

Countywide Siting Element

CHAPTER 10

(FINDING OF CONFORMANCE DISCUSSION)

February 28, 2008

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FOCUS OF PRESENTATION

- Background
- Major FOC Issues
- FOC Regulatory Framework
- FOC/Permit Process Requirements
- Next Step

BACKGROUND

- Purpose of Chapter 10
- Purpose of FOC process
- History of FOC Process
- Current FOC Process
- Role of Task Force

PURPOSE OF CHAPTER 10 (in existing CSE)

- To present the procedure for obtaining a Finding of Conformance (FOC) with the Los Angeles County CSE through the Task Force (TF) for:
 - New solid waste disposal facilities
 - Expansion of existing facilities
 - “Significant Changes” to existing facilities

PURPOSE OF CSE FOC PROCESS

- Mechanism for inclusion of new or expansions of existing facilities into the CSE
- Ensure consistency and conformance with CSE and its Siting Criteria
- Provide forum for public participation in the siting process

HISTORY OF FOC PROCESS

- Pre-adoption of CoIWMP
 - CoSWMP FOC process
- Post-adoption of CoIWMP
 - CSE incorporated CoSWMP FOC process

CSE FOC PROCESS

- Applies only to permitted landfills and transformation facilities
- Provides a mechanism for inclusion of new or expansion of existing solid waste disposal facilities into the CSE
- Provides a process by which consistency with the CSE and compliance with its siting criteria are determined
- Any FOC granted by the TF would serve as an approved amendment to the CSE

ROLE OF TASK FORCE

- Ensure a coordinated approach to managing solid waste Countywide from all stakeholders.
- Active in legislative and regulatory issues
- Active in the proper siting of disposal facilities

MAJOR FOC ISSUES

- Mechanism for inclusion of new or expansions of existing facilities into the CSE
 - This FOC Purpose cannot be met due to Waste Board's decision.
 - 📁 Need authority through a JPA or similar mechanisms
 - 📁 There may be ways to address this issue

MAJOR FOC ISSUES (CONT.)

- Ensuring consistency and conformance with CSE and its Siting Criteria
 - At this point there is no other mechanism to address this purpose of the FOC.

MAJOR FOC ISSUES (CONT.)

- Provide forum for public participation in the siting process
 - Does CEQA process take care of this purpose of the FOC.

MAJOR FOC ISSUES (CONT.)

- Enforceability of the CSE FOC process
- Should the CSE FOC process be:
 - Modified?
 - Streamlined?

FOC REGULATORY FRAMEWORK

- Source of FOC Authority
- Task Force Role/Authority
- Scope of FOC Requirement/Process
 - CSE goals and policies
 - CSE landfill description and information
 - CSE siting criteria
 - CSE approval process
 - CSE amendment process
 - CSE JPA process
 - CSP Goals and Policies

FOC REGULATORY FRAMEWORK (CONT.)

- Waste Board Position
- FOC in Facility Permit Process

SOURCE OF FOC AUTHORITY

- California Statutes (Attachment E)
- California Regulations (Attachment F)
- Waste Board Rulings (Attachment G/H)
- LA County Code – General Plan
- CSE Goals and Policies (Attachment B)
- CSP Goals and Policies (Handout)
- CSE Siting Criteria (Attachment C)
- Task Force Position (Attachment H)

SCOPE OF FOC REQUIREMENTS/PROCESS

- Scope of FOC Requirement/Process
 - CSE goals and policies
 - CSE landfill description and information
 - CSE siting criteria
 - CSE approval process
 - CSE amendment process
 - CSE JPA process
 - CSP Goals and Policies
- See handout for specific statutes and regulations

WASTE BOARD POSITION

- Does not recognize the FOC process as a valid means for incorporating new or expansion of existing facilities into the CSE
- Recognized “dot on the map” as the conformance process requirement
- Did not approve/disapprove CSE FOC process
- Require double majority for amendment of CSE

FOC IN FACILITY PERMIT PROCESS

- FOC/Facility Permit Process
 - See facility permit process flow chart

NEXT STEP

- Continue discussion in March
 - Discuss possible options
 - Provide staff initial direction
- Discuss again in April

QUESTIONS AND COMMENTS

