

August 14, 2008

TO: Facility and Plan Review Subcommittee Members

FROM: Martin Aiyetiwa *MA*  
Staff

**DISCUSSION ON BFI'S FINDING OF CONFORMANCE APPLICATION FOR THE SUNSHINE CANYON LANDFILL – CITY/COUNTY PROJECT**

On July 17, 2008, the Subcommittee met to consider Browning-Ferrous Industries' (BFI) Finding of Conformance (FOC) application for the Sunshine Canyon Landfill–City/County Project. Based on the staff report findings dated July 10, 2008, along with comments provided at the meeting, the Subcommittee deemed the application incomplete. The Subcommittee unanimously approved the following motion:

1. Adopt Option 1 (as identified in the staff report) to not grant the FOC until such time that BFI satisfactorily addresses the two comments below, any and all Subcommittee requests/comments made at its July 16, 2008, and subsequent meetings (if necessary). Furthermore, staff is to bring the item back for consideration at a later time.
  - a. The FOC application did not include any evidence that BFI has obtained approval from the County Department of Public Works for the Project's Fill Sequencing Plan for the portion within the County's jurisdiction.
  - b. The FOC application did not include any evidence that BFI has obtained the City's approval/determination to proceed to Phase II of the City Landfill.
2. Staff and BFI are to obtain and provide the Subcommittee with all the information requested at the July 16, 2008 meeting.
3. Staff is to bring the item back to the Subcommittee for consideration after BFI's FOC application is deemed complete.

The Subcommittee also directed staff to prepare a letter for the Task Force to send to the City of Los Angeles Mayor and the City Council requesting (1) City's comments on the FOC application for the Project, and (2) clarification on whether the City has granted approval to BFI to commence development and operation of Phase II of the City Landfill. The letter was sent to the City on August 4, 2008, and as of date, staff has not received any response from the City.

On August 6, 2008, BFI resubmitted the FOC application (copy enclosed). For ease of reading, attached is a table entitled, "Summary of Task Force Facility and Plan Review Subcommittee's Request and BFI's response." Based on BFI's resubmitted FOC application, staff requests the Subcommittee to provide further direction to staff on how to proceed.