoration, and trailhead construction, recreational and/or educational amenities on open space lands within and for the benefit of the community of Hacienda Heights; Condition 34, that the

salvage of local soil shall be "required" (as opposed to being "considered"); Condition 35(m), regarding quarterly reports for violations, If violations exceed an average number (based upon past reports), that the permittee shall be required to pay a fine \$1,000 for the first violation over a set threshold, and \$5,000 for subsequent violations; Regarding the reporting of the status of the waste-by-rail system; For the condition pertaining to tarping, a requirement be added that vehicles be tarped entering and exiting the site; Condition 58 the Commission required that the Permittee submit reports on a quarterly to the Director of Public Works for review and comment (rather than a monthly basis), with the ombudsman providing reports available to the Hacienda Heights Improvement Association; Condition 60, that the ombudsman provide copies of quarterly reports to the Director of Planning with copies to the Director of Public Works, the Director of Health Services and the Homeowners Associations.

In a motion by Commissioner Rew, seconded by Commissioner Modugno, the Commission directed staff to prepare revised conditions for Conditional Use Permit 02-027-(4) and to schedule the item on the agenda for discussion and possible action.

#### Findings

1. The applicant requests a Conditional Use Permit to authorize the continued operation and expansion of the Puente Hills Landfill, a Class III Sanitary Landfill. A Class III sanitary landfill is restricted from disposing liquid, hazardous or radioactive wastes.
2. The request includes continued consumption of the remaining disposal capacity of a maximum of approximately 38 million tons; continued disposal at 72,000 tons per week (13,200 tons per day); continued recovery of materials for waste diversion programs; a change in the hours of the acceptance of soil cover shipments from a schedule of 9:00 a.m. to 3:00 p.m. to a new schedule of 6:00 a.m. to 5:00 p.m. (except Saturdays); an increase in the importation of cover soil by 450 truckloads per day; construction of structures appurtenant to the waste disposal operation and an update of Conditional Use Permit No. 92-250-(4), issued by Los Angeles County in 1994, to reflect the proposed operation.
3. This permit would allow continued operation and expansion of the Puente Hills Landfill to 2013, during which time the permittee will develop alternatives to accommodate solid waste disposal following the closure of the Puente Hills Landfill.
4. This entitlement is part of the County Sanitation District program of solid waste disposal needed to accommodate the 88 cities of Los Angeles County. According to the 2000 Annual report to the Waste Board on the Siting Element, Los Angeles County (under a worst case scenario) would experience a shortfall in permitted



County daily disposal capacity of up to 20,000 tons per day by late 2003, pending actions on Puente Hills, Sunshine Canyon and Bradley landfills.

5. The project site is a 1,365 acre, irregularly-shaped parcel, located at 2800 South Workman Mill Road southerly of SR-60 (Pomona Freeway) and easterly of I-605 (San Gabriel River Freeway). The project site is located in the Hacienda Heights and Workman Mill Zoned Districts.
6. The subject property is hilly in nature with steep slopes. The site is covered with a variety of native vegetation as well as ornamental landscaping reflecting previously approved landscaping plan guidelines. A central portion of the site, 410 acres in area, at approximately 900 feet Above Mean Sea Level, is currently devoted to landfilling operations. The site is accessed from Crossroads Parkway South (northerly of the site) and Workman Mill Road (westerly).
7. The 1,365 acres of landfill property include 225 acres of permanently dedicated native habitat preservation area in the southern portion of the site, referred to as Canyons 6, 7, and 8. These areas are located on the southerly portion of the subject property. The Rio Hondo Wildlife Sanctuary, on the western portion of the landfill, will also remain undisturbed by the proposed project. The radio and communication towers located on the former Nike Missile site are located outside the proposed limits of fill. No interruptions to these facilities are anticipated. These facilities are owned, operated, and maintained by Edison Company, Verizon Wireless, Metropolitan Transportation Authority, and Los Angeles County. A portion of the Skyline Trail also extends through the proposed fill area. During operations, the applicant proposes to plan a temporary trail detour around the expansion area until grading related to fill operations is complete.
8. The subject property is located in the A-2-5 (Heavy Agricultural-Five Acre Minimum Required Area) and A-1-5 (Light Agricultural-Five Acre Minimum Required Area). According to Sections 22.24.150 (A) and 22.24.100 (A), Title 22 of Los Angeles county code, solid fill projects are allowed subject to approval of a conditional use permit in these zones. The facility currently operates under a conditional use permit. The request is consistent with zoning requirements.
9. Surrounding zoning consists of A-1-5, A-1-6,000 (Light Agricultural, 6,000 sq.ft. required area), and R-A-7,500 (Residential Agricultural-7,500 sq.ft. required area) to the north; A-2-5 and A-2-1 (Heavy Agricultural-One Acre Required Area) to the south; A-2-5 to the west; A-2-5 and A-1-5 to the southwest, and R-A-10,000 (Residential Agricultural-10,000 sq.ft. required area), R-A-11,000 (Residential Agricultural-11,000 sq.ft. required area), R-A-12,000 (Residential Agricultural-12,000 sq.ft. required area), R-A-13,000 (Residential Agricultural-13,000 sq.ft.

required area), and R-A-15,000 (Residential Agricultural-15,000 sq.ft. required area) to the southeast.

10. Existing land use on the property consists of four main forms: The landfilling operation and related structures located on the central portion of the property; An energy recovery facility on the northwesterly side; a Materials Recovery Facility, currently under construction, is located on the northwesterly side of the property and open spaces areas: Ecology Canyon on the westerly side of the property and a native habitat preservation area on the southerly side.
11. Surrounding land uses consist of manufacturing, government facilities, commercial, mobilehomes, parkland, vacant land to the north; vacant land and an electrical power facility to the south; vacant land, Rio Hondo College, Rose Hills cemetery, electrical power facility to the west, and vacant and single family residential to the east.
12. A solid waste disposal operation was established on the site in 1957. The site was known as the "San Gabriel Dump." The County Sanitation District acquired the San Gabriel Valley Dump and certain adjacent property in 1970, assumed the operation of the facility and renamed the facility the Puente Hills Landfill. An additional land acquisition in 1981, increased the Sanitation Districts ownership to 1,365 acres.
13. Conditional Use Permit No. 2235 authorized the expansion of the existing landfill. The grant permitted a fill rate of 12,000 tons per day and established a minimum setback for the landfill of at least 2,640 feet from the easterly property line. The landfill operated under a ten-year grant that expired on November 1, 1993.
14. Conditional Use Permit 92-250-(4) authorized the lateral and vertical expansion of Puente Hills Landfill. The approved fill design allowed for the placement of approximately 37 million tons of refuse over the existing 530 acre landfill area and provided an expansion of a 100 acre area in the eastern canyon area. The grant also allowed a continuation of the maximum daily disposal rate of 13,200 tons per day. Waste material was restricted from being placed nearer than 2000 feet from the easterly boundary of the landfill property. The toe of the mitigation berm, which formed the front face of the landfill, could not be closer than 1,750 feet from the easterly property line. The grant was set to expire on November 3, 2003.
15. Oak Tree Permit 92-250-(4) authorized the removal of up to 356 oak trees and encroachment within the protected zone of up to 17 additional oak trees within the landfill expansion area to accommodate the proposed landfill expansion associated with Conditional Use Permit No 92-250-(4). According to the County Forester, the conditions of this permit have been met and the monitoring period has expired.

16. Conditional Use Permit 92-251-(4) authorized the construction of a Materials Recovery Facility (MRF) on 25 acres of land located on the northwesterly side of the property. The materials recovery facility is proposed for use with a future waste-by-rail system. This grant was set to expire on July 1, 2029. The Sanitation District has initiated grading for the facility.
17. Oak Tree Permit 92-251-94) authorized the removal of four oak trees to accommodate the construction of the Materials Recovery Facility.
18. The project site is designated as "Public-Semi Public Facilities" in the Countywide General Plan and the Hacienda Heights Community Plan. In both plans, this classification covers existing and proposed public and semi-public uses. These uses include solid and liquid water waste disposal sites, utilities, public buildings, public and private educational institutions, religious institutions, hospitals, detention buildings, public and private educational institutions, religious institutions, hospitals, detention facilities and fairgrounds. The classification provides for the continued operation, expansion and construction of new facilities, as necessary to serve current future and County residents, which include solid waste disposal facilities.
19. The site plan depicts a solid waste facility including a fill area of 330 acres. Two stockpile areas of cover soil, an equipment yard and unpaved employee parking area are shown within the fill area. A 12-acre expansion area is indicated on the westerly side of the site. The facility also includes a debris basin, operations buildings, scales and employee parking on the westerly side of the site; a gas management facility and employee parking on the easterly side of the site; a warehouse and an existing and proposed energy recovery facility and water tank on the westerly side of the site; a Materials Recovery Facility (under construction) is located on the northwesterly side of the site. The materials recovery building is approximately 218,000 sq.ft. in footprint area, with a 12,700 sq.ft. administration building, a 10,000 sq. ft. maintenance building, a 800 sq. ft. scale house, and 190 parking spaces. A 50' wildlife corridor and the Skyline Trail extend along the westerly boundary and southerly portion of the site. The Rio Hondo College Wildlife Sanctuary (SEA # 43) is shown on the westerly side of the site; this area is delineated as open space and not a part of the project. Minor ancillary facilities are also proposed.
20. The site takes its primary access from Crossroads Parkway South (northerly of the site) and Workman Mill Road (westerly). Under current operation, customer vehicles enter the site either through Crossroads Parkway South or Workman Mill Road. When the Materials Recovery Facility commences its operation, all landfill customers will enter the project through Crossroads Parkway South. The existing

Workman Mill entrance, located at the westerly side of the site will be closed to vehicles carrying solid waste, but will be open for other purposes including visitor access to the Materials Recovery Facility and landfill, public access to the recycle center, and employee traffic

21. The Puente Hills Landfill provides waste disposal, energy recovery services and maintenance related activities. The facility currently operates at a disposal rate of 72,000 tons per week or a maximum of 13,200 tons per day.
22. The facility currently accepts deliveries of solid waste between the hours of 6:00 a.m. and through 5:00 p.m. Monday through Saturday. The entry gate to the facility is opened one hour prior to refuse disposal and (earlier, if necessary) to avoid queuing of delivery trucks. Shipments of dirt, used for coverage, mitigation berms and various construction projects, are accepted between 9:00 a.m. and 3:00 p.m. Landfill operations such as site preparation, the application of cover, and waste processing are conducted between 6:00 a.m. to 9:00 p.m. Equipment maintenance is conducted between 5:00 a.m. to 9:00 p.m. Staff that responds to public calls and monitor methane gas are on duty 24 hours. The existing Conditional Use Permit is set to expire on November 1, 2003.
23. The request includes consumption of the remaining disposal capacity of approximately 38 million tons (continued disposal at 72,000 tons per week (a maximum of 13,200 tons per day) and the continued recovery of materials for waste diversion programs. The fill area for the proposed project is approximately 330 acres.
24. The applicant has requested an extension of the landfill setback area of approximately 250 feet. This extension consists of an area of 12 acres added to landfill. With the exception of 12 acres, the entire proposed fill area is within the currently permitted limit of operations. The 12-acre additional area is in the vicinity of the former "Nike" site adjacent to Rose Hills Cemetery.
25. The proposed fill design has a final elevation of 1,148 feet above mean sea level in the Main Canyon area and 1,075 feet above mean sea level in the Eastern Canyons area. This would change the landfill elevation from the previously permitted limit by 200-300 feet.
26. The landfill operation imports dirt to perform various aspects of its operation: As coverage for compacted waste, to control odors, water infiltration and vector infestation; material for the construction of access roads within the landfill and buttresses needed to support trucks used in the landfill operation, and the construction of visual berms. According to the Environmental Impact Report, the

landfill site uses approximately 2.5 million cubic yards of dirt in its operations, based on historical data and estimates of future needs. The EIR also noted that the Sanitation Districts are aggressively pursuing methods to reduce the amount of dirt use at the site. The permittee noted a shortfall in the amount of dirt necessary to maintain the landfill operations. The applicant attributes the shortfall to limitation in the hours that dirt is accepted at the landfill site, the landfill operations setback and shallower cuts.

27. The applicant maintains a minimum of a one-to two-year supply of dirt at the landfill site in a stockpile . Unless the landfill receives adequate delivery of dirt, the applicant has projected that the stockpile will be exhausted by the time of the expiration of the existing permit. If the stockpile were to be exhausted, 25 million cubic yards of dirt would have to be imported at the annual rate of 2.5 cubic yards per year. This would require truck delivery at a rate of 690 trucks per day. The existing number of truck deliveries is estimated at 250 trucks per day. The applicant has requested a change in the hours of the acceptance of dirt shipments from the existing schedule of 9:00 a.m. to 3:00 p.m. to a new schedule of 6:00 a.m. to 5:00 p.m, except Saturdays; according to the applicant, the extension of delivery hours would spread out the deliveries of dirt. The conditions of the permit restrict dirt import hours to 9:00 a.m. to 5:00 p.m. Further extension of the hours for soil hauling would be subject to a review of traffic conditions.
28. The applicant has increased the usage of Alternative Daily Cover that includes green waste, protein-based foam and thermodegradable film.
29. The request also includes the construction of ancillary structures related to the operation to the landfill. These facilities include storage sheds, parking facilities, trailers, offices and other structures that enclose equipment used in the operation.
30. The applicant has requested consumption of the remaining maximum capacity of approximately 38 million tons.
31. A term has been placed on the grant of the proposed permit, that receipt of refuse will be terminated upon the completion of the topographic limits as shown in the project description (a maximum of approximately 38 million tons of waste) or by October 31, 2013, whichever occurs first.
32. One of the stated objectives of the proposed project is to fund a waste-by-rail system that will incorporate a transition to remote disposal before a shortfall in local disposal capacity occurs. The MRF, located on the subject property, will serve as a part of the infrastructure for the proposed waste-by-rail system. When the waste-by-rail system is fully developed, waste will be placed in containers at the MRF for

transport to a rail intermodal facility where the containers are transported by train to remote sites.

33. As a condition of approval for the existing landfill operations, the ultimate use of a portion of the landfill site upon closure has been identified as recreational use. The specific type of recreational use (i.e., trails, nature center, soccer fields, golf course) would be the subject of a dedicated master planning process involving the Sanitation Districts, Los Angeles County Department of Parks and Recreation (DPR), Los Angeles County Department of Regional Planning, and the surrounding community.
34. The final recreational use of the site will be compatible with the continued operation of the landfill's environmental control systems in accordance with closure and post-closure maintenance requirements.
35. Portions of the remainder of the site not set aside for active recreational use have already been set aside for native habitat preservation (i.e. Canyons 6, 7, and 8). These areas will continue to be managed as passive open space areas in perpetuity pursuant to that designation.
36. In 1989, the California legislature enacted The California Integrated Waste Management Act of 1989 (Assembly Bill 939 or AB 939). AB 939 introduced significant changes in solid waste disposal management, which included the diversion of 50% waste from disposal at landfills to reuse and recycling programs. AB 939 also required each County to develop a plan to accommodate the disposal needs of the County as whole for a 15-year period. The Los Angeles County Siting Element was approved by a majority of cities in Los Angeles County in late 1997, the Los Angeles County Board of Supervisors in January of 1998, and the California Integrated Waste Management Board in June of 1998.
37. Due to a limitation in the number of sites suitable for new development, the Siting Element promoted the development of an option for the disposal of waste at remote locations outside of the county and other measures including transformation and other alternatives to landfilling, and incineration or refuse-to-energy facilities.
38. As a consequence of some deficiencies with AB 939, the Board of Supervisors adopted recommendations of the Los Angeles County Integrated Waste Management Task Force. These recommendations included pursuing changes in legislation that will provide incentives for development of alternatives to landfilling and incineration. The implementation of refuse-to-energy facilities has been hampered due to strong public opposition; only two of the proposed refuse to energy facilities were constructed. There are currently no plans to increase the

number of these facilities. Recent solid waste management programs have focused on other options.

39. According to Los Angeles County Department of Public Works report to the Board of Supervisors, "Alternatives to Urban Landfills" (April 30, 2002), there are currently no economic incentives or other financial mechanisms, such as loans or tax-exempt bonds provided in state law, to encourage the development of facilities utilizing alternative technologies. Furthermore, jurisdictions have no incentive to direct residual solid waste (remaining after recycling and other conversion technologies) to a conversion facility. In response to direction from the Board of Supervisors, the Los Angeles Department of Public Works has advocated changes in state legislation to promote the development of conversion technologies by economic incentives and diversion credit. This proposal, which is to be incorporated into AB 2770, would provide 10 percent diversion credit for residual waste. The goal of this change in legislation would be to provide that conversion technologies which manage residual wastes be eligible for 100 percent diversion credit.
40. In light of efforts to promote programs of alternatives to landfill, The Los Angeles County Sanitation District is currently proposing to implement two major programs that would accommodate the disposal of solid waste following the closure of the Puente Hills Landfill in 2013: A Materials Recovery Facility and waste-to-rail system.
41. Within the ten-year period requested for Conditional Use Permit No. 02-027-(4), the applicant proposes to initiate a waste-to-rail system for the hauling of solid waste to remote off-site locations. The Los Angeles County Siting Element identified a number of remote landfill sites outside of the Los Angeles County to serve as proposed landfills. The Sanitation District is proposing a waste-to-rail system that would service two sites: Mesquite Regional Landfill and Eagle Mountain Landfill.
42. Mesquite Regional Landfill, located in Imperial County, is approximately 230 miles southeast of Los Angeles. The proposed landfill would have a capacity of 600 million tons. The facility would be able to handle a maximum disposal rate of 20,000 tons per day. The Sanitation District entered into an agreement for the purchase of the land in August of 2000. Litigation regarding the acquisition is currently pending.
43. The Eagle Mountain Landfill, located in Riverside County, is approximately 200 miles east of Los Angeles. The facility has a design capacity of approximately 700 million tons. For the first ten years of operation, the facility would be able to accept up to 10,000 tons per day. Following a review process, the facility would ultimately process a maximum disposal rate of 20,000 tons per day. The Los Angeles County Sanitation District entered into a purchase agreement for the site in August of 2000. Litigation regarding this acquisition is currently pending.

44. The Sanitation District is evaluating the new sites for use as an intermodal facility. An evaluation of the suitability of these sites for rail haul is required before any service commitments are made.
45. The Siting Element has also listed several existing intermodal facilities, currently used for commercial purposes. These facilities could be used to load solid waste on to railroad cars. Intermodal facilities include East Los Angeles Intermodal Facility (City of Commerce), the Hobart Facility (City of Vernon) and the Industry Intermodal Facility (City of Industry) and the Union Pacific Intermodal Facility (City of Long Beach). In addition, the Siting Element has identified existing and proposed solid waste transfer stations with rail access including Carson Transfer station and the Central Los Angeles Recycling and Transfer Station.
46. The Sanitation Districts have purchased the Downey Area Recycling and Transfer Facility. The facility would be permitted to receive 5,000 tons per day and could be modified to be used in the future waste-by-rail system. The Athens MRF is currently pending environmental review. According to the Sanitation District, the development of additional MRFs is hampered by lack of adequate markets for diverted materials and public opposition to waste-related facilities. In its report, "Alternatives to Urban Landfills", Los Angeles County Public Works has specified a time frame of approximately four years for the initial phase of the rail haul infrastructure.
47. In compliance with the California Environmental Quality Act, the County Sanitation District prepared an Environmental Impact Report (EIR) to cover the remaining 10-year operation of the landfill, from 2003 to 2013. The EIR was certified in January of 2002 by the Sanitation Districts' Board of Directors. This report is the third in a series of EIRs for this project. The previous EIR, certified in 1992, considered the remaining 20 years of capacity. In 1993, the Los Angeles County Board of Supervisors issued a permit for a 20-year project design with a 10-year term.
48. Based on consultation conducted in the scoping process, the EIR addressed the following potential impacts: Visual and Aesthetic Resources, Biological Resources, Cultural Resources, Traffic, Air Quality, Geology/Hydrology, Water Quality, Surface Water Drainage, Noise, Land Use, Public Health and Safety, Utilities and Energy. Visual and aesthetic resources was the only issue identified in the EIR as significant and unavoidable.
49. Visual and aesthetic resources were identified as a significant and unavoidable impact for a reduction in visual quality due to operations. Mitigation measures would include revegetation and landscaping of slopes, submittal of a landscaping plan within 180 days of the approval of the Conditional Use Permit, adherence to setback requirements, earthen berms, removal of fugitive litter, and coloring of landfill



structures and signage with tones that blend in with surrounding environment.

50. Potential impacts to biological resources included impacts to the California gnat catcher and other native wildlife species and the California Walnut Woodland. Mitigation measures include surveys conducted by a biologist, the timing of construction to avoid the nesting season, maintaining sufficient distance from any habitat areas. Movement of wildlife would be maintained through grading and fence associated with the landfill operation. Lost California black walnut trees would be replaced at a ratio of 3:1. Replacement trees would be greater than or equal to 5-gallons in size.
51. The EIR identified a potential to uncover previously unknown archaeological and palaeontological resources during earthmoving activities. The mitigation measures are standard conditions that include a temporary stop in operations and the use of a certified archeologist or paleontologist to document, assess and prescribe mitigation.
52. The EIR identified traffic impacts in terms of cumulative impacts associated with the surrounding street system. While the amount of waste accepted at the site will not change from the maximum rate of 13,200 tons per day accepted under the existing permit, the request includes the importation of 450 additional truckloads of dirt per day. The applicant proposes to spread out the shipment of dirt over a longer acceptance period from 6:00 a.m. to 5:00 p.m. (except Saturdays), however, conditions of the permit restrict dirt import to 9:00 a.m. to 5:00 p.m., pending further traffic analysis.
53. The Traffic and Lighting Division of Public Works requested an additional traffic analysis to consider cumulative impacts related to the construction of Alameda Corridor East Project. The analysis concluded that there would not be a cumulative impact due to Alameda Corridor East Project and continued operation of the landfill.
54. Mitigation for traffic includes traffic signal warrants for Crossroads Parkway South at the landfill entrance; re-striping of the intersection at Crossroads Parkway South and Crossroads Parkway North, Peck and Pellissier Place; increase the pavement thickness of Crossroads Parkway South for the landfill entrance to the SR-60 Ramp, and restrictions on the hours of soil hauling. The Sanitation District will also monitor the intersection of the 605 Freeway and Pellissier Place. Mitigation proposed for this intersection include one dedicated left-turn lane with one left and through lane and one dedicated through lane in the eastbound direction.
55. Potential air quality impacts are generated by dust, odors, landfill gas and mobile sources. Construction activity poses short-term impacts, which would be mitigated

through watering, scheduling construction work off peak hours, seeding disturbed ground cover and the use of clean-burning fuels.

56. Long term impacts associated with the landfill were addressed by implementation of a gas control system using vertical collection wells and horizontal collection trenches in conjunction with a low gas permeable liner; adequate cover would be provided on refuse fill. According to the EIR, dust control would be accomplished through wetting procedures, direction of traffic off unpaved roads, street sweeping and application of chemical stabilizer to areas paved with aggregate.
57. The EIR recommended several measures for the mitigation of odor. These measures consist primarily of soil coverage: mixing green waste with soil as alternative daily cover dramatically reduces odors. Other measures include rejection of extremely odorous shipments, tree planting (to prevent inversion), operation of wind machines and conducting odor surveys.
58. Potential geology and hydrogeology impacts included increased short-term erosion during construction, and landfill damage and personal injury due to geologic hazards. Best Management Practices (e.g. silt fences and filtration of sediment) were recommended as measures to minimize erosion. The EIR also addressed geological hazards through the design of excavation slopes, the stabilization of slopes, design of final refuse slopes and control systems that accommodate effects of ground acceleration.
59. The EIR noted a potential impact related to surface water quality resulting in construction-related activities (short-term impacts) and water quality degradation from operation of the landfill. Short-term impacts were addressed with BMPs. The EIR recommended grading procedures to reduce runoff, vegetation and grading to minimize erosion, run-off monitoring to evaluating water quality, and measures to prevent excessive rainwater from entering water bodies.
60. The EIR identified potential impacts on groundwater quality resulting from leachate as a consequence of landfill operations. Groundwater protection systems are proposed as mitigation measures. These include the installation of a composite liner system; operation and monitoring of subsurface barrier extraction systems; implementation of approved groundwater monitoring programs under supervision of the Regional Water Quality Control Board; continued operation of the landfill gas collection system and gas monitoring program; continued extraction of subsurface water or landfill gas; investigation and remediation of any identified contamination and treatment using physical, chemical or biological methods.
61. Potential surface water drainage impacts included personal injury or property

damage resulting from flood operation, potential landfill settlement on the surface water drainage system and the obstruction of surface water affecting the diversion of stormwater from the landfill. Mitigation measures include flow control systems, special grading and vegetation.

62. Potential noise impacts identified by the EIR were short-term in nature (construction-related) or long term (operation of the landfill). Long-term impacts were generated by facilities, equipment and on-site traffic. Mitigation measures for construction-related impacts involved the construction of portable noise barriers, muffling of equipment, limitation of construction hours from 7:00 a.m. to 6:00 p.m. and compliance with local noise regulations. The EIR recommended the construction of noise berms and the muffling of equipment.
63. The only potentially significant land use impact noted in the EIR was inconsistency with local land use plans and policies for the site. Mitigation measures include obtaining a new conditional use permit and compliance with zoning regulations. The EIR also noted that land use impacts would be mitigated by obtaining a Finding of Conformance from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force that would certify the project as consistent with the Countywide Siting Element.
64. The EIR identified potential public health and safety impacts from proliferation of vectors and sea gulls, leaking of landfill gas, improper handling of hazardous wastes, interruption of landfill activities due to emergency response situation and hazards to visitors and customers due to unauthorized entry. To mitigate these impacts, the EIR recommended landfill gas monitoring, programs to detect and manage hazardous waste, maintaining of daily coverage to prevent infestation of vectors and use of lines suspended over the fill area to control seagulls.
65. No potentially significant impacts for utilities or energy were identified.
66. In order to accommodate the concerns of local residents, the Los Angeles County Department of Public Works hired an independent consultant to conduct a study on three issues: soil importation, fugitive dust and odors. The study was conducted by Daniel, Mann, Johnson & Mendenhall/Holmes and Narver with the assistance of subcontractor Metcalf and Eddy. The report was entitled "Review of Environmental Impact Report for continued operation of the Puente Hills Landfill" (June 26, 2002). Based upon recommendation of this report the Sanitation District will implement additional programs for odor control. This program includes the implementation of a "trenchless" or "covered trench" gas collection system.
67. Testimony expressed concern over impacts associated with the Quemetco Battery

Recycling Facility located in the City of Industry. These include cumulative air quality impacts and disposal of water treated at the Quemetco facility. The impacts of the facility are currently assessed through the Environmental Impact Report related to its continued operation. Water resource/water quality impacts were identified as significant. The California Department of Toxics and Substance Control is the lead agency in this review. Regulation is under the purview of this agency.

68. Letters in support of the request were from cities and regional agencies and residents from nearby communities. Comments included the need for cost effective solid waste disposal, support of the waste-by-rail system and the Sanitation Districts' efforts in providing cost effective and alternative waste disposal services within the community.
69. Letters received in opposition to the request expressed concern about visual impacts, an open-ended term, waste leaching into the groundwater, odors, dust, vectors and devaluation of property, should the landfill continue to operate.
70. Letters were also received with suggestions pertaining to the continued operation of the landfill. These letters included comments on the utilization of tipping fees, mitigation of visual impacts, alternative disposal methods and habitat preservation.
71. Proposed conditions of approval address the following issues raised by the community:

Air Quality: Dumping operations are prohibited when watering equipment is not in operation. Reporting of notice of Violation and complaints to the Director of Public Works; the Director has the authority to require additional corrective measures. The applicant is also assessed a fine for violations that exceed the average amount. The applicant is required to implement a "covered trench" or "trenchless" gas collection system. The tarping of vehicles entering or exiting the site is also required.

Closure of the Landfill: No further waste will be received by the landfill as of October 31, 2013 or project completion (a maximum of approximately 38 million tons of refuse), whichever comes first.

Landscaping: Re-vegetation of north-facing and east facing slopes subject to community input.

Material Received for Beneficial Use: A maximum of 33,000 tons/week at an average of 5,550 tons per day.

Parkland Dedication: The Permittee is required to provide a park feasibility study and fund

a park master plan and the development of a park.

Property Value Loss Compensation Appraisal: Streamlining of property appraisal procedures. An Appraisal Appeals Board with three members with required certification by the California Office of Real Estate Appraisers.

Public Information: The designation of an ombudsman with the responsibility of providing reports to the Director of Planning, Public Works, Health Services and the Hacienda Heights Improvements Association on landfill operations and receiving input from community members.

Soil Delivery: Acceptance of a maximum amount of 11,700 tons/day, six work days per week at 450 trucks/day

Traffic: Signalization of Crossroads Parkway South; funding of improvements to the intersections of Peck Road and Pellisier Place and Crossroads Parkway North and Crossroads Parkway South; restriction of soil hauling from 9:00 a.m. to 5:00 p.m. with exception to Saturdays and improvements to the Crossroads Parkway South – SR 60 ramp.

Trails: Conditions govern the design of trails, minimization of trail closures and the re-location of trails.

Waste-by-Rail Implementation: Status reports of alternative solid waste disposal processes; Reduction in waste accepted at the site is imposed if no county/remote landfills are operational as given period of time. No reduction in capacity is required if Director of Public Works determines cost-effective alternative can be implemented; consultation with Hacienda Heights Improvement Association.

The applicant has also agreed to funding four programs:

Alternative Technologies: The Sanitation Districts propose to commit \$100,000 per year (up to a maximum of \$1,000,000 over the life of the proposed project) for studying alternative technologies for solid waste disposal. If a viable technology is identified, the Sanitation District would develop the technology on a pilot scale.

Environmental Programs: The funding of environmental and educational programs with primary consideration given to Hacienda Heights and Avocado Heights

Household Hazardous Waste and Electronic Waste: Funding of 12 annual household hazardous waste and electronic waste collections, funded on a semi-annual basis.

Preservation of Habitat Area: Funding for the acquisition, restoration and maintenance of natural habitat area for the benefit of Hacienda Heights.

The Commission finds

The continued operation of Puente Hills Landfill is needed to prevent a major shortfall in landfill capacity for Los Angeles County;

The County of Los Angeles is committed to a goal of diverting 50% of municipal solid waste away from landfill disposal. Implementation of a waste-by-rail system and other programs provided by this permit are crucial in attaining this goal;

The applicant has committed to consumption of the remaining maximum capacity of approximately 38 million tons in the Puente Hills Landfill or the closure of the landfill by October 31, 2013, whichever event occurs first;

Conditions of approval link the attainment of milestones of the waste-by-rail system with a reduction in capacity, to meet the scheduling of the proposed waste-by-rail system;

The permitted acceptance of 450 additional truck loads of dirt per day will ensure the applicant has sufficient dirt for landfill coverage as well as for construction of berms;

Conditions of approval and Integrated Monitoring Program adequately address environmental issues and other issues expressed by the community.

The proposed conditions of approval provide funding necessary for the waste-by-rail system, developing alternative solid waste disposal technologies, maintenance of household hazardous waste and electronic waste collection programs, development of environmental and educational programs; habitat preservation, and acquisition and maintenance of habitat preservation areas;

The property valuation program proposed under this permit provides a streamlined process;

The designation of an ombudsman will facilitate the dissemination of public information regarding landfill operation as well as the community input;

In comparison to the previous permit, Conditional Use Permit 92-250-(4), this permit provides greater control and discretion by regulatory agencies including the Local Enforcement Agency, California Integrated Waste Management Board, The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force, Los Angeles County Department of Health Services, Los Angeles County Department of

Public Works, Los Angeles County Department of Regional Planning, the South Coast Air Quality Management District, the California Regional Water Quality Control Board, the California Department of Fish and Game, the U.S. Army Corps of Engineers and the State of California Department of Health Services.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

- A. That the proposed use, as modified and with the attached conditions and restrictions, will be consistent with the adopted general plan for the area;
- B. That as modified, and with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the prescribed development features, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Regional Planning Commission, acting in its role as responsible agency for the project, certifies that it has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared by County Sanitation District No. 2 as lead agency prior to approving the project; adopts the mitigation monitoring program which is appended to and included in the attached conditions of approval, finding that, pursuant to California Public Resources Code Section 21081.6, the mitigation monitoring program is adequately designed to ensure compliance with the mitigation measures during project implementation; determines that the conditions of approval attached hereto are the only mitigation measures for

the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings; determines that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level and are outweighed by specific health and safety, economic, social and/or environmental benefits of the project as stated in the findings and in the Environmental Findings of Fact and Statement of Overriding Considerations adopted by the lead agency for the project, which findings and statement are incorporated herein by reference; and consents pursuant to Section 4741 of the Health and Safety Code to the continued operation and expansion of the landfill.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 02-027-(4) is **APPROVED** subject to the attached conditions.

**VOTE:**

**Concurring: Valadez, Rew, Modugno, and Helsley**

**Dissenting: None**

**Abstaining: Bellamy**

**Absent: None**

**Action Date: December 18, 2002**

RJF/JF

12-19-02

Attachments

Conditions

Implementation and Monitoring Program

Mitigation Monitoring and Reporting Program

Puente Hills Community Benefit Area Map



1. Definitions: Unless otherwise apparent from the context, the following definitions shall apply to these conditions:
  - a. "Ancillary Facilities" shall mean facilities authorized by this grant that are directly related to the operation and maintenance of the landfill, and shall not include facilities related to any other enterprises operated by the permittee or others such as the Puente Hills Materials Recovery Facility authorized by Conditional Use Permit No. 92-251(4).
  - b. "Base Level" shall mean the horizontal plane of the landfill, as shown on the attached Exhibit "A," above which solid waste is authorized to be placed for disposal pursuant to this grant.
  - c. "Class III (non-hazardous) Landfill" shall mean a disposal facility that accepts solid waste for land disposal, pursuant to applicable federal and state laws and regulations.
  - d. "Clean Dirt" shall mean soil used for coverage of the landfill face, buttressing of the landfill, construction of access roads and berms.
  - e. "Disposal Area" shall mean landfill as defined herein.
  - f. "Electronic Waste" shall mean all discarded consumer and business electronic equipment. Electronic waste includes materials specified in the California Code of Regulations, Title 22, Section 66261.9 and any amendments thereto.
  - g. "Facility" shall mean the subject property and all activities authorized on the subject property by this grant.
  - h. "Final Cover" shall mean the cover material required for landfill closure and post-closure maintenance pursuant to this grant and requirements of federal and state laws and regulations.
  - i. "Footprint" shall mean the horizontal boundaries of the landfill at ground level, as depicted on the attached Exhibit "A".
  - j. "Garbage" - see "solid waste" as defined herein.

- k. "Landfill" shall mean the portion of the subject property where solid waste is authorized to be permanently placed, compacted, and then buried under daily, interim and final cover material pursuant to all requirements of federal, state, and local laws and regulations. No portion of the landfill, including solid waste, cover material and materials in a temporary storage area, shall extend beyond the limits of fill. "Landfill" does not include adjacent cut or fill slopes, approved grading necessary for drainage purposes, and ancillary facilities authorized by this grant.
- l. "Limits of Fill" shall mean the horizontal boundaries and vertical boundaries (as identified by contours) of the landfill, as depicted on the attached Exhibit "A".
- m. "Local Enforcement Agency" (LEA) shall mean the entity or entities (currently the County of Los Angeles Department of Health Services) designated pursuant to the provisions of Division 30 of the California Public Resources Code to permit and inspect solid waste disposal facilities and to enforce State regulations and permits; provided, however, that should the function of the LEA be assigned at any time to an entity that is not designated by the Board of Supervisors, any responsibilities assigned to the LEA through the conditions of grant which are not by law the prerogative of the LEA shall be performed by the Department of Health Services-Solid Waste Management Program (DHS-SWMP).
- n. "Materials Received for Beneficial Use" shall mean (1) solid waste that has been source-separated or otherwise processed and put to a beneficial use at the Facility or separated or otherwise diverted from the waste stream and exported from the Facility for the purpose of recycling, including but not limited to green waste, wood waste, treated incinerator ash, asphalt, concrete and dirt, in accordance with the restrictions of Condition Nos. 2 and 15 and the agreement entered into pursuant to provisions of the attached Implementation and Monitoring Program (IMP); or (2) clean dirt imported to cover and prepare interim and final fill slopes for planting and for berms; provided that such importation of clean dirt has been shown to be necessary and has been authorized by the Director of Public Works.
- o. "Materials Recovery Facility" shall mean a facility that separates solid waste into recyclable materials and residual waste.

- p. "Permittee" shall mean the applicant and any other person, corporation, or other entity making use of this grant.
- q. "Project" shall mean the activities of the currently operational landfill and its expansion within the area depicted on Exhibit "A" and other activities as approved by this grant. The Project includes the landfill and ancillary facilities and activities as described in condition 2, including but not limited to waste diversion facilities, offices and other employee facilities, leachate treatment facility and other environmental control systems, material storage areas, and closure and post-closure activities.
- r. "Refuse" - see "solid waste" as defined herein.
- s. "Residual Waste" shall mean that waste remaining following the removal of recyclable material from the solid waste stream.
- t. "Rubbish" - see "solid waste" as defined herein.
- u. "Site Plan" shall mean a plan of all or a portion of the subject property, including Exhibit "A", as well as specific site plans for ancillary facilities and activities, as approved by the Director of Planning.
- v. "Solid Waste" shall mean all putrescible and nonputrescible solid and semi-solid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes and other discarded solid and semi-solid wastes, but excluding materials or substances having commercial value which have been salvaged for reuse, recycling or resale. Solid Waste includes residual waste received from any source.
- w. "Stockpile Area" shall mean temporary storage area as defined herein.
- x. "Temporary Storage Area" shall mean an area within the landfill where only those materials approved by the Director of Public Works may be placed for storage for no more than 180 calendar days, unless a longer period is approved by the Director, prior to further recycling or reuse so long as such storage does not constitute disposal in accordance with the regulations of the LEA and the California Integrated Waste Management Board (CIWMB). No putrescible materials shall be placed in a temporary storage area for

more than seven calendar days.

- y. "Trash" shall mean solid waste as defined herein.
- z. "Waste-by-Rail" shall mean a system which containerizes and transports solid waste by rail to a disposal facility at a remote location.
- aa. "Working Face" shall mean the working surface of a landfill upon which solid waste is deposited during the landfill operation, prior to the placement of cover material.

Unless otherwise expressly provided in this grant, applicable federal, state or local definitions shall apply to terms used herein.

2. This grant allows the continued operation and expansion of a Class III (non-hazardous) landfill together with certain ancillary facilities and activities, as enumerated herein and as shown on the most currently approved site plan, subject to all of the conditions of approval:

- Offices and employee facilities related directly to the landfill and waste handling and processing operations allowed under this grant, but excluding offices and other facilities related to any other enterprises operated by the permittee or others;
- Leachate collection, treatment, and processing facilities;
- Facilities necessary for the collection, disposal, utilization and distribution of landfill gases as required and/or approved by the Director of Public Works, the LEA, or the South Coast Air Quality Management District (SCAQMD);
- Facilities necessary for the maintenance of machinery and equipment used at the landfill, excluding refuse collection equipment and vehicles, and equipment or machinery utilized by the permittee in other enterprises;
- On-site waste diversion and recycling facilities consistent in scale and purpose with the agreement entered into pursuant to Part II of the attached IMP;
- Facilities necessary for other environmental protection and control systems, including storage tanks, sedimentation basins and drainage devices; and

- Facilities for landfill gas energy recovery and landfill gas flare stations the locations of which must have the prior written approval of the Director of Planning.

Revised site plans may be submitted for approval by the Director of Planning as required, consistent with the intent of this grant, with copies of the submittal filed with the Director of Public Works and the LEA, except as otherwise provided in Condition 25. No revisions shall be made to Exhibit "A" and no revised site plans shall be approved that would change the limits of fill. A copy of all approved revised site plans shall be filed with the Director of Public Works and the LEA upon approval by the Director of Planning, except as otherwise provided in Condition 25.

3. This grant shall not be effective for any purpose until the permittee, and the owner of the property subject to this grant if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and have paid all fees and provided all deposits and security required by the conditions of this grant. The affidavit shall also state that the permittee shall not seek any further requests for extension of the disposal operations at the property subject to this grant beyond October 31, 2013. Notwithstanding Condition 8, the filing of such affidavit accepting all conditions of this grant constitutes a waiver of the permittee's right to challenge any provision of this grant.
4. Attached to these Conditions are an Implementation and Monitoring Program (IMP) to implement and ensure compliance with the conditions of grant and a Mitigation Monitoring and Reporting Program (MMRP) to monitor compliance with required environmental impact mitigation measures, which programs are incorporated into these Conditions by reference. The permittee shall fully perform each action required of the permittee by the IMP and the MMRP as if they were specifically set forth in these Conditions.
5. This grant will expire unless used within one year from the date of approval. A one-year time extension may be requested in the event that compliance with these conditions cannot otherwise be fulfilled. The Hearing Officer may extend such time for a period not to exceed one year, provided an application, with the appropriate fee, requesting such extension is filed with the Department of Regional Planning prior to such expiration date.
6. Prior to the use of this grant, the permittee shall obtain a Finding of Conformance with the Los Angeles County Countywide Siting Element from the Los Angeles County

Solid Waste Management Committee/Integrated Waste Management Task Force.

7. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant to the satisfaction of the Director of Planning and in full compliance with any law, statute, ordinance or other regulation applicable to any development or activity on the subject property, including but not limited to those permits, other approvals or findings issued by the following agencies:
  - a. The Local Enforcement Agency and the California Integrated Waste Management Board;
  - b. The Regional Water Quality Control Board, Los Angeles Region (RWQCB);
  - c. The South Coast Air Quality Management District;
  - d. The California Department of Fish and Game;
  - e. The U.S. Army Corps of Engineers;
  - f. The California Department of Health Services;
  - g. The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force;
  - h. The Los Angeles County Department of Public Works.

Failure of the permittee to cease any development or activity not in such full compliance, as described above, shall be a violation of this grant. The permittee shall keep all required permits in full force and effect and shall fully comply with any requirements thereof.

8. If any provision of this grant is challenged by the permittee and is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
9. To the extent permitted by law, the LEA shall have the authority to order the immediate cessation of landfilling or other activities at the site if it determines that the health, safety and/or welfare of inhabitants of the County of Los Angeles so requires. Such cessation shall continue until such time as the LEA determines that the conditions leading to the cessation have been eliminated or reduced to a level that no longer poses an unacceptable threat to such health, safety and/or welfare.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these Conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety, or so as to be a nuisance.

In addition to, or in lieu of, the provisions stated, the permittee shall be subject to a penalty for violation of any provisions of this grant as determined by, and at the discretion of, the Director of Planning in an amount not less than \$1,000 or more than \$10,000 per day per violation. For this purpose, the permittee shall deposit the sum of \$100,000 in an interest-bearing trust fund with the Department of Regional Planning prior to the effective date of this grant, to establish a draw down account. A written notice of a violation and the associated penalty will be sent to the permittee. If the noted violation is not corrected within 30 days to the satisfaction of the Director of Planning, the penalty amount cited in the written notice will be deducted from the account. If the violation is corrected within 30 days but recurs any time within a six-month period, the penalty will be deducted from the account upon each recurrence and the permittee will be notified of such deduction. Once the deposit has been depleted by 50 percent of the initial amount (\$50,000), the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit (\$100,000) within 10 business days of notification. There is no limit to the number of supplemental deposits that may be required during the life of this grant.

If the applicant is dissatisfied with the action of the Director, an appeal may be filed with the Hearing Officer within 15 days after receipt of notification. Upon receiving a notice of appeal, the Hearing Officer shall take one of the following actions:

- a. Affirm the action of the Director;
- b. Refer the matter back to the Director for further review with or without instructions; or
- c. Set the matter for public hearing.

The decision of the Hearing Officer shall be final and conclusive.

11. Nothing in these Conditions shall be construed to require the permittee to engage in any act that is in violation of any state or federal regulation.
12. A. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the

County or its agents, officers, or employees to attack, set aside, void, annul or seek damages or compensation in connection with this permit approval and/or the conditions of permit approval, which action is brought within the applicable time period of California Government Code Section 65907 or other applicable time period. The County shall notify the permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.

- B. The permittee shall indemnify and hold harmless the County, its agents, officers, and employees from any claim, action or proceeding for damages arising from its operations including water, air or soil contamination, health impacts, or loss of property value during the operation, closure and post-closure of the Project.
- C. Prior to the effective date of this grant, the permittee shall provide evidence of insurance (ACORD certificate form or its equivalent) coverage that meets County requirements as required and approved by the Chief Administrative Office. Such coverage shall be maintained throughout the term of this grant and until such time as all post-closure requirements are met and certified by the appropriate local, state and federal agencies. Such insurance coverage shall include but not necessarily be limited to the following: general liability, auto liability, professional liability, and, environmental impairment liability coverage insuring clean-up costs, and endorsing for "Sudden and Accidental" contamination or pollution. Such coverage shall be in an amount sufficient to meet all applicable state and federal requirements, with no special limitations. At permittee's request and with County's approval by the Chief Administrative Officer, the permittee may elect to self-insure all or any part of the above coverage obligations in lieu of purchasing commercial coverage.

- 13. This grant will terminate upon completion of all mitigation measures required by this grant, all landfill closure and post-closure maintenance required by federal, state and local agencies, and all monitoring and maintenance of environmental protection and control systems required by Condition 49. Prior to termination, all facilities not required for mitigation, for landfill closure or post-closure maintenance, or for environmental protection and control systems shall be removed unless they are permitted as a matter of right by the zoning regulations then in effect.

Upon completion of the Project as shown on Exhibit "A", or on October 31, 2013, whichever occurs first, no further waste shall be accepted at the Facility for landfilling or processing.



14. The maximum daily tonnage allowed shall be as follows:
- a. The amount of solid waste placed in the landfill for disposal shall not exceed 13,200 tons on any given day, six working days per week. Residual waste received from the Puente Hills Materials Recovery Facility shall be included in this amount.
  - b. Except as provided in subsection c below, the amount of materials received for beneficial use shall not exceed 33,000 tons per week (an average of 5,550 tons per day) unless an increased amount is authorized by the Director of Public Works, subject to the following conditions:
    1. All appropriate environmental analyses including traffic studies have been completed; and
    2. Any necessary mitigation measures identified through the environmental analyses have been incorporated.
  - c. In addition, subject to the limitations of Condition 54, a maximum amount of 11,700 tons of clean dirt may be received at the Facility on any given day, six working days per week, to cover and prepare interim and final fill slopes for planting and for berms, provided that a maximum of 450 trucks per day are used for the delivery of such clean dirt.
  - d. The Board of Supervisors may increase the maximum amount of daily tonnage allowed in this condition if the Board, upon the joint recommendation of the LEA and the Director of Public Works, determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of the public health and safety or if there is a declared emergency, as defined in California Code of Regulations Title 14, Division 7, Chapter 3, Article 3.
15. The permittee shall operate the Facility in a manner that maximizes the amount of solid waste that can be placed within the landfill, including but not limited to the following:
- Implement methods of waste compaction that equal or exceed compaction rates achieved at comparable landfills as determined by the Director of Public Works;
  - Investigate and implement, to the extent determined by the Director of Public Works to be appropriate, methods of diverting or reducing high volume, low-density materials that are not capable of being readily compacted;

- Investigate and implement, as permitted by the appropriate regulatory agencies, methods to reduce the volume of daily cover required;
  - Utilize waste materials received and processed at the Facility, such as shredded green waste, as alternative to daily, intermediate and final cover, to the extent deemed technically feasible and acceptable by the regulatory agencies. However, contaminated soils, as defined by state regulations, and automobile shredder waste shall not be used as daily, intermediate or final cover;
  - Recycle or otherwise divert from disposal all clean dirt received at the Facility from off-site sources. Clean dirt shall not be placed in the landfill for disposal without prior approval from the Director of Public Works; and
  - Utilize on-site clean dirt for daily, intermediate or final cover where possible, as determined by the Director of Public Works, instead of imported clean dirt.
16. Notwithstanding any other provision of this grant, the permittee shall not negligently or intentionally deposit waste into the landfill which is required to be diverted or recycled in accordance with city and county Source Reduction and Recycling Elements of the County of Los Angeles Countywide Integrated Waste Management Plan adopted pursuant to Division 30 of the California Public Resources Code, and/or the Waste Plan Conformance Agreement entered into between the County and permittee pursuant to Conditional Use Permit No. 92-250-(4).

Within 90 days of the effective date of this grant, and thereafter as may be necessary, the Waste Plan Conformance Agreement, which was previously approved by the County Board of Supervisors on November 29, 1994, and is currently in effect, shall be amended to maintain consistency with applicable city and county waste management plans. The Director of Public Works is authorized to execute all amendments to the Waste Plan Conformance Agreement on behalf of the County. The Agreement shall provide for (1) controlling and accounting for waste entering and, in the form of recycled or diverted material, leaving the landfill, (2) the implementation and enforcement of programs intended to maximize utilization of the available fill capacity as set forth in Condition 15, and (3) the implementation of waste diversion and recycling programs on and off-site in accordance with applicable city and county waste management plans.

17. Prior to the use of this grant, the permittee shall have submitted a program to the Director of Public Works, and shall have received the Director's approval of the program, for the purpose of preventing wasted trips to the Facility and illegal disposal,

which program shall include but is not limited to:

- a. Scheduling of regular users, such as commercial and municipal haulers, as needed to avoid their arriving at the Facility and being diverted to other landfills; and
- b. Reservation of capacity for small commercial and private users.

The Directors of Planning and Public Works shall monitor the program's success in minimizing truck traffic, and the Director of Planning, in consultation with the Director of Public Works, may impose additional requirements as warranted to ensure the permittee has instituted measures adequate to minimize truck trips to the Facility.

The Director of Public Works may require that the program also include reservation of adequate capacity for waste generated in the unincorporated area of the County as jointly calculated by the permittee and the Director.

18. The permittee shall charge differential tipping fees or implement other programs approved by the Director of Public Works as necessary to discourage hauling of partially filled loads to the Facility.
19. Except as otherwise provided in this condition, the following types of waste shall be prohibited from being disposed at the landfill and shall not be accepted at the Facility: incinerator ash, sludge, radioactive material, hazardous waste, medical waste as defined in Section 25023.2 of the California Health and Safety Code, liquid waste as defined in state laws and regulations, waste which contains soluble pollutants in concentrations that exceed applicable water quality objectives, and waste which could cause degradation of waters of the state as determined by the RWQCB. The permittee shall implement a comprehensive waste load-checking program to preclude disposal of prohibited waste at the landfill, which program shall comply with the requirements of this condition.

The permittee and the DHS-SWMP shall carry out the comprehensive waste load checking program. The DHS-SWMP shall maintain at least one full-time inspector at the landfill at times when waste is being received and processed. The permittee shall compensate the DHS-SWMP for its costs, including personnel, transportation (mileage and vehicle maintenance), and equipment costs, incurred in administering the provisions of this condition not otherwise covered by fees paid for administration of the solid waste facilities permit for the landfill.

Notification of the restrictions on disposal of prohibited waste and the procedures for proper disposal at other appropriately classified disposal sites for waste processing facilities shall be provided to waste haulers on a routine basis. Notices shall be printed in English and Spanish and shall also be posted at prominent locations at the Facility to inform waste haulers of the rules governing the disposal of prohibited waste and that anyone negligently or intentionally bringing in any prohibited waste shall be prosecuted under the fullest extent of the law.

In the event that material known or suspected to be prohibited waste is discovered at the Facility, the permittee's agent shall:

- a. If the vehicle that delivered the waste is still present, detain the driver and obtain his drivers license and vehicle license number;
- b. Immediately make all notifications to state and County agencies as required by federal, state and local laws and regulations; and
- c. If possession of the material is not immediately taken by a public official, store the material at a site developed in accordance with the regulations of the California Department of Health Services and the RWQCB until disposed of in accordance with applicable State and Federal regulations.

Nothing in this Condition shall be construed to permit the maintenance of a hazardous waste disposal facility at the Facility.

The permittee may accept sludge from the permittee's wastewater treatment facilities for disposal. In addition, the permittee may accept treated incinerator ash for beneficial use at the Facility provided such use is approved by the RWQCB.

20. The hours of operation of the Facility shall be as follows:

- The Facility shall be closed to the public on Sunday;
- Solid waste and other materials may be accepted at the Facility only between the hours of 6:00 a.m. through 5:00 p.m., Monday through Saturday. The landfill entrance gate at Crossroads Parkway South shall be opened at 5:00 a.m. on weekdays and on Saturdays, or earlier as needed to allow the onsite queuing of vehicles to accommodate post-holiday disposal requirements. Furthermore, materials may be accepted at other times if the LEA determines that extended hours are necessary to handle additional disposal for the preservation of the

public health and safety;

- Operations at the Facility, such as site preparation and maintenance, the application of cover, and waste processing, but excepting activities such as gas control, which require continuous operation, may be conducted only between the hours of 6:00 a.m. and 9:00 p.m., Monday through Saturday;
  - Equipment maintenance shall be limited to the hours of 4:00 a.m. through 9:00 p.m., Monday through Saturday. No diesel-run heavy equipment vehicle shall be started before 5:00 a.m.;
  - Equipment repairs, mitigation measures necessary to avoid environmental impacts, and emergency operations, which cannot be accomplished during the hours stated above, may be performed at any time with the approval of the LEA; and
  - All construction projects shall be scheduled for off-peak hours to the extent feasible, as determined by the Director of Public Works. Construction of berms in the easterly portion of the subject property shall be limited to the hours of 9:00 a.m. to 8:00 p.m. Monday through Saturday. No construction activity, except emergency operations, shall be conducted in the easterly portion of the subject property on Sunday.
21. The permittee shall at all times, Monday through Saturday, maintain adequate onsite staff for operation of the Facility. These personnel shall have appropriate training and experience needed to operate the Facility. The level and qualifications of employees at the Facility shall be subject to approval by the LEA, which at its discretion may establish minimum training requirements for designated positions at the Facility. On-site staff shall be familiar with the conditions of this grant.
22. The permittee shall post a sign at the entrance gate at Crossroads Parkway South, which indicates the following:
- a. The telephone number by which persons may contact the permittee on a 24-hour/day basis to register complaints regarding operations at the Facility. Said telephone number shall also be published in the local telephone directory.
  - b. The telephone number of the LEA and the hours when the number is staffed.
  - c. The telephone number of the enforcement offices of the SCAQMD and the

hours when the number is staffed.

23. The County reserves the right to exercise its police powers to protect the public health, safety and general welfare by managing the County-wide waste stream, including such activities as the appropriate regulation of tipping fees and similar Facility rates, fees or charges.
24. As agreed, the permittee shall make the following payments during the term of this grant:
  - a. The permittee shall make a monthly payment of \$1.00 per ton of solid waste placed in the landfill for disposal, which shall be deposited into an interest-bearing Community Benefit and Environmental Education Trust Fund, established for the purpose of providing resources for environmental, educational, and quality of life programs, regional public facilities that serve the surrounding communities, and other benefits within the surrounding communities. Monies in the Fund shall primarily be used to benefit the Hacienda Heights and Avocado Heights communities as shown on the attached map. No monies from the Fund shall be spent on projects or programs in areas outside the jurisdictional boundaries of the permittee. The members of the Board of Supervisors whose supervisorial districts include or are adjacent to the subject property (currently Supervisorial Districts 1 and 4) will recommend expenditures from the Fund to the Director of Planning, who shall administer the Fund. Funding shall be apportioned between such supervisorial districts based on the districts' population in the area within an approximately three (3) mile radius extending from the center of the landfill, with an initial apportionment of 40% for Supervisorial District 1 and 60% for Supervisorial District 4. After the first year, the Director of Planning may periodically adjust this apportionment to reflect population changes in the area as determined from a review of census data. All interest earned on the monies in the Fund shall remain in the Fund.
  - b. The permittee shall annually fund twelve (12) household hazardous waste and electronic waste (including discarded computers) collection events conducted within the County of Los Angeles. The cost of each event shall be calculated based on the average cost of the events conducted in the preceding 12 months, if data available, and/or as determined by the Director of Public Works. The permittee shall pay the funds to the Director of Public Works on a semi-annual basis. The first payment shall be due within 90 days from the effective date of this grant.
  - c. Pursuant to Goal 2.4.2 of the Los Angeles County Countywide Siting Element and the Board of Supervisors' action of July 27, 1999, with regard to promoting the

development of alternatives to landfilling and incineration, the permittee shall contribute up to \$100,000 per year, to a maximum of \$1,000,000, during the term of this grant toward the cost of studies to be conducted by the County of such alternative technologies that may be most appropriate for Southern California from an environmental and economic perspective, as determined by the permittee and the Director of Public Works, as well as toward promoting and implementing such alternative technologies. The initial study shall be completed within 12 months of the effective date of this grant. A summary of the initial study and any subsequent studies shall be submitted to the Regional Planning Commission for its review and comment to the Director of Public Works. The study shall evaluate potential activities to be conducted by the permittee during the term of this grant, including, but not limited to, ongoing monitoring and evaluation of emerging technologies and consideration of possible pilot scale demonstrations. If the study identifies one or more technologies that are determined by the permittee and the Director of Public Works to be viable and appropriate to pursue on a pilot scale, the permittee shall provide additional funding, subject to approval by its Board of Directors, for the development of such technologies on a pilot scale and to develop a pilot facility, if feasible and as approved by the Director of Public Works.

Within 90 days of the effective date of this grant, the Director of Public Works, in consultation with the permittee, shall initiate the formation of an Alternative Technology Advisory Subcommittee within the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force to assist in the preparation of the study's scope of work and to review and implement the recommendations of the study. This advisory subcommittee shall consist of a representative of the Hacienda Heights Improvement Association, a staff member of the California Integrated Waste Management Board, an elected official who serves on the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force whose jurisdiction is served by the Puente Hills Landfill, one staff member each of the DPW and the DHS, and a representative of the permittee. Additional members may be added with the consent of the Director of Public Works. In no case shall the number of members exceed eleven (11).

In addition, the permittee with the approval of its Board of Directors shall:

- support and promote legislation and regulations which would promote development of conversion technologies by providing economic incentives; and
- support and promote legislation and regulations which would promote development of conversion technologies by removing them from the definition of transformation

and providing full diversion credit towards the State's waste reduction mandates.

d. The permittee shall remit to the Department of Public Works on a monthly basis a fee of \$0.25 per ton of solid waste disposed of at the landfill for use in implementation and enhancement of waste diversion programs in the County unincorporated areas.

e. The permittee shall make an annual payment of \$1.00 per ton of refuse disposed of at Puente Hills Landfill into a fund established for the purpose of acquiring, restoring, and/or maintaining additional open space lands in the La Puente Hills/Whittier Hills areas in the vicinity of the permittee's property pursuant to the joint powers authority established to control the operation of said fund, which consists of the permittee, the County of Los Angeles, the City of Whittier and a representative of the Hacienda Heights Improvement Association selected by the member of the Board of Supervisors whose supervisorial district includes the subject property. The permittee's annual payment shall continue for as long as disposal operations continue under this permit. In authorizing expenditures from the fund, the joint powers authority shall give special consideration to land acquisitions, habitat restoration, trailhead construction, and recreational and/or educational amenities on open space lands within and for the benefit of the community of Hacienda Heights.

f. Nothing in these conditions shall relieve the permittee from its obligation to pay any otherwise required fees or taxes pursuant to applicable laws and ordinances.

25. Except as otherwise provided in this condition, areas outside of and above the cut and fill shown on Exhibit "A" shall not be graded or similarly disturbed to create the landfill, except that the Director of Public Works may approve additional grading if the Director determines, based upon engineering studies provided by the permittee and independently evaluated by the Director, that such additional grading or disturbance is necessary for slope stability or drainage purposes. Such a determination shall be documented as provided in the attached IMP and the permittee shall submit a revised site plan for review and approval by the Director of Public Works. A copy of the approved site plan shall be filed with the Director of Planning and the LEA. No revisions shall be made to Exhibit "A", and no revised site plan shall be approved that would change the limits of fill.

No approval shall be granted under this condition that will result in expanding the area or height of fill (i.e. changing the authorized limits of fill) or in lowering or significantly modifying any of the ridgelines surrounding the landfill.



Nothing in this condition shall be construed as prohibiting the installation of water tanks, access roads, flares, or similar facilities or mitigation programs required by this grant or by permits issued by other public agencies.

26. The permittee shall comply with all grading requirements of the DPW and the Los Angeles County Code. The permittee shall obtain prior approval from the Director of Public Works for all grading work which is outside the footprint of the landfill and all grading work within the landfill footprint which could impact offsite property. It is not the intent of this condition to duplicate the efforts of the RWQCB, LEA or other regulatory agencies.
27. The permittee shall install drainage structures and comply with all drainage requirements of the DPW and any additional requirements of the RWQCB and other regulatory agencies. Except as otherwise specifically provided by the Director of Public Works, all drainage structures, including sedimentation basins, shall be designed and constructed so as to accommodate run off from a capital storm. All design and construction plans must have the prior approval of the Director of Public Works, with the exception of interim and temporary drainage components that do not have the potential to create off-site impacts or impacts to Los Angeles County Flood Control District drainage structures and that are consistent with the requirements of the National Pollutant Discharge Elimination System General Permit No. CAS000001 for discharges of storm water associated with industrial activities and all future amendments or updates to such permit.
28. The landfill and drainage structures shall in all cases be designed so as to cause surface water to be diverted away from disposal areas. All design plans and modifications thereof must have the prior approval of the Director of Public Works.
29. The permittee shall install and maintain containment (liner) systems and leachate collection and removal systems as required and approved by the RWQCB.
30. The permittee shall install and test ground water monitoring wells as required by the RWQCB and shall promptly undertake any action directed by the RWQCB to correct or prevent contamination which may affect ground water quality or water conveyance or storage facilities. Any testing or remedial actions deemed necessary by the RWQCB to correct or prevent contamination or to determine the existence of any contamination from the existing landfill previously operated by the permittee shall be completed or guaranteed by the permittee to the satisfaction of the RWQCB before commencement of the landfill expansion authorized by this grant.
31. The permittee shall operate the Facility in a manner that conserves water, including but

not limited to the following:

- a. The permittee shall investigate the feasibility of treating collected leachate on-site for reuse in the landfill and shall, if feasible and approved by the appropriate agencies, implement a program to utilize such water;
  - b. Soil sealant, pavement and other control measures shall be used wherever possible in preference to potable water for dust control; and
  - c. To the extent feasible, as determined by the Director of Planning, drought-tolerant plants shall be used to re-vegetate the landfill slopes and other disturbed areas, and plant types shall blend with species indigenous to the area and shall be capable of rapid establishment; except that on north-facing and east-facing slopes, plant selection shall be subject to community input.
32. No activity for which an Industrial Waste Disposal Permit and/or Underground Storage Tanks Permit is required, including but not limited to installation, modification or removal of underground storage tanks and/or industrial waste control facilities (this includes any permanent structures intended for the treatment of post-development storm water runoff), shall be initiated on the subject property before the required permit (or revision thereof) is obtained from the DPW and any required facilities are installed.
33. Unless determined otherwise by the Department of Public Works, the permittee shall obtain the Department of Public Works approval for a Standard Urban Stormwater Mitigation Plan for the project activities.
34. The permittee shall promptly notify the LEA and the Director of Public Works of any slope that is projected to remain inactive for a period longer than 180 days and a temporary vegetation cover or other equivalent erosion protection shall be established on all such slopes and other areas.

Prior to placing any solid waste within 10 feet of the limits of fill, the permittee shall submit to the LEA and the Director of Planning for review and approval its reclamation and revegetation plan, including the timing of the proposed work.

If the LEA determines in consultation with the DPW that a different design or plan would better protect the public health and safety and would enable revegetation of the final slopes as well or better than the proposed reclamation and revegetation plan, and/or a change is dictated by revisions to the minimum standards adopted by the California Integrated Waste Management Board, and therefore requires the implementation of a different design and/or plan, the permittee shall not be bound by

the provisions of this condition but shall be bound by the requirements of the LEA; provided, however, that the limits of fill may not be exceeded.

Except as otherwise provided in this condition, all final fill slopes shall be reclaimed and revegetated in lifts substantially in compliance with the Project landscaping plan.

The permittee shall employ expert assistance to carry out this condition, including an independent, qualified biologist. Soil sampling and laboratory analysis shall be conducted on all areas before revegetation to identify chemical or physical soil properties that may adversely affect plant growth and establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected based upon the above-referenced testing procedures and results. To the extent feasible, as determined by Director of Planning, plant types shall blend with species indigenous to the area and be drought tolerant and shall be capable of rapid establishment, except that on north-facing and east-facing slopes, plant selection shall be subject to community input. In all cases, plant selection shall exclude non-indigenous species likely to be invasive of adjacent natural areas. Salvage of local topsoil shall be required to the extent feasible, as determined by the Director of Planning.

35. The permittee shall utilize the most effective available technology and methodology to avert fugitive dust emissions, which may be a nuisance or hazard in adjacent populated or recreational areas or which may cause significant damage to wildland resources. In addition to the revegetation measures required in Condition 34, the program shall include the following:
- a. The permittee shall not engage in any excavation or other operation during high wind conditions, or when such conditions may reasonably be expected, that would result in significant emissions of fugitive dust, which cannot be confined to the area under the permittee's control;
  - b. The working face areas shall be kept to small, contained areas unless a larger working face is determined by the LEA to better protect public health and safety. At times of the year when high wind conditions may be expected, any working face shall either be located in areas of minimal wind exposure or be closed, if deemed necessary by the LEA;
  - c. Except during rainy conditions, daily cover shall be moistened with water to retard erosion, and a soil sealant shall also be used to supplement water for dust control and to retard erosion when wind conditions dictate;

- d. Except during rainy conditions, any active area or active cover soil stockpile area shall be moistened with water on a daily basis unless wind conditions dictate otherwise, in which case soil sealant shall be used in addition to water. Soil excavated from one portion of the site shall be used as a cover material in an adjacent area, to the extent feasible as determined by the Director of Public Works, to reduce the transport distance;
- e. As determined by the LEA, before each day when the Facility will be closed to receipt of solid waste, the permittee shall apply soil sealant to any previously active dirt area that has not already been sealed or re-vegetated;
- f. Inactive areas of exposed dirt that have been sealed shall be regularly monitored to determine the need for additional sealing and to prevent unauthorized access that might disturb the sealant and, if additional treatment is required, it shall be promptly applied to assure full control of the soil particles;
- g. All access roads to permanent facilities, except those infrequently used, shall be paved;
- h. The paved access road to the fill areas shall be extended as new areas are opened to minimize the length of dirt road. Winter deck access roads shall be paved or surfaced with recycled asphalt, aggregate materials or soil stabilization products to minimize the length of untreated dirt;
- i. All paved roads in regular use shall be regularly cleansed to remove dirt left by trucks and other vehicles;
- j. Except during rainy conditions, all dirt roads in regular use shall be watered at least once daily on operating days, and more often if required by the LEA or the Director of Public Works, or otherwise treated to control dust emissions;
- k. Loads capable of producing dust shall be watered during the dumping process. If such a practice is deemed not acceptable to the RWQCB, the permittee shall develop alternative methods to minimize dust generation during the dumping process and obtain approval of the Director of Public Works within 90 days of the effective date of this grant;
- l. The permittee shall maintain water tanks and piping capable of supplying by gravity at least one full day's maximum water usage, as determined by the LEA,

to the fill areas for dust control, which capacity shall be in addition to any fire flow required by the County Forester and Fire Warden;

- m. The permittee shall submit quarterly reports to the Director of Public Works listing all fugitive dust and odor complaints received from residents and all Notices of Violation issued by the SCAQMD or the LEA as well as the measures undertaken to address the complaints and to correct the violations. If more than three Notices of Violation are issued in any calendar year, the permittee shall pay a fine of \$1,000 for the first violation in excess of three and \$5,000 for each subsequent violation. This threshold is based upon an average of the last five years. Fines shall be deposited into an interest-bearing trust account administered by the Director of Planning, to be used to contribute funding for clean air school buses for the Hacienda/La Puente School District or as otherwise approved by the Board of Supervisors.
  - n. The permittee shall install and maintain devices to monitor wind speed and direction, as specified by the SCAQMD, and shall retain qualified personnel to read and interpret the data, to obtain or utilize information on predicted wind conditions and to assist in the planning of operations at the Facility;
  - o. The permittee shall have three water cannons operational during hours of landfill operation for the purposes of wetting down dust related to landfilling activities. If such a practice is not acceptable to the RWQCB, the permittee shall develop alternative methods to minimize dust generation during the dumping process and obtain approval of the Director of Public Works within 90 days of the effective date of this grant; and
  - p. The Director of Public Works and the DHS-SWMP shall each have the authority to require the permittee to implement additional corrective measures when such measures are deemed appropriate to protect public health and safety.
36. The permittee shall employ the most effective available technology and methodology to prevent litter that enters the area under the permittee's control in the form of waste from escaping the area. Notwithstanding other provisions of this condition or of this grant, the permittee shall close the Facility to incoming waste during high wind conditions if, despite the application of the most effective available technology and methodology, litter cannot be confined to the area under the permittee's control.

The permittee's on-site litter control program shall include, unless otherwise provided by the LEA, the following:

- a. Facility personnel shall continuously patrol the access road to the scales from the time it opens to the time it closes in the evening;
  - b. Improperly covered or contained loads which may result in a significant release of litter shall be immediately detained and the condition corrected, if practicable, before the load proceeds to the working face. If correction cannot be made, the load shall be conducted under escort to the working face;
  - c. All debris found on or along the entrance and working face access roads shall be immediately removed;
  - d. Operating areas shall be located in wind-shielded portions of the landfill during windy periods;
  - e. The permittee shall use a primary portable litter fence at a height of eight feet at the working face and a four-foot secondary fence behind the primary fence, depending on wind conditions or as directed by the LEA. The permittee shall employ additional measures as necessary to control litter. On windy days and when the fences are not sufficient, the working face shall be located within areas of minimal wind exposure or shall be closed, if so required by the LEA. The LEA may require additional measures deemed necessary to effectively control litter; and
  - f. Within 90 days of the effective date of this grant, the permittee shall develop best available methods or procedures to prevent vehicles leaving the Facility from carrying dirt and/or debris on to local streets or highways.
37. The permittee shall maintain, to the satisfaction of the Director of Public Works and the LEA, programs aimed at controlling the discharge and recovery of offsite litter from uncovered or improperly covered or contained loads traveling to the Facility, including regular off-site litter collection.
38. The permittee shall at all times, Monday through Saturday, maintain adequate staff to promptly respond to and correct dust, litter and other complaints from the surrounding neighborhood.
- The permittee shall also maintain on-site, 24 hours per day, seven days a week, at least one person who is qualified to assess the need for remedial action and is authorized to summon the resources to perform any necessary remedial action. The

personnel assigned shall be provided with the means to be continuously in communication with the telephone number posted at the entry gate.

39. The permittee shall adopt and implement operational practices to mitigate vehicular and other air quality impacts as required by the SCAQMD.
40. To the extent technically and economically feasible, as determined by and subject to the satisfaction of the Director of Public Works, the permittee will utilize landfill gas to generate energy at the site or for other beneficial uses rather than flaring. Also, the permittee shall install and maintain a best available control technology landfill gas collection system in compliance with the requirements of the SCAQMD and shall control the lateral migration of gases to the satisfaction of the Director of Public Works, LEA, and SCAQMD.
41. The permittee shall take all necessary measures to ensure that noise emissions from the Facility at any residential receptor are within the limits of the County Noise Ordinance, as contained in Title 12 of the County Code.
42. The permittee shall maintain on-site fire response capabilities, construct access roads, provide water tanks, water mains, fire hydrants and fire flows and perform brush clearance to the satisfaction of the County Forester and Fire Warden.
43. All on-site fuel storage tanks shall be installed and necessary containment and air quality controls provided in accord with the requirements of the County Forester and Fire Warden, DPW, RWCQB, and SCAQMD.
44. The permittee shall also provide effective vector control measures as directed by the Director of Health Services.
45. The permittee shall be responsible for the following transportation improvements in addition to the mitigation measures identified in the Final Environmental Impact Report (FEIR) for the project:
  - a. The permittee shall install traffic signals for the Puente Hills Landfill main (east) driveway at Crossroads Parkway South when warranted. A traffic signal warrant analysis shall be conducted three months after the effective date of this grant and submitted to the Department of Public Works, Traffic and Lighting Division for review. If traffic signals are not warranted at that time, the signal warrant analysis shall be conducted at least once every year thereafter for the term of the grant, or as directed by the Department of Public Works, and submitted to Traffic and Lighting Division of

the Department of Public Works for review. At such time as traffic signals are warranted, detailed signal and striping plans shall be prepared and submitted to Traffic and Lighting Division of the Department of Public Works for review and approval.

b. The permittee shall, within six months after the effective date of this grant, determine the cost to implement the following improvements and submit to the Department of Public Works for review and approval. Upon approval by the Department of Public Works of the cost to implement these improvements, the permittee shall pay its pro-rata share of the cost of such improvements as indicated below:

**Peck Road and Pellisier Place**

South Approach: Provide pavement and striping for one left-turn lane, two through lanes, and an exclusive right-turn lane (add exclusive right-turn lane from existing).)

Modify traffic signals as necessary.

The Project's pro-rata share of the improvements is eight percent.

**Crossroads Parkway North and Crossroads Parkway South**

South Approach: Provide pavement and striping for one left-turn lane, one shared left/right-turn lane, and one right-turn lane (convert the center left-turn lane to a shared left/right-turn lane). This mitigation measure is in the FEIR.

East Approach: Provide pavement and striping for one left-turn lane, one shared left-turn/through lane, and one through lane (convert the center through lane to a shared left-turn/through lane).

Modify traffic signals necessary.

The Project's pro-rata share of the improvements is 45 percent.

c. The permittee shall within one year of the effective date of this grant, work with the California Department of Transportation (Caltrans) to provide all necessary data and information and freeway analyses per the Caltrans Guide for the Preparation of Traffic Impact Studies, dated June 2001, to determine and pay the project's equitable share for mitigation of potential impacts due to the project, to the satisfaction of



Caltrans. During this period the permittee shall proceed with diligence in these efforts and inform the DPW of its progress with Caltrans in meeting these requirements.

d. To minimize traffic on the freeways during peak hours, soil hauling shall be restricted to 9:00 a.m. to 5:00 p.m., except Saturdays. The hours of the operation for the soil hauling may be expanded to 6:00 a.m. to 5:00 p.m. only after the project's impact to the freeways have been satisfactorily addressed as prescribed above.

e. The permittee shall increase the pavement thickness of Crossroads Parkway South from the landfill entrance to the SR-60 off ramp for a traffic index of 12.5. Detailed pavement analysis shall be conducted and necessary pavement overlay and/or construction provided per the satisfaction of Geotechnical and Materials Engineering Division of the DPW within one year of the effective date of this grant.

46. The permittee shall implement a program to identify and conserve any significant archaeological and paleontological materials that may be present, in accordance with this condition and the attached IMP. If any evidence of aboriginal habitation or fossils is discovered during earthmoving activities, landfill operations shall cease in that immediate area and the evidence and site shall be preserved until a qualified archaeologist or paleontologist (as applicable) has made a determination as to the significance of the site of findings. Before resuming activities in that area of the landfill, any significant archaeological or paleontological resources shall be recovered to the extent practicable, as determined by a qualified archaeologist or paleontologist, as applicable.
47. The permittee shall deposit the sum of \$50,000 with the Department of Regional Planning within 30 days of approval of this grant to establish a draw-down account, from which actual costs will be billed and deducted for the purpose of defraying the expenses involved in the Department's reviewing and verifying the information contained in any required reports and any other activities of the Department, including but not limited to: enforcement, permitting, inspection, coordination of mitigation monitoring, administrative support, technical studies, and the hiring of independent consultants. Once the permittee has been notified that actual costs incurred have reached 80 percent of the amount of deposit (\$40,000), the permittee shall deposit supplemental funds to bring the balance up to the amount of the initial deposit (\$50,000) within 10 business days of notification. There is no limit to the number of supplemental deposits that may be required during the life of this grant. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

48. No later than 90 days after the approval of this grant, the permittee shall revise and streamline the procedure that allows claims to be made by residents of the Hacienda Heights area west of Seventh Avenue for alleged loss of value of their property arising solely from the Puente Hills Landfills continued operations. The revised/streamlined procedure shall be developed in concert with County Counsel and the Director of Public Works. This revised/streamlined procedure shall allow the submission of qualified professional appraisals to the permittee to establish the alleged loss and for the permittee's evaluation of such alleged losses by its own qualified appraisal. An independent Property Appraisal Appeals Board shall be established to resolve a dispute. The Property Appraisal Appeals Board shall consist of three appraisers, each with a current Certified Residential License or Certified General License from the California Office of Real Estate Appraisers and with documented experience in real estate appraisal in Hacienda Heights and adjacent communities. The claimant and the permittee shall each select an appraiser to be on the Property Appraisal Appeals Board, with the third appraiser selected and mutually agreed upon by the two appraisers selected by the claimant and the permittee. The decision by the Property Appraisal Appeals Board shall be final. The permittee shall pay all the costs incurred by the Property Appraisal Appeals Board. Claims may only be submitted upon the event of an "arms-length" sale of the property in question. Damages determined to have occurred pursuant to the above-described procedure shall be paid by the permittee.
49. The permittee shall be responsible for monitoring and maintenance of environmental protection and control systems in perpetuity, unless a lesser time is approved by the Director of Public Works. Within 12 months after the effective date of this grant, the permittee shall provide financial assurance satisfactory to the Director of Public Works of its ability to maintain such systems subsequent to certification of all post-closure requirements by the appropriate local, state and federal agencies.
50. The permittee must first obtain approval from the Director of Public Works for any proposed building or enclosed structure located on or within 1,000 feet of filled areas containing decomposable materials and comply with requirements of Section 110.3 of the Los Angeles County Building Code.
51. Berms shall be installed to minimize noise and screen disposal operations. The height and setback of said berms shall be subject to the review and approval of the Director of Planning.

52. Business signs shall be as permitted by Part 10, Chapter 22.52 of the County Code for zone C-1, except that no portion of any such sign may extend more than 15 feet above the ground and the total sign area shall be based upon a street or building frontage of 100 feet.
53. As agreed, the permittee shall adopt measures within 90 days of the effective date of this grant, unless a longer period is approved by the Director of Public Works, to ensure the accuracy of the County unincorporated area disposal tonnages as further listed here in general and specifically in the attached IMP. These measures shall include, but not be limited to: 1) requiring all solid waste enterprises/waste haulers to submit accurate waste origin data, 2) a system for verifying the accuracy of the data submitted, 3) implementing a verification system for waste reported as originating in the County unincorporated areas, 4) an education and outreach program to haulers and other customers regarding the need for accurate waste origin data, and 5) imposing penalties for non-cooperation or repeatedly providing false information. The permittee shall jointly develop the waste origin verification process with the Director of Public Works, and submit this data on a semi-monthly basis to the Director for review. Based on the initial results obtained from this program, these measures may be amended or modified by joint action of the Director of Public Works and the Chief Engineer and General Manager of the CSD. The Director of Public Works may also, at his or her discretion, terminate the program at any time. The Director of Public Works may require the permittee to develop/implement additional monitoring/enforcement programs to ensure compliance with the intent of this condition.
54. The permittee shall minimize the importation of soil for use at the site through maximizing the use of alternative materials for cover, and the beneficial use of waste materials in lieu of soil. The permittee shall substantiate that all feasible and reasonable measures have been considered to reduce the need to import soil materials for cover and other beneficial uses. The permittee shall submit a study to the Director of Public Works every six months to verify that all feasible and reasonable measures have been considered by the permittee to reduce the need to import soil materials. The study shall be subject to approval by the Director of Public Works.
55. As agreed, the permittee shall continue working with the waste industry and in concert with cities, the County, and other stakeholders, to modify existing laws and regulations to require that compliance with the State waste reduction mandates be measured by program implementation while the Disposal Reporting System would be used solely to identify the trends.

The above provision is formulated pursuant to the Board of Supervisors' action of July 27, 1999, with regard to promoting the development of alternatives to landfilling and incineration.

56. The permittee shall use its best efforts to implement all feasible and reasonable mitigation measures to reduce impacts due to odor. These measures shall include, but shall not be limited to, implementing alternative methods for minimizing emissions from trenching or green waste processing operations. To mitigate odors resulting from the construction of the gas collection system, within 30 days of the effective date of this grant, the permittee shall, in concert with the Director of Public Works, initiate a demonstration program of both "trenchless" and "covered trench" gas collection system construction procedures for a period of twelve months. Unless otherwise authorized by the Director of Public Works, upon the expiration of this twelve-month period, the permittee, with the approval of the Director of Public Works, shall select the most effective system in controlling odors experienced by the community surrounding the Facility. The permittee may implement the required construction procedures at any time prior to October 31, 2003, provided such implementation is conducted with the approval of the Director of Public Works.

The permittee shall submit quarterly reports to the Director of Public Works listing all odor complaints received from residents and all the Notices of Violation issued by the SCAQMD and the LEA as well as the measures undertaken to address the complaints and to correct the violations. The Director of Public Works shall have the authority to require the permittee to implement additional corrective measures when such measures are deemed appropriate to protect public health and safety.

57. As agreed, the permittee shall implement a vehicle tarping program at the Facility as approved by the Director of Public Works, to discourage untarped vehicles from using the facility. All vehicles loaded with solid waste materials or with the potential to create litter shall be tarped upon entering and leaving the landfill site. No vehicle loaded with solid waste materials shall be allowed to enter the facility, until the driver is informed of the tarping requirements and asked to have his/her load covered. Repeat violators shall be subject to penalties and may be prohibited from using the facility.
58. The permittee shall use its best faith efforts to pursue and expedite the development of the permittee's proposed waste-by-rail system (consisting of materials recovery and rail-loading facilities, rail access, and rail-accessible out-of-County/remote disposal sites) which will serve the disposal needs of jurisdictions in the County of Los Angeles. These efforts shall include, but not be limited to:

- Seeking prompt resolution of the pending litigation against the Mesquite and Eagle Mountain landfill projects and any future litigation against any component of the permittee's waste-by-rail system.
- Expediting the purchase, development, and operation of the out-of-County/remote disposal sites which will constitute the disposal facility component of the waste-by-rail system.
- Pursuing and expediting any necessary agreements with railroad companies and obtaining any other permits necessary to provide rail access to the disposal sites.
- Expediting the development of in-County materials recovery and rail loading facilities, including the Puente Hills Materials Recovery Facility, which are consistent in size and scope with the anticipated disposal needs of jurisdictions in the County of Los Angeles that would have otherwise been provided by the Puente Hills Landfill.

In planning and developing the waste-by-rail system, the permittee shall consult and coordinate efforts with the Director of Public Works so that the system is developed in a manner that would be consistent with the daily disposal capacity of the Puente Hills Landfill, as provided by this grant, to ensure uninterrupted solid waste disposal services to residents and businesses in the County of Los Angeles. Upon the effective date of this grant, the permittee shall submit quarterly reports to the Director of Public Works for review and comment providing a detailed status of the planning and development of the waste-by-rail system, as well as any other new processes, including but not limited to conversion technologies, or solid waste management capacity as an alternative to urban landfills, that would cost-effectively serve the solid waste disposal need of jurisdictions in Los Angeles County.

The daily tonnages of waste disposed at the landfill shall be reduced in accordance with the following schedule if inadequate progress is made by the permittee in developing the permittee's proposed waste-by-rail system. No reduction in daily tonnage will be required if the Director of Public Works finds that, based upon documentation provided by the permittee in the quarterly reports as well as accompanying economic analyses, the permittee is making best faith efforts to comply with the specified deadlines, and any lack of compliance is through no fault of the permittee. The Director of Public Works shall have the discretion to find that a reduction in daily tonnage is not required because other new processes or solid waste management capacity as an alternative to urban landfills, that has been made available either by the permittee or others, could more cost effectively serve the jurisdictions of Los Angeles County than waste-by-rail. However, in no instance shall the alternate processes or capacity, referenced by the Director of Public Works in such a finding, be located at the Facility. The Director of Public Works shall only make such

findings after consultation with the Hacienda Heights Improvement Association.

- a. Commencing January 1, 2008, the average daily tonnage of waste disposed at the landfill shall be reduced by 2,000 tons per day if development of at least one of the out-of-County/remote landfills that comprise the disposal component of the permittee's waste-by-rail system does not begin by December 31, 2007.
- b. Commencing January 1, 2009, the average daily tonnage of waste disposed at the landfill shall be further reduced by 1,000 tons per day if at least one such out-of-County/remote landfill of the permittee's waste-by-rail system is not fully operational by December 31, 2008.
- c. Commencing January 1, 2010, and effective January 1 of each year thereafter through the life of this grant, the average daily tonnage of waste disposed at the landfill shall be further reduced by 2,000 tons per day if the permittee's waste-by-rail system (including materials recovery and rail-loading facilities, rail access, and out-of-County/ remote landfill components) is not fully operational by December 31 of the preceding year.

The Board of Supervisors may increase the maximum daily tonnage allowed under this condition if the Board of Supervisors, upon the joint recommendation of the Director of Public Works, and the Chief Engineer and General Manager of the County Sanitation Districts, determines that an increase is necessary to appropriately manage the overall County waste stream for the protection of public health and safety. However, in no case shall the average daily tonnage of waste disposed at the landfill exceed the limits imposed in Condition 14.

59. No later than 180 days from the effective date of this grant, the permittee shall install wildlife guzzlers to replace natural springs buried or lost as a result of the landfill's operations and to provide a reservoir for native species and promote wildlife. The design, number, and locations of the wildlife guzzlers shall be determined by the permittee in concert with the Director of Parks and Recreation and the Hacienda Heights Improvement Association. The wildlife guzzlers shall be designed to preserve and enhance the surrounding natural environment and be aesthetically pleasing.
60. Pursuant to Conditional Use Permit Case No. 2235-(1), Condition No. 21, and Conditional Use Permit Case No. 92-250-(4), Condition No. 14, the permittee has agreed to designate as open space for recreational use in perpetuity those portions of the site on which fill has or will be placed. In addition, the permittee has agreed to provide all funds needed for the preparation of a park feasibility study, park master

plan and environmental documentation as well as reasonable funding for the development, operation and maintenance of the park to support recreational use. The following specific provisions related to the recreational use of portions of the site shall apply:

- a. Within one year of the effective date of this grant, the permittee shall, in conjunction with the Department of Parks and Recreation, complete a park feasibility study. The study will conceptually analyze options and funding needed for development, operation and maintenance of portions of the site on which fill has been or will be placed for recreational use. Upon acceptance of the study by the Director of Parks and Recreation, the conclusions of the study will be used to establish a not-to-exceed amount for funding by the permittee for development, operation and maintenance of a park on the site. In the event that revenues generated from the final use exceed costs incurred by the permittee, the Department of Parks and Recreation would provide a mechanism for reimbursement to the permittee.
  - b. At the discretion of the Director of Parks and Recreation, but no later than one year after the termination of disposal operations under this grant, the permittee will fund the completion of a park master plan for portions of the site on which fill has been or will be placed. Funding for the park master plan and environmental documentation will be available to the County at least three years before the termination of disposal operations under this grant.
  - c. Funding for the development of the park shall be made available to the County at the close of the landfill.
61. The permittee shall be in compliance with the following conditions as determined by the Director of Parks and Recreation:
- a. All hiking/equestrian trails, permanent and temporary, shall be designed and constructed to the satisfaction of the Director of Parks and Recreation;
  - b. All hiking/equestrian trails should generally be a slope of no more than 10% with a not to exceed maximum of 15% slope for no more than 350 feet intervals;
  - c. The permittee shall construct earthen berms for visual screening, landscape the slopes and install temporary fences as needed to screen views of the landfill from the Skyline Hiking and Riding Trail;

- d. Throughout the duration of construction activities resulting from the project, the permittee shall minimize closures of the trails, provide temporary rerouting of each impacted trail and ensure continuous connection to the County trail system.
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62. Within 90 days after the approval of this grant, the permittee shall submit a program to the Director of Planning for review and approval, which program shall designate an ombudsman for the purposes of providing information to local residents regarding landfill operations, obtaining community input and responding to community concerns. The ombudsman should be a representative of the community. The program shall include the name of the ombudsman, an annual schedule of community meetings, a complete description of duties, hours devoted to service, compensation and a mechanism for receiving community comment. The ombudsman shall provide quarterly reports to the Director of Planning with copies to the Director of Public Works, the LEA, and the Hacienda Heights Improvement Association. The permittee shall provide to the ombudsman a copy of the quarterly reports submitted to the Director of Public Works pursuant to Condition 58, and the ombudsman shall make the reports available to the Hacienda Heights Improvement Association. The permittee shall provide the ombudsman reasonable access to the landfill site and information concerning landfill operations as necessary for the ombudsman to perform its functions.

RJF/JF

12-19-02



## IMPLEMENTATION AND MONITORING PROGRAM

### PROJECT NO. 02-027 – (4) PUENTE HILLS LANDFILL EXPANSION Attachment to the Conditions of Grant for Conditional Use Permit 02-027-(4)

PURPOSE. This implementation and monitoring program (IMP) is intended to implement and ensure compliance with the conditions of grant and to complement the enforcement and monitoring programs routinely administered by County agencies and by public agencies other than the County of Los Angeles.

PART I - LANDFILL ELEVATIONS. The following measures shall be carried out to monitor compliance with Condition 25 of the grant, which set limits upon the horizontal and vertical extent of the waste fill.

- A. Before commencing expansion of the landfill beyond the limits established by Conditional Use Permit 92-250-(4), the permittee shall install survey monuments around the perimeter of the approved fill area, as depicted on Exhibit "A", at points where they will not be subject to disturbance by landfill development.

The specific spacing, location, and characteristics of the monuments shall be as specified by the Director of Public Works.

The monuments shall be inspected and approved by the Director of Public Works after installation and an "as installed" plan, approved by the Director, shall be provided to the Department of Health Services-Solid Waste Management Program (DHS-SWMP), and the Director of Planning.

Not less than 60 nor more than 90 days before the due date for the annual monitoring report required in Part IX, the permittee shall cause a licensed surveyor or registered civil engineer to conduct a survey of the landfill elevations and to submit the results to the Director of Public Works for approval. Such a survey shall also take place in the event of an earthquake in the vicinity of the landfill of magnitude (Richter) 5.0 or greater, or as directed by the Director of Public Works, and upon completion of the final fill.

The Director of Public Works may also conduct or order such on-site surveys as necessary or as requested by the DHS-SWMP and shall promptly report any apparent violation revealed by a survey to the Director of Planning and the DHS-SWMP.

Should the Director of Public Works approve grading or other disturbance to areas outside the cut and fill shown on Exhibit "A" pursuant to the provisions of Condition 25 of the grant, the Director shall refer a copy of such authorization to the Director of Planning and the DHS-SWMP.

PART II – WASTE PLAN CONFORMANCE. The provisions of this part are intended to ensure compliance with the provisions of Conditions 14, 15, 16, 17, 19, and 24 of the grant,

and conformity of landfill operations with the County of Los Angeles Countywide Integrated Waste Management Plan (CIWMP) adopted pursuant to Division 30 of the Public Resources Code.

- A. The permittee shall ensure the proper installation and maintenance of scales to verify the weight of solid waste received and placed in the landfill for disposal or diverted from the waste stream and exported from the Facility, and materials put to beneficial use on-site. The permittee shall maintain records necessary to document (1) said weights, (2) compliance with waste restrictions imposed pursuant to the conditions of grant, and (3) the fees charged for disposal at the Facility.
- B. All records shall be available for inspection by the DHS-SWMP and authorized representatives of the Departments of Public Works and Regional Planning and the Treasurer and Tax Collector during normal business hours and shall be forwarded to such agencies upon request.

PART III – WASTE ORIGIN DATA ACCURACY. As agreed, the permittee shall adopt an ordinance regulating the extent of use of the Puente Hills Landfill site by action of the Board of Directors of County Sanitation District No. 2. The ordinance shall apply to all customers of the Facility and shall become effective within 90 days of the effective date of the grant. The ordinance will provide the following:

- a. Require written and verifiable documentation on source jurisdiction(s) and the site address where the waste was generated/originated, for loads from waste hauling industry customers ("Direct Haul Loads"), and documentation on source jurisdiction(s) for all loads from transfer/processing facilities ("Transfer/Processing Loads") in a form to be developed by the Director of Public Works and distributed by the permittee.
- b. Exempt from such written documentation requirements all customers tendering minimum loads, defined as having a net weight of less than one ton. Such customers must, however, continue to verbally state the source of their load.
- c. Provide for the permittee to investigate and verify the accuracy of the written documentation provided for applicable Direct Haul Loads for which a county unincorporated area is identified as the source of all or a portion of the waste.
- d. Provide for the permittee to forward to the Director of Public Works for review and verification written documentation provided for applicable Transfer/Processing Loads for which a county unincorporated area is identified as the source of all or a portion of the waste.
- e. Provide for a fee in an amount to be formulated by the Chief Engineer and General Manager of the permittee in consultation with the Director of Public Works to be imposed at the time that applicable loads are tendered at the site without the required written documentation. The fee is to be non-refundable to offset the permittee's cost to track non-complying loads and to follow up with the customer.
- f. Provide that if the Director of Public Works determines that the operator of a

transfer/processing facility has failed to substantiate the origin of the waste reported by the facility as having originated in a county unincorporated area, the Director will notify and direct the permittee to impose a non-refundable penalty equal to \$5.00 per ton, to be applied to all waste allocated to the county unincorporated area by the transfer/processing facility for that reporting period (reporting period not to exceed 1 month). The permittee shall be responsible for collecting the penalty and submitting it to the Department of Public Works within 60 days following such notification. Penalties received by the Department of Public Works shall offset the cost of administering the waste origin verification program and implementing programs to mitigate detrimental effects on the County's efforts to comply with the California Integrated Waste Management Act of 1989, as amended.

- g. Provide enforcement authority to the permittee's staff to suspend the disposal privileges of customers who fail to provide required written documentation within 14 calendar days following the tendering of an applicable load at the landfill, or who provide false, misleading, and/or inaccurate written documentation. Suspensions shall be for successively longer periods for multiple violations up to a maximum of 60 days for any single suspension.
- h. Provide enforcement authority to the permittee's staff to extend the period of suspension of disposal privileges for periods longer than 60 days, including possible termination, for transfer/processing facilities and waste haulers that repeatedly fail to substantiate the origin of the waste load as required and/or fail to pay the required penalties.
- i. Provide a procedure to appeal to the Chief Engineer and General Manager of the permittee and the Director of Public Works or their designees any suspension of disposal privileges pursuant to the ordinance, and for immediate reinstatement of such privileges if the appeal is successful.

Within 30 days of the effective date of the ordinance, the permittee and the Director of Public Works will jointly develop a waste origin verification and reporting program to include, but not be limited to, an outreach program to educate all customers of the Puente Hills Landfill regarding the need to provide waste origin information for all loads, the requirements of the ordinance, and an explanation of the consequences for failure to comply with the ordinance. Following the effective date of the ordinance, the permittee shall provide a 90-day grace period to provide for customer education prior to taking any enforcement action pursuant to the ordinance. Based on the initial results obtained from the verification and reporting program, the verification and reporting requirements established by this ordinance may be amended or modified by joint action of the Director of Public Works and the Chief Engineer and General Manager of the permittee. The Director of Public Works shall have the discretion to terminate the verification and reporting program at any time.

Twice a month, the permittee shall submit to the Director of Public Works results of the verification and reporting program along with written documentation providing transaction information for each waste load tendered at the Puente Hills Landfill site for which a county unincorporated area is identified as the source of all or a portion of the load.

PART IV – HAZARDOUS WASTE EXCLUSION. This part incorporates the program that the permittee and the DHS-SWMP shall carry out to exclude liquid, radioactive and hazardous wastes from the landfill in accordance with the provisions of Condition 19 of the grant.

- A. The permittee shall maintain a comprehensive waste load checking program, which shall include the following:
1. All waste hauling vehicles shall be screened at the scales with a radiation detector device, acceptable to the DHS-SWMP, for the presence of radioactive materials.
  2. Sensors capable of detecting volatile organic compounds, acceptable to the DHS-SWMP, shall be available at the landfill and used as directed by the DHS-SWMP.
  3. The scale operator shall question drivers of suspect loads as to the source and nature of the load and shall inspect for contamination all large loads of earth brought into the landfill from points not known to be free of contamination.
  4. The dumping area shall be continuously inspected for hazardous and liquid waste and radioactive waste/materials. This inspection shall be accomplished by equipment operators and spotters who have been trained in an inspection program approved by the DHS-SWMP.
  5. Manual inspection of randomly selected refuse loads shall be conducted by the permittee and the DHS-SWMP. The frequency of inspections shall be as provided by the DHS-SWMP. The checking program shall be conducted by personnel trained in accordance with a plan approved by the DHS-SWMP.

PART V – INDEMNIFICATION AGREEMENT. Prior to the use of the grant, the permittee shall enter into an agreement with the County providing for indemnification of the County for any damages to public property which may result from landfill operations and for any expenses which may be incurred by the County in performing any on- and off-site remedial work which may be necessitated by the permittee's failure to operate or maintain the landfill at an acceptable level or the permittee's failure to perform in a timely manner. The performance areas covered shall include, but not be limited to, landscaping, litter and dust control, noise control, vector control and maintenance of slopes and drainage structures. The standard for operation and maintenance shall be as established by the provisions of the grant and applicable law.

To secure performance on the agreement, the permittee shall tender to the County a letter of credit or other security acceptable to the County in a form and amount acceptable to County Chief Administrative Officer.

The security shall be in addition to all other security required by federal, state and local regulations and permits, including other performance security required by this permit and State landfill closure regulations.

PART VI – ARCHEOLOGICAL/PALEONTOLOGICAL MONITORING. The permittee shall implement the monitoring program described in this part to conserve archaeological and paleontological resources as required by Condition 46 of the grant.

- A. Before commencing grading activities in previously undisturbed areas, the permittee shall nominate to the Director of Planning a SOPA – certified archaeologist and a qualified paleontologist which the permittee intends to retain to perform the monitoring and conservation work required by this part and Condition 34 of the grant. If approved by the Director, the archaeologist and paleontologist shall each submit a letter to the Director stating that he or she has been retained to perform or supervise the work required by Condition 34 and this part and that he or she agrees to report to the Director any noted failure to comply with the conditions of grant or this part.
- B. The archaeologist and the paleontologist shall submit a written report to be included with each biennial monitoring report until completion of on-site excavation activity and/or to the Director upon termination of employment.
- C. Should the selected archaeologist or paleontologist terminate employment before completion of all excavation associated with the landfill, a replacement shall be selected, approved, retained and certified as described above.

PART VII – ANCILLARY FACILITIES. This part is intended to provide a means to enforce compliance with Condition 2 of the grant concerning the provision of ancillary facilities at the landfill, and to verify that such facilities are consistent with other conditions of grant and with the provisions of the County Zoning Ordinance.

Before commencing development or obtaining building permits for any additional ancillary facilities, the permittee shall submit to the Director of Planning a specific site plan for such facilities. The plan shall be in sufficient detail to establish compliance with the conditions of grant and with the standards of the County Zoning Ordinance, including the provisions of said ordinance relating to the development and maintenance of parking, screening and signs, as set forth in Chapter 52, Title 22 of the County Code.

PART VIII – CITIZENS ADVISORY COMMITTEE. The permittee shall continue the Puente Hills Landfill Citizens Advisory Committee. The committee shall be provided access to all reports submitted by the permittee to regulatory agencies, including the annual monitoring report. The permittee shall also consult the committee on planning matters that would affect the physical development or future use of the landfill site.

The committee membership shall be comprised of representatives from the following organizations up to the number specified:

1. Workman Mill Association of Avocado Heights; five representatives
2. Hacienda Heights Improvement Association; five representatives
3. Puente Hills Community Coalition; two representatives
4. Whittier Wood Property Owners' Association; two representatives; and
5. Wildwood Mobile Home Estates; two representatives

The governing board of each represented organization shall annually provide written notice to the permittee of the names of its designated representatives.

The frequency of meetings to be conducted by the committee shall be determined by the membership. Any changes in the composition of the citizens advisory committee shall require the approval of the Regional Planning Commission.

The permittee shall:

1. Provide accommodations for meetings of the citizens advisory committee; and
2. Provide qualified personnel to regularly attend meetings of the citizens advisory committee.

**PART IX – MONITORING REPORTS.** This part is intended to provide for a means of continuing oversight of landfill operations as a supplement to the routine enforcement activities of the various regulatory agencies having control over the development, operation, and maintenance of the landfill.

A. The permittee shall prepare and submit annual monitoring reports to the Regional Planning Commission, due on November 1, every year, until closure of the landfill. At least 60 days before the due date, draft copies of the report shall be submitted to the following for review and comment:

1. DHS-SWMP;
2. Director of Public Works;
3. Los Angeles County Forester and Fire Warden;
4. Regional Water Quality Control Board-Los Angeles Region;
5. South Coast Air Quality Management District;
6. County Museum of Natural History;
7. Puente Hills Citizens Advisory Committee; and
8. The ombudsman described in Condition 62 of the grant.

Each referral shall include a request that comments be sent to the permittee within 30 days of receipt of the draft report but not later than 15 days before the due date of the final report. The permittee shall provide documentation of each referral to the Director of Planning in a form acceptable to the Director.

The permittee shall respond to each comment received and shall include each comment and response with the final report submitted to the Commission. A copy of the final report shall be provided to the local county library and posted on the permittee's website.

B. Each monitoring report shall contain the following:

1. A cumulative total of all waste deposited in the landfill, the percent of total available volume consumed, the remaining disposal capacity in volume and in

tons, and a detailed site map/plan showing the sequence of landfilling operations.

2. A copy (which may be reduced and simplified to fit the report format) of the most recent approval landfill survey (as required in Part I of this IMP) showing the height and extent of the fill.
3. The achieved ratio of weight to volume of waste placed in the landfill and a comparison of that ratio with the ratio achieved at comparable landfills operating in the County of Los Angeles, and an explanation of any significant deviation.
4. A summary of the rates of waste received, recycled or otherwise diverted at the Facility, disposed, and sent offsite for further handling/processing, from November 1, 2003, or the last report, as applicable, in sufficient detail to explain significant changes and variations over time and an explanation of any significant variations or changes.
5. A summary of measures undertaken by the permittee to divert and recycle material at the Facility, and how such measures interact with waste management plans adopted by cities and the County and the overall effectiveness of such measures in achieving the intent of the grant and the waste management plans.
6. A summary of the number and character of litter, noise, fugitive dust, and odor complaints received in the reporting period, the disposition of such complaints, and any new or additional measures that have been undertaken to address future complaints.
7. A detailed accounting of any citations for violations received from any regulatory agency in connection with operation of the landfill (including those for litter, odor, fugitive dust, noise, landfill gas, and other environmental control systems) and the disposition of the citations, including any penalty assessed and fees paid.
8. A report on interim and final fill revegetation, including an assessment of the success of such revegetation and any additional measures necessary or proposed to effect successful revegetation.
9. The archaeological and paleontological reports required in Part VI.
10. A summary of the measures taken by the permittee to pursue and expedite the development of the permittee's proposed waste-by-rail system, pursuant to Condition 58 of the grant.
11. A summary of the measures taken by the permittee toward promoting and implementing alternative technologies that may be most appropriate for Southern California from an environmental and economic perspective, pursuant to Condition 24(c) of the grant.

12. A summary of the measures taken by the permittee with regard to transportation improvements in the surrounding areas of the Facility, pursuant to Condition 45 of the grant.
13. A summary of the measures taken by the permittee with regard to minimizing truck traffic, pursuant to Condition 45 of the grant.

Upon receipt of the monitoring report, the Regional Planning Commission may request that the permittee submit such additional information as it deems necessary to carry out the purposes of this IMP.

- C. Nothing in this Part IX shall be construed to in any way limit the authority of the Regional Planning Commission or the Board of Supervisors to initiate any proceeding to revoke or modify the grant as provided in Condition 12 of the grant and Part 13, Chapter 56, of Title 22 of the County Code.

**PART X – COMPENSATION.** The permittee shall compensate the Department of Public Works and other County departments, as applicable, for expenses incurred in the administration of the grant, including this IMP and the MMRP, not otherwise covered by permit or other fees. Such compensation shall be computed using the actual hours expended multiplied by the most current applicable hourly rates, approved by the County Auditor Controller, that are available at the time that expenses are incurred.

The permittee shall compensate the DHS-SWMP for expenses, including personnel, equipment, and transportation costs, incurred in the administration of the grant, including this IMP and the MMRP, not otherwise covered by fees paid for administration of the solid waste facilities permit for the landfill. Such compensation shall be computed using the actual hours expended multiplied by the most current applicable hourly rates, approved by the County Auditor Controller, that are available at the time that expenses are incurred.

12-19-02