

LOS ANGELES COUNTY COUNTYWIDE SITING ELEMENT  
SUMMARY OF REVISIONS  
**CHAPTER 10 – FINDING OF CONFORMANCE**

Section 10.3 Page 3	Updated Section 10.3 to include EMSW conversion facility based on the revised PRC Section 50001 (a) (1)
Section 10.3 Page 4	Revised PRC Section 50001 (d) based on current information, as below:  <i><del>The review and comment by the local task force required by subdivision (c) for amendment to an element may be satisfied by the review required by subdivision (a) of Section 41734 for an amendment to an element. The review and comment by the local task force shall not be required for an update to a nondisposal facility element.</del></i>

## CHAPTER 10 FINDING OF CONFORMANCE

### 10.1 PURPOSE

The purpose of this Chapter is to describe the procedure for obtaining a Finding of Conformance (FOC) with the Los Angeles County Countywide Siting Element (CSE), for Class III landfills, inert waste landfills, ~~transformation facilities, biomass processing facilities,~~ and alternative technology facilities (e.g., conversion technology, [transformation](#)), from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) in compliance with the FOC Proposal Submittal Requirements listed in **Table 10-1** of this Chapter.

The purpose of the FOC process is to: (1) provide a mechanism for the inclusion of new facilities and/or expansions of existing facilities into the CSE; (2) ensure that the Siting Criteria contained in the CSE are applied, and that all new facilities and/or expansion of existing facilities are consistent with the CSE and its Siting Criteria (as listed in **Chapter 6** and **Appendix 6A** of the CSE); and (3) provide a forum where the public, local jurisdictions, public organizations, businesses, and industry may voice their opinions regarding each individual project.

The specific requirements of the FOC process are ~~prescribed in~~ [consistent with the](#) statutes and regulations such as California Public Resource Code (PRC) Sections 50000, 50000.5, and 50001; and California Code of Regulations (CCR), Title 14, Section 18756.

### 10.2 DEFINITIONS

Below are definitions of key terms used in this Chapter. For a more complete listing of definitions and acronyms, please refer to the Glossary of Terms and List of Acronyms at the beginning of this document.

#### 10.2.1 California Environmental Quality Act (CEQA)

Refers to California's broadest environmental law enacted by the State legislature in 1970 and amended thereafter. CEQA sets forth a process for public agencies to make informed decisions on discretionary project approval. The process aids decision makers in determining whether any environmental impacts are associated with a proposed project. CEQA requires environmental impacts associated with a proposed project to be identified, disclosed, and

avoided or mitigated to the maximum extent feasible. CEQA's ~~six~~ five key objectives are to: (1) disclose to decision-makers and the public the significant environmental ~~effects~~ impacts of proposed activities; (2) identify ways to ~~avoid prevent~~ or reduce environmental damage by requiring consideration of feasible alternatives or mitigation measures; ~~(3) prevent environmental damage by recommending implementation of feasible alternatives or mitigation measures;~~ ~~(4)~~ (3) disclose to the public reasons for agency approvals of projects with significant environmental ~~effects~~ impacts; ~~(5)~~ (4) ~~foster~~ promote interagency coordination; and ~~(6)~~ (5) ~~invite~~ provide opportunities for and encourage public participation ~~comments~~ throughout the process.

### 10.2.2 Expansion

Refers to a solid waste facility which has: (1) an increase in the physical dimension of the facility; (2) an increase in the permitted daily disposal rate, throughput, or intake/processing capacity; (3) an extension or renewal of a permit whose expiration date may affect the operation of the facility, whichever is applicable; and/or (4) any permitted activity that results in an increase in permitted disposal capacity. For a landfill, a physical expansion may be vertical by increasing the permitted elevation to which solid waste may be disposed, and/or horizontal by increasing the permitted boundary (at any depth) in which solid waste may be disposed to areas contiguous or adjacent to the area of the existing operation.

### 10.2.3 Significant Change

Refers to: (a) any change in a facility's land use permit/conditional use permit, and/or Waste Discharge Requirements that requires compliance with the requirements of California Environmental Quality Act (CEQA), as amended; (b) any revision in the facility's Solid Waste Facility Permit (SWFP); or (c) any increase in daily permitted capacity as defined in Chapter 3 of the CSE. This includes changes in design and operation such as: (1) an increase in maximum amount of permitted tonnage of all waste received; (2) an increase in the facility's permitted acreage; (3) an increase in the permitted hours of operation; and (4) for landfills, an increase in permitted volume, disposal footprint and/or ~~permitted (final grade)~~ maximum overall height (final grade).

## 10.3 SPECIFIC REQUIREMENTS

The scope of the FOC process is broadly described in other statutes and regulations related to CSE general requirements<sup>1</sup>; the role and authority of the

<sup>1</sup> Regulation related to **CSE General Requirements** such as CCR, Title 14, Section 18755.

Task Force<sup>2</sup>; CSE goals and policies<sup>3</sup>; CSE landfill description and information requirements<sup>4</sup>; CSE siting criteria<sup>5</sup>; CSE approval process<sup>6</sup>; CSE amendment<sup>7</sup>, etc. [The requirements in the FOC process are additional requirements apart from the statutes and regulations described below.](#)

Flowcharts of the various components of the solid waste disposal facility siting process, including the FOC process, are included in **Flowcharts 6-1 through 6-6** of CSE Chapter 6 (Facility Siting Criteria). The FOC Proposal Submittal Requirements are listed in **Table 10-1** of this Chapter, and the siting criteria and siting factors for disposal facilities are respectively included in **Appendices 6-A** and **Table 6A-1** of CSE Chapter 6.

The major statutes and regulations with specific FOC requirements include, but are not limited to, the following:

- **PRC Section 50001 requires that:**

(a) Except as provided by subdivision (b), after a countywide or regional agency integrated waste management plan has been approved by the California Department of Resources Recycling and Recovery (CalRecycle) pursuant to Division 30 (commencing with Section 40000), no person shall establish or expand a solid waste facility, as defined in Section 40194, in the county unless the solid waste facility meets one of the following criteria:

(1) The solid waste facility is a disposal facility or a transformation facility, [or an EMSW conversion facility](#), the location of which is identified in the countywide siting element or amendment thereto, which has been approved pursuant to Section 41721.

(2) The solid waste facility is a facility which is designed to, and which as a condition of its permit, will recover for reuse or recycling at least 5 percent of the total volume of material received by the facility, and which is identified in the nondisposal facility element or amendment thereto, which has been approved pursuant to Section 41800.

<sup>2</sup> Statutes and regulations related to the **role and authority of the Task Force** such as PRC Section 40950 (a)(d); and CCR, Title 14, Sections 18756.7 (a)(1) and 18777(a).

<sup>3</sup> Regulation related to **CSE Goals and Policies** such as CCR, Title 14, Section 18755.1 (c) and (d).

<sup>4</sup> Statutes and regulations related to **CSE landfill description and information requirements** such as PRC Section 50001 (c); and CCR, Title 14, Sections 18755 (a), (b), (c), and (d), 18755.5 (a) and (b), 18756.1 (a) and (b), and 18756.5 (a) and (b).

<sup>5</sup> Regulations related to **CSE siting criteria** such as CCR, Title 14, Sections 18755 (d), 18756 (a), (b), and (d), and 18756.7 (a)(1).

<sup>6</sup> Statutes related to **CSE approval process** such as PRC Sections 41720 and 41721.

<sup>7</sup> Statutes and regulations related to **CSE amendment** such as PRC Sections 41721.5 (b), 50001 (a)(1)(2) and (c); and CCR, Title 14, Sections 18756 (e) and 21570.

- (b) Solid waste facilities other than those specified in paragraphs (1) and (2) of subdivision (a) shall not be required to comply with the requirements of this section.
- (c) The person or agency proposing to establish a solid waste facility shall prepare and submit a site identification and description of the proposed facility to the task force established pursuant to Section 40950. Within 90 days after the site identification and description is submitted to the task force, the task force shall meet and comment on the proposed solid waste facility in writing. These comments shall include, but are not limited to, the relationship between the proposed solid waste facility and the implementation schedule requirements of Section 41780 and the regional impact of the facility. The task force shall transmit these comments to the person or public agency proposing establishment of the solid waste facility, to the county, and to all cities within the county. The comments shall become part of the official record of the proposed solid waste facility.

~~(d) The review and comment by the local task force required by subdivision (c) for amendment to an element may be satisfied by the review required by subdivision (a) of Section 41734 for an amendment to an element. The review and comment by the local task force shall not be required for an update to a nondisposal facility element.~~

- **CCR, Title 14, Section 18756 requires that:**

- (a) To establish a new solid waste disposal facility or to expand an existing solid waste disposal facility, the county shall describe the criteria to be used in the siting process for each facility. The criteria shall include, but not be limited to, a description of the major categories of environmental considerations, environmental impacts, socioeconomic considerations, legal considerations, and additional criteria as developed by the county:
  - (1) Environmental Considerations (for example: geology and solids including faulting and seismicity, ground settlement, surface hydrology and groundwater, quantity and quality of groundwater, surface water, surface water contamination, drainage patterns, etc.);
  - (2) Environmental Impacts (for example: air quality including climatic and meteorological conditions and emissions, visibility, and cultural resources including regional setting, inventory and significance,

paleontological resources including inventory and significance, vegetation, and wildlife, etc.);

- (3) Socioeconomic Considerations (for example: transportation including local and regional transportation systems, highways and major roadway corridors, rail transportation and corridors, land use including regional and local land uses such as military use, mineral extraction, agriculture, recreation/tourism, compatibility with existing and future land uses, consistency with County general plan(s) and future post-closure uses, economic factors including estimates of development costs and operational costs, etc.);
  - (4) Legal Considerations (for example: federal, State, and local minimum standards and permits, liabilities, and monitoring, etc.);
  - (5) Additional criteria as may be included by the county, cities, regional agency and member agencies approving the Siting Element.
- (b) The CSE must describe the process instituted Countywide to confirm that the criteria set forth in Section 18756(a) are included as a part of the solid waste disposal facility siting process.
  - (c) The CSE shall be approved by the County and the cities as described in Section 41721 of the PRC.
  - (d) No solid waste disposal facility in the CSE shall be established that does not satisfy the minimum criteria that are adopted in the CSE pursuant to Section 18756 (a).
  - (e) A solid waste disposal facility not described within this CSE shall not be established unless an amendment to the CSE has been approved identifying and describing the facility, and the date of its inclusion in the CSE pursuant to PRC Section 41721.5.

## 10.4 REGULATORY OVERVIEW

The Solid Waste Control Act of 1976 gave the former California Waste Management Board (CWMB) a direct role in siting solid waste management facilities. It required the CWMB to make a determination that each proposed facility was in conformance with a local county solid waste management plan. Prior to implementation of the California Integrated Waste Management Act of 1989, Assembly Bill 939 (AB 939), as amended (Section 40000 et seq. of

PRC), the former Los Angeles County Solid Waste Management Committee was the liaison for the former CWMB and CalRecycle for making a determination of consistency and for issuance of an FOC with the former Los Angeles County Solid Waste Management Plan (CoSWMP).

Prior to approval of the CSE by CalRecycle (in June 24, 1998 (and the Countywide Integrated Waste Management Plan (CoIWMP) in June 23, 1999), and consistent with PRC Section 50000, the Task Force issued FOCs with the Los Angeles County Solid Waste Management Plan (dated March 1984) and Revision A (dated August 1985), for solid waste disposal facilities in accordance to the procedures found in Chapter 7 of that document.

After approval of the CSE in 1998, and consistent with PRC Section 50001, the County (through the Task Force), has ensured that the Siting Criteria contained in the CSE are applied and that disposal facilities are in conformance with the CSE through the FOC process.

## 10.5 APPLICABILITY OF FINDING OF CONFORMANCE

The FOC process discussed in this Chapter, and the siting criteria, siting factors and permit processes described in Chapter 6, and **Appendix 6A-1**, are primarily designed for permitted Class III landfills, inert waste landfills, and [alternative technology facilities \(e.g., conversion technology, transformation\)](#). These standards are the most stringent standards developed for solid waste facilities in Los Angeles County. However, for the purposes of this CSE, similar standards are proposed for [alternative technology facilities \(e.g., conversion technology\)](#) ~~biomass processing facilities~~, and other alternative and emerging technology facilities, pending clarification of the regulatory status of these facilities.

New facilities, expansions of existing facilities, or existing facilities which institute a "significant change" to their operation (except those exempted below), must obtain an FOC with the CSE granted by the Task Force. The project proponents must submit proposals to the Task Force for an FOC after obtaining the land use/conditional use permit, but prior to obtaining a Solid Waste Facility Permit (SWFP) approval. **Table 10-1** lists the minimum components that a facility proposal must contain.

The following types of solid waste land disposal and/or [alternative technology facilities \(e.g., conversion technology, transformation\)](#) and operations are exempt from obtaining an FOC with the CSE.

- Owner-operated inert waste landfills which accept inert waste generated by the owner, and providing the facility is allowed (as determined by the appropriate Local Enforcement Agency (LEA)) to operate without a Full or Registration tier Solid Waste Facility Permit;
- Drilling mud disposal sites for short-term use; or
- Farm/ranch disposal sites for one- or two-family use.

However, the ultimate enforcement power over land use decisions, including FOC requirements, remains with the local land use authority, unless delegated under a specific authority, to other entities such as the Task Force (where necessary to safeguard public health and safety).

## 10.6 FINDING OF CONFORMANCE PROPOSAL SUBMITTAL REQUIREMENTS

For facilities requiring an FOC, in accordance with this CSE, the owner/operator shall submit a Proposal to the Task Force requesting the granting of the FOC, according to the protocols outlined in the FOC Proposal Submittal Requirements in **Table 10-1**.

The FOC Proposal Submittal Requirements are primarily designed for permitted Class III landfills, inert waste landfills, and [alternative technology facilities \(e.g., conversion technology, transformation\)](#). These requirements are the most stringent standards developed for solid waste facilities in Los Angeles County. However, for the purposes of this CSE, similar requirements are proposed for [alternative technology facilities \(e.g., conversion technology, transformation\)](#) ~~facilities, biomass processing facilities, and other alternative and emerging technology facilities~~, pending clarification of the regulatory status of these facilities.

However, for conversion technology facilities, ~~biomass processing facilities~~, and other alternative and emerging technology facilities, additional and more specific requirement may be required by the Task Force on a case-by-case basis, where necessary to address the unique characteristics of these facilities.

## 10.7 FINDING OF CONFORMANCE ADMINISTRATIVE PROCESS

The FOC Administrative Process is illustrated in the FOC Process Flowchart (see **Flowchart 10-1**) and described in the steps below.

### 10.7.1 Finding of Conformance Notice Process

The Task Force, in coordination with the County, will provide notices and comments to project proponents and lead agencies regarding the FOC Process/Requirements early in the project/facility permitting process.

### 10.7.2 Finding of Conformance Review Process

The Task Force shall review and act on the FOC Proposal for a proposed project which meets the requirements of the CSE. The Task Force has 30 days after the Proposal is submitted to determine if the Proposal is complete. Once a Proposal has been determined to be complete, the Task Force has 60 days in which to act upon the FOC. However, after the 60 days, the review period may be extended for an agreed upon period by mutual consent of the Task Force and Project Proponent. The Proposal will not be considered to be complete without: (1) a Certified Final Environmental document; (2) a land use/conditional use permit, and consistency with the local jurisdiction's General Plan; and (3) all the other documentation listed in **Table 10-1** of this Chapter. In the review process, the Task Force:

1. Considers the project in relation to:
  - (a) The goals, policies, and objectives of the CSE/CoIWMP;
  - (b) The policies of CalRecycle/appropriate LEA.
2. Evaluates the proposed site in relation to the Siting Criteria in the CSE.
3. Accepts comments from the local jurisdiction where the facility is to be located, as well as, any adjacent jurisdictions. The Task Force shall request local jurisdictions to comment on project implementation, proposed transportation routes, and planned end uses of the land (for landfills sites).
4. Examines the projected waste flow to the proposed project and the analyses of Countywide/regionwide impacts (including water and energy).
5. Conducts a technical review of the project aimed specifically at the application of technology, residue disposal plans, the environmental assessment, and plans for meeting applicable permit requirements.

6. Considers other similar, existing, and planned projects in the same general area as the proposed project.
7. Determines whether or not the jurisdiction in which the site is located has made a finding (of consistency) that the establishment or expansion of the site is consistent with that city's or County's applicable General Plan and with the CSE.
8. Determines whether or not the jurisdiction in which the site is located has incorporated comments provided by the Task Force during the land use permit and CEQA process, and made a finding (of consistency) that the establishment or expansion of the site is consistent with CSE.

### **10.7.3 Finding of Conformance Approval Process**

Upon review of the proposed Project, the Task Force will convene a public meeting in order to approve or disapprove the FOC based on the following findings: (1) grant the FOC as submitted; (2) grant the FOC but with changes/modifications; (3) request additional information and/or analysis, and subsequently reconsider the revised proposal; or (4) deny the request for an FOC and state reasons for the denial.

#### **10.7.3.1 Issuance of Finding of Conformance**

After the Task Force determines a proposed project has met all the requirements, the Task Force will issue an FOC.

#### **10.7.3.2 Denial of Finding of Conformance**

A denial of an application for an FOC by the Task Force will include a full description of the reasons for denial. The basis of denial shall generally be a perceived conflict of the applicant's proposal with the policies, goals, and objectives of the CSE. A denial of an application does not preclude reapplication.

### **10.7.4 Revocation of Finding of Conformance**

If a Project proponent with an FOC from the Task Force fails to meet the conditions of the FOC, the Task Force may revoke the FOC. The cause for revoking an FOC shall be documented in the notice of revocation to the appropriate LEA, CalRecycle, and the Project proponent.

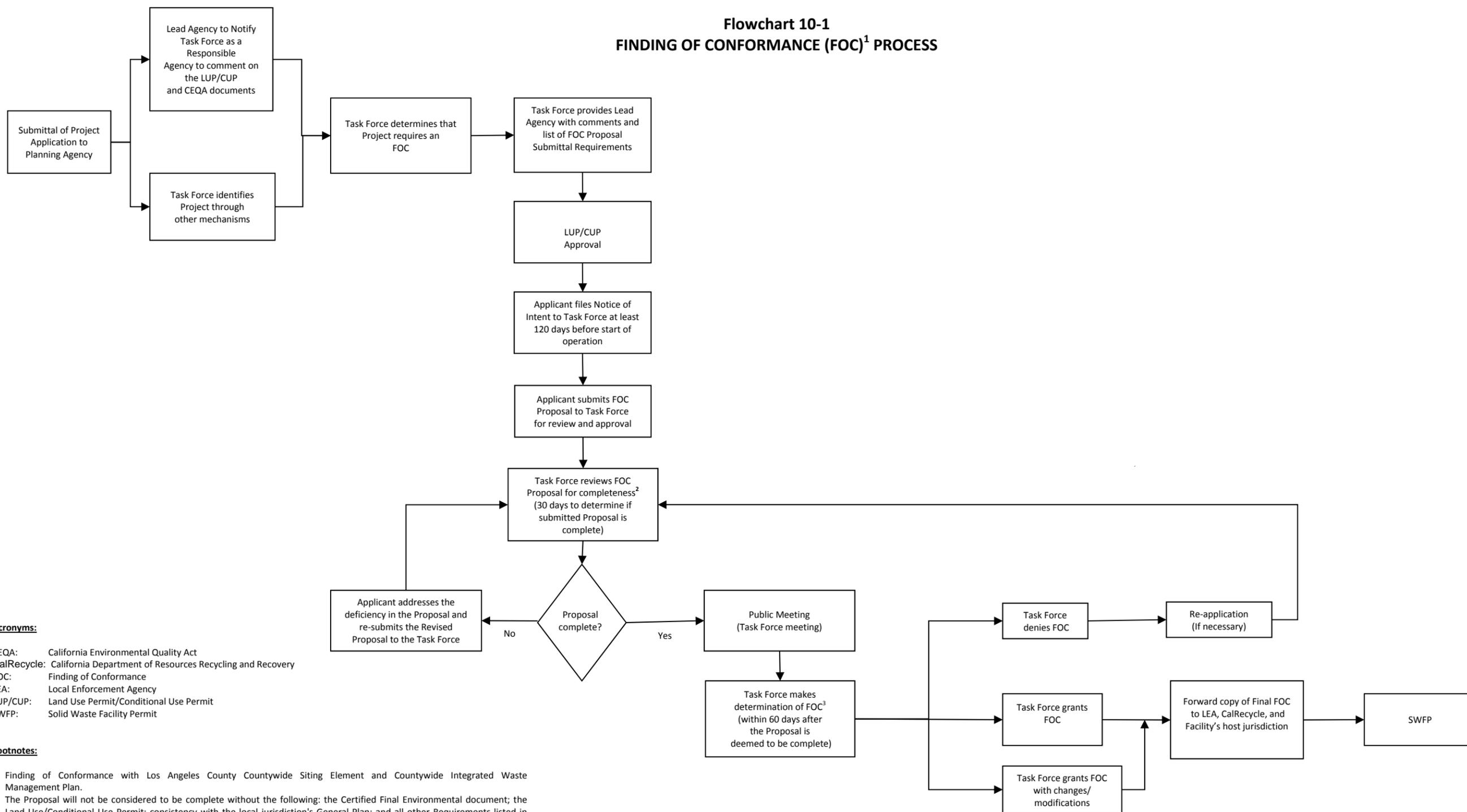
### 10.7.5 Local Enforcement Agency/California Department of Resources Recycling and Recovery Notification

In accordance with PRC Section 50001, prior to granting a SWFP, the appropriate LEA (city or the County, as applicable) shall ensure that an FOC for the project has been granted by the Task Force. As such, upon granting an FOC, the Task Force shall forward a copy of the FOC to the appropriate LEA and CalRecycle. The Task Force shall also forward a copy of the FOC to the jurisdiction in which the facility is located.

### 10.8 TABLES AND FLOW CHARTS

This section includes (1) flowchart of Finding of Conformance process (**Flowchart 10-1**) and (2) a table of the Finding of Conformance (FOC) Proposal Submittal Requirements (**Table 10-1**).

**Flowchart 10-1  
FINDING OF CONFORMANCE (FOC)<sup>1</sup> PROCESS**



**Acronyms:**

CEQA: California Environmental Quality Act  
 CalRecycle: California Department of Resources Recycling and Recovery  
 FOC: Finding of Conformance  
 LEA: Local Enforcement Agency  
 LUP/CUP: Land Use Permit/Conditional Use Permit  
 SWFP: Solid Waste Facility Permit

**Footnotes:**

- <sup>1</sup> Finding of Conformance with Los Angeles County Countywide Siting Element and Countywide Integrated Waste Management Plan.
- <sup>2</sup> The Proposal will not be considered to be complete without the following: the Certified Final Environmental document; the Land Use/Conditional Use Permit; consistency with the local jurisdiction's General Plan; and all other Requirements listed in Table 10-1 of Chapter 10.
- <sup>3</sup> If a Project Proponent with an FOC from the Task Force fails to meet the conditions of the FOC, the Task Force may revoke the FOC. The cause for revoking an FOC shall be documented in the Notice of Revocation to the local jurisdiction, appropriate Local Enforcement Agency, California Department of Resources Recycling and Recovery, and the Project proponent.

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## TABLE 10-1

### FINDING OF CONFORMANCE (FOC) PROPOSAL SUBMITTAL REQUIREMENTS

Applicant for Finding of Conformance (FOC) with the Los Angeles County Countywide Siting Element (CSE) shall submit an FOC Proposal to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force). The Proposal shall contain, at a minimum, the following information and description of measures/programs to be implemented, including any additional information deemed necessary by the Task Force:

#### A. FACILITY OWNER/OPERATOR INFORMATION

1. Full/official name of facility.
2. Identity/name of each facility proponent, owner, and operator (if applicable, indicate which of the parties are private or governmental entities).
3. Name, phone and fax number, and email address of the official contact person for the facility.

#### B. FACILITY SITE INFORMATION

1. Identification of facility site location, including complete physical address of the facility, (including the City and County), and the longitude and latitude (in degrees) of the site.
2. Description of facility and facility site location.
3. Type and/or classification of the facility.
4. Property site acreage<sup>1</sup> (including permitted and unpermitted areas).
5. Disposal area acreage<sup>2</sup> (including permitted, unpermitted, active, inactive, closed, and post closure areas) for landfills.
6. Building and schematic process plan for other facilities.
7. Project design capacity or acreage as appropriate.

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<sup>1</sup> "Property site acreage" refers to the location or site of the real property on which a facility or disposal site, any part thereof, or any support structure exists or is proposed to exist, including any portion of such real property that is not occupied by the facility or any support structure but that is contained within the legal description of the land on which the facility is located as that description is set forth in the most recently recorded deed.

<sup>2</sup> "Disposal area acreage" refers to the location, tract of land, area, or premises in use, intended to be used, or which has been used, for the disposal of solid wastes, as applicable to land disposal sites.

### **C. FACILITY OPERATION INFORMATION**

1. Operational status (under construction, fully permitted, open, active, closed, post closure).
2. Description of types of waste material accepted, disposed, and/or managed at the facility, and types of waste not accepted at the facility.
3. Identification of waste sources and/or feedstock (as applicable).
4. Projection of waste quantity to be handled at start-up and at five-year intervals in facility's life.
5. Permitted, proposed, and/or changes in hours and days of operation.
6. Maximum daily permitted municipal solid waste (MSW) throughput (intake) capacity in tons per day (tpd) (or the units of measurement).
7. Average daily MSW throughput (intake) in tpd (or the units of measurement).
8. In-place solid waste density/compaction rate, where applicable.
9. Estimated closure and post-closure date, where applicable.
10. Estimated remaining (disposal) capacity (in cubic yards and/or tons), including the date the remaining disposal capacity was measured, where applicable.
11. Projected remaining life (in years) of the facility.
12. Identification of waste transport corridors and destinations.
13. Technology to be used for environmental control facilities.
14. Information on any significant ongoing or foreseeable litigation that may affect facility operations or result in closure of the facility.
15. Name of the LEA with jurisdiction over the facility, and the contact person.

### **D. FACILITY AND/OR PROJECT EXPANSION INFORMATION**

1. Facility and/or project expansion implementation schedule (as applicable)

including planned dates for construction start, construction completion, start-up, planned expansion, and closure.

2. Description of any proposed future expansion for the facility.
3. Additional life that will result due to the proposed expansion.
4. Additional MSW throughput (intake) in tons (or cubic yards) per day due to the proposed expansion.
5. Land use permit for the proposed expansion.
6. Certified Environmental Impact document for the proposed expansion.
7. Approximate date the proposed expansion capacity would most likely become available.
8. Planned end uses for the land or the facility site upon closure.

#### **E. ANCILLARY FACILITY'S OPERATIONS AND OTHER PERMITTED USES AT THE SITE**

Ancillary facility's operations and other permitted uses at the site include, but are not limited to, waste hauling, bin rental, green waste composting, and conversion technology, etc. The proposal shall include:

1. Identification of ancillary use/operation.
2. Description of ancillary use/operation.
3. Schematic process plan of ancillary use/operation.
4. Design capacity or acreage of ancillary use/operation.
5. Location of ancillary facility on the site plan.
6. Effective date of commencement of operation of ancillary facility.

#### **F. FLOW CONTROL INFORMATION**

1. Information on whether MSW from jurisdictions outside of Los Angeles County are accepted for disposal at the landfill, or for management at the alternative technology facilities (e.g. transformation, conversion technology, transformation), ~~biomass processing~~, and other types of

facilities.

2. Description and/or reference to any MSW washed or import restrictions that may restrict MSW from other jurisdictions.
3. Host fee<sup>3</sup> and/or other flow control<sup>4</sup> restrictions (codes, ordinances, or permit conditions) on solid waste coming from areas outside the jurisdiction in which the facility is located, and the amount of the host fee.
4. Quantity (in tons and/or cubic yards per day) of MSW that the facility can accept from other counties or States.

## G. MITIGATION MEASURES AND PROGRAMS

In addition to the CEQA Mitigation and Monitoring Program, the facility owner/operator must implement the following measures/programs:

1. The project proponent shall implement and comply with the following seismic monitoring requirements:
  - a. Complete installation of an accelerometer onsite to measure earthquake/seismic ground motions by a date to be established by the Task Force. Provide a set of as-built plans signed and sealed by a California Registered Civil Engineer to the LEA and the Environmental Programs Division (EPD) of the Los Angeles County Department of Public Works (Public Works).
  - b. Following a major earthquake/seismic ground motion of magnitude 5.0 or greater, as recorded by the closest ground-motion monitoring device as maintained by the California Division of Mines and Geology, thoroughly survey the landfill for primary and secondary surface expressions of seismic activity (such as surface ruptures, landslides, change in spring flows, liquefaction, etc.) and other types of damage for the other facilities. Submit a damage assessment report on the results of the survey to Public Works (through EPD), and the LEA for review. The assessment report must describe and discuss all features, including damage to the site and infrastructure caused by the earthquake and measures that will be taken to mitigate the impact.

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<sup>3</sup> "Host fees" refer to fees paid by one jurisdiction to another jurisdiction for the privilege of utilizing their landfills for the disposal of solid waste. The fee is paid by waste haulers on each ton or cubic yard of solid waste disposed.

<sup>4</sup> "Flow controls" are legal provisions that allow State and local governments to designate the places where MSW is taken for processing, treatment, or disposal. Flow controls may take the form of a "washed" restriction; limits on the amount of waste from individual jurisdictions; host fees; and/or outright bans on the importation of solid waste.

2. All Class III landfill owners/operators must submit a description of the programs that will be implemented at the facility to:
  - a. Minimize disposal of inert waste at their facility.
  - b. Maximize density of disposed materials.
  - c. Beneficially use and reuse materials at the site.
  - d. Use ~~of green waste or other~~ appropriate materials, other than soil, as landfill daily cover, subject to approval of the appropriate LEA, CalRecycle, and other appropriate permitting agencies.
  - e. Support the County Mass Debris Removal and Recycling Plan and Programs.
  - f. Support development of in-County alternative technology facilities (e.g., conversion technology).
  - g. Support planned market for materials/energy recovered from resource recovery projects.
  - h. Institute waste diversion and salvage operations in compliance with all applicable rules and regulations.
  - i. Fully comply with the landfill Waste Plan Conformance Requirements.
3. All solid waste disposal facility operators must submit a description of the programs that will be implemented at the facility to:
  - a. Obtain and provide to the County all data necessary for cities in Los Angeles County and the County to comply with the mandates of AB 939 and SB 1016 by using the Los Angeles County Solid Waste Information Management System.
  - b. Divert or salvage waste (e.g., description of proposed waste diversion/salvage programs to be operated at the facility).
  - c. Prevent disposal of hazardous and other unacceptable waste at the site (e.g., a waste load-checking program).
  - d. Discourage transportation of uncovered waste to the facility

through vehicle tarping enforcement at the gate. Describe a tarping program designed to prevent the accidental release of litter from vehicles entering and leaving the site.

- e. Control litter on the streets, highways, and properties surrounding the disposal facility.

The Proponent shall adopt a program that uses the most effective available methods and technology to prevent waste that has entered an area under the Proponent's control from escaping the area in the form of litter. Notwithstanding any other provision of this condition, or of this grant, for landfill sites, the Proponent shall cease accepting incoming waste during high wind conditions if, despite the methods and technology used, Proponent cannot confine waste to areas under his control.

The Proposed litter control program for landfill sites shall include the following requirements, unless the LEA requires otherwise:

1. Facility personnel shall continuously patrol the access road to the Facility scales during the Facility's hours of operation and remove any litter found during the patrol;
2. Proponent shall immediately remove all debris found on or along the entrance to the Facility and/or working face access roads;
3. At every active working face area, the Proponent shall install a primary portable litter fence eight feet in height, and also a secondary fence four feet in height behind the primary fence (when wind conditions dictate the need for a secondary fence).
4. The Proponent shall employ any and all additional measures as necessary to control litter. On windy days, and when the fences are not sufficient, Proponent shall locate the working face within areas of minimal wind exposure or shall close the working face, if so required by the LEA. The LEA may require additional measures deemed necessary to effectively control litter.

## H. PERMITS AND DOCUMENTATION

Provide copies of the most current and approved updates of the following permits,

documents, and information, in hard copy and digital format:

1. Land Use or Conditional Use Permit, or its equivalent.
2. Joint Technical Document.
3. Waste Discharge Requirement.
4. Air Quality Permit.
5. SWFP.
6. Final Certified Environmental documentation (e.g., Initial Study, Negative Declaration, Categorical Exemption, or an Environmental Impact Report) including all Notices of Determinations showing the posting dates with the County/City Clerk and the State Office of Planning and Research.
7. Information and Operations Plan for meeting applicable permit/regulatory requirements.
8. Demonstration of compliance with Siting Criteria (**Appendix 6-A**), and other requirements as established in Chapter 6 of the CSE.
9. Demonstration of compliance with General Plan consistency requirements as required by PRC Sections 50000.5 and 50001, or as applicable.

In addition, a copy of: (1) the appropriate land use element of the host jurisdiction showing the land use and zoning designation for the facility site and the surrounding parcels to demonstrate compatibility with surrounding land use; and (2) other documentation to demonstrate that the facility or expansion thereof, is consistent with the applicable local jurisdiction's General Plan.

10. Written documentation, including site plans, that adequately describes any proposed future expansion of the facility.
11. Completed Landfill, Transformation, or Solid Waste Facility Survey Form.
12. Any previous FOC Approval obtained from the Task Force.

## I. FACILITY MAPS AND PLANS

1. All Facilities

Provide a set of the most current maps and plans, drawn to scale, clearly identifying, but not limited to, as much of the following information (**as applicable**):

- a. Facility site, including property lines and boundaries.
- b. All structures such as scale house, administration buildings, locations of any above ground or underground storage tanks, gas or wastewater treatment facilities, etc.
- c. Landmarks/monuments/street corners close to the facility location.
- d. Facility entrance.
- e. Facility access roads and surrounding streets from major thoroughfares or freeways to the landfill entrance.
- f. Adjacent city and county limits.
- g. Buffer area (if required for the facility).
- h. Land use designation of parcels adjacent and contiguous to the facility property boundary.
- i. Scale of the facility map.
- j. The map may be a 7.5 or 15 minute United States Geological Survey (USGS) quadrangle as required by PRC Section 18755.5.
- k. Date the facility map was prepared.
- l. Facility map information can be provided in any of the following formats in the following order of preference: Geographic Information System (GIS) files (e.g., shape files, coverages, themes); Computer Aided Design and Drafting (CADD) files (e.g., dxf, dgn, dwg); and Aerial photos (e.g., tif, jpg, ecw).
- m. The plan/map must be a minimum of 2 feet by 3 feet in dimension, clearly labeled and bearing the signature and seal of a California Registered Civil Engineer.

## 2. Landfill Facilities

Additionally, also provide the following information (as applicable) for landfill facilities:

- a. A ground aerial survey submitted as a CADD or vector graphics data file including at least two strata, i.e., (1) a stratum showing the base and finished ground surfaces, and (2) a stratum showing the existing and finished ground surfaces.
- b. Initial and final grades, and delineate the extent of the fill area.
- c. Limits of the existing permitted disposal area.
- d. Limits of the active disposal areas.
- e. Limits of inactive disposal areas.
- f. Limits of the permitted expansion areas (not yet constructed or active).
- g. Limits of the proposed future expansion areas.
- h. Limits of the closed disposal areas.
- i. Limits of areas that have undergone full and approved post-closure.

### 3. Other Facilities

Additionally, provide the following information (as applicable) for other facilities:

- a. Architectural, mechanical, and structural plans of facility buildings and structures, including, but not limited to, equipment, machinery, treatment facilities, etc.
- b. Solid Waste Management Technology Procedural Flowchart.
- c. Schematic Process Diagram for the Solid Waste Management Facility.

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