

June 12, 2008

TO: Members of the Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

FROM: Chuk Agu *CA*
Staff

**POTENTIAL REVISIONS TO CHAPTER 10 OF THE
LOS ANGELES COUNTY COUNTYWIDE SITING ELEMENT**

Attached for your review are preliminary draft revisions to Chapter 10 (Finding of Conformance) of the Countywide Siting Element for your discussion at the June 19, 2008, Subcommittee meeting.

Due to the complexity, sensitivity and uncertainty of issues involved in this Chapter, the draft is still in its conceptual stage and is provided only to seek Subcommittee's guidance. Also, included are background information to aid the Subcommittee in its review. Based on Subcommittee's guidance, staff will fine-tune Chapter 10 and resubmit to the Subcommittee for a detailed review and discussion.

If you have any questions, please contact me at (626) 458-3556, Monday through Thursday, 7 a.m. to 5:30 p.m.

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Attach.

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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, conversion technology facilities, and other alternative technology facilities, and under the auspices of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force).

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

~~The purpose of this chapter is to present the procedure for obtaining a Finding of Conformance (FOC) with the Los Angeles County, Countywide Siting Element which will provide a mechanism for the inclusion of new solid waste landfills or transformation facilities, or expansions of existing solid waste disposal facilities into the CSE. Additionally, the process will ensure that all new solid waste disposal facilities and expansions of existing solid waste disposal facilities are consistent with the CSE and its Siting Criteria as listed in Chapter 6. Furthermore, the FOC process which is implemented under the auspices of the Task Force, will provide a forum in which the public, local jurisdictions, public organizations, businesses, and industry may voice their opinions regarding each individual project.~~

10.2 DEFINITIONS

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

10.2.1 Expansion

“Expansion” refers to (1) an increase in the physical dimension of the facility; (2) an increase in the permitted daily disposal rate, throughput, or intake/processing capacity; and/or (3) an extension or renewal of a permit whose expiration date may effect the operation of the facility, whichever is applicable. For landfills, 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 in which solid waste may be disposed to areas contiguous or adjacent to the area of the existing operation.

10.2.2 Minor Change

"Minor Change" refers to a change that is (a) subject to the authority of the EA acting pursuant to the Integrated Waste Management Act or regulations promulgated under such Act; and (b) consistent with State minimum standards pursuant to Chapter 3 of this Subdivision or applicable minimum standards in Title 14 (commencing with Section 17200), and including financial assurance and operating liability criteria pursuant to Chapter 6 of this subdivision if applicable; and (c) consistent with the terms and conditions in the current SWFP; and (d) not in conflict with the design and operation of the facility as provided in the current RFI pursuant to Section 21600 of the Public Resources Code, and 14 CCR Sections 17346.5, 17863, 17863.4, 18221.6, 18223.5, or 18227.

10.2.3 Significant Change

"Significant Change" refers to (a) any change in a facility's land use permit/conditional use permit, and/or Waste Discharge Requirements Permit that requires compliance with the requirements of the California Environmental Quality Act, as amended; (b) any revision in the facility's Solid Waste Facility Permit; or (c) any increase in daily permitted capacity as defined in Chapter 3 of the CSE. Changes in design and operation such as (1) increase in maximum amount of permitted tonnage of all waste received, (2) increase in the facility's permitted acreage, (3) increase in the permitted hours of operation, and (4) for landfills, increase in permitted disposal footprint and/or permitted (final grade) maximum overall height, pursuant to Section 21620(a)(4) of the Public Resources Code.

10.23- SPECIFIC REQUIREMENTS AND SCOPE OF THE FINDING OF CONFORMANCE PROCESS

The scope and requirements of the current FOC process are specifically prescribed in statutes and regulations such as PRC Section 50000, 50000.5 and 500001, and Sections 18755 and 18756 of the CCR. The scope and requirement are also broadly described in other statutes and regulations related to the role and authority of the Task Force, CSE goals and policies, CSE landfill description and information requirements, CSE siting criteria, CSE approval process, CSE amendment, etc.

~~Section 18756 of Title 14 of the CCR requires that the CSE must describe the process instituted Countywide to confirm that the criteria set forth in that Section are included as a part of the solid waste disposal facility siting process (please refer to Chapter 6).~~

Flowcharts of the various components of the solid waste land disposal site and transformation facility permitting process, including the FOC process, are included in Flowchart 10-1 of this Chapter, and Flowcharts 6-1 to 6-6 of CSE Chapter 6 (Facility Siting Criteria). The FOC Submittal Requirements are listed in Table 10-1 of this Chapter, and the siting criteria and siting factors 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:

Section 50000(a)(1) of the PRC requires that:

- (a) Until an integrated waste management plan has been approved by the California Integrated Waste Management Board pursuant to Division 30 (commencing with Section 40000), no person shall establish a new solid waste facility or transformation facility or expand an existing solid waste facility or transformation facility that will result in a significant increase in the amount of solid waste handled at the facility without a certification by the enforcement agency that one of the following has occurred:
 - (1) The facility is identified and described in, or found to conform with, a county solid waste management plan that was in compliance with statutes and regulations in existence on December 31, 1989, adopted pursuant to former Title 7.3 (commencing with Section 66700) of the Government Code as that former statute read on December 31, 1989. The conformance finding with that plan shall be in accordance with the procedure for a finding of conformance that was set forth in the plan prior to January 1, 1990.

Section 50000.5(a) of the PRC requires that:

- (a) Until a countywide integrated waste management plan has been approved by the California Integrated Waste Management Board pursuant to Division 30 (commencing with Section 40000), no person shall establish or expand a solid waste facility or transformation facility unless the city or county in which the site is located makes a finding that the establishment or expansion of the facility is consistent with the applicable general plan of the city or county. This finding shall not be made unless the city or county has adopted a general plan, which complies with the provisions of Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code.

Section 50001 of the PRC 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 Integrated Waste Management Board 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, 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 or 41801.5.
- (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.

Section 41721 of the PRC requires that:

The CSE shall be approved by the County and by a majority of the cities within the County, which contains a majority of the population of the incorporated area of the County.

Section 41721.5(a) of the PRC requires that:

Any amendment to the CSE shall be approved by the County and by a majority of the cities within the County, which contains a majority of the population of the incorporated area of the County.

Section 18756 of Title 14 of CCR 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

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Tables, Fact Sheets, Figures, Flowcharts and Maps to be updated

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 ground water, quantity and quality of ground water, 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.
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- (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.-

10.43 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 AB 939 implementation, in Los Angeles County, the former Los Angeles County Solid Waste Management Committee was has been~~ the liaison for the former CWMB and the California Integrated Waste Management Board (CIWMB) for making a determination of consistency and for issuance of an FOC with the ~~then~~ Los Angeles County Solid Waste Management Plan (CoSWMP).

~~Section 50000 of the California Public Resources Code (PRC) requires that until a countywide integrated waste management plan has been approved by the CIWMB, no person shall establish a new or expand an existing solid waste disposal facility in the county unless the proposed facility has been identified and described in or has been found to conform with the active county solid waste management plan, which was in compliance with and adopted in accordance with the laws of the former Title 7.3 of the California Government Code (prior to repeal by Assembly Bill 939, California Integrated Waste Management Act of 1989) and has been approved by the CWMB, the county and a majority of the cities with a majority of the incorporated population. Prior to approval of the Los Angeles County Countywide Siting Element (CSE) by the Waste Board in June 24, 1998, and the Countywide Integrated Waste Management Plan (CoIWMP) in June 23, 1999, and consistent with Section 50000 of the California Public Resource Code (PRC), the Task Force currently issueds FOCs with the active 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.~~

~~Section 50001 of the PRC requires that after a countywide integrated waste management plan has been approved by the CIWMB, no person shall establish a new or expand an existing solid waste disposal facility in the county unless the proposed facility has been identified in an approved countywide siting element, or amendment thereof. Upon approval of the CSE in 1998, and consistent with Section 50001 of the PRC, the County of Los Angeles, will through the Task Force, has ensured that the Siting Criteria contained in the CSE are applied and that a land disposal or transformation facility is are in conformance with the CSE through the FOC process. Additionally, any FOC granted by the Task Force to a solid waste disposal facility will serve as an approved amendment to the CSE.~~

10.54 APPLICABILITY OF FINDING OF CONFORMANCE

The FOC process discussed in this Chapter, and the siting criteria, siting factors and permit process described in Chapter 6 and Appendix 6A-1 are primarily designed for permitted Class III landfills, inert waste landfills, and transformation facilities. Although these standards are the most stringent standards developed for solid waste facilities in Los Angeles County, it is still unclear and unsettled whether similar standards could be applied to conversion technology facilities, biomass processing facilities, and other alternative and emerging technology facilities. However, for the purposes of this CSE, this FOC process is assumed as the default standard.

New ~~solid waste disposal~~ facilities, expansions of ~~the existing solid waste disposal~~ facilities, or existing ~~solid waste disposal~~ facilities that institute a "significant change" to their operation, except those exempted below, must obtain an FOC with the CSE granted by the Task Force. ~~(exemptions are listed below).~~ 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 approval. Table 10-1 lists the minimum components that a facility proposal must contain.

~~For the purpose of the CSE, "significant change" is defined as: a) any change in the solid waste disposal facility's land use permit/conditional use permit, and/or Waste Discharge Requirements Permit that requires compliance with the requirements of the California Environmental Quality Act, as amended; b) any revision in the facility's Solid Waste Facility Permit; or c) any increase in daily permitted capacity as defined in Chapter 3 of the CSE.~~

The following ~~Certain~~ types of solid waste ~~land~~ disposal/transformation facilities and operations are exempt from obtaining an FOC with the CSE. ~~These facilities include:~~

- Owner-operated ~~Unclassified (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) to operate without a Solid Waste Facility Permit (i.e., those that operate under the Inert Debris Engineered Fill Operation (IDEFO) tier, Enforcement Agency Notification tier, and excluded operations tier of the Phase II C&D Regulations).
- Drilling mud disposal sites for short-term use; or
- Farm/ranch disposal sites for one- or two-family use.
- Any activity by a facility or an operation that falls under the definition of "minor changes" per Section 21620 of the California Code of Regulation.

However, the enforcement power over land use decisions, including FOC requirements, ultimately lies 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.

~~Project proponents of solid waste disposal facilities, except those exempted above, must submit proposals to the Task Force for an FOC. Table 10-1 lists the minimum components that a facility proposal must contain.~~

10.6 POTENTIAL OPTIONS TO STRENGTHEN THE EFFECTIVENESS AND ENFORCEMENT OF THE FINDING OF CONFORMANCE PROCESS

The following are potential options that could be implemented to strengthen the effectiveness and enforcement of the FOC process for ensuring consistency with CSE for new and/or expansions of existing facilities. These options establishes a means for the Task Force to (1) comment on the development of these facilities early in the facility permitting process; (2) review and approve or deny FOC prior to the issuance of the Solid Waste Facility Permit (SWFP); and (3) facilitate enforcement of FOC requirements by the appropriate entities. However, the local jurisdiction and/or land use authority would still make the ultimate decision on the final conditions and approval of the land use permit.

10.6.1 Options to Strengthen Effectiveness

- **Require FOC Approval as a Condition of Land Use Permit (LUP) / Conditional Use Permit (CUP)**

The CSE goals and policies could be revised to mandate for the County and the cities¹ to make Finding of Conformance (FOC) approval a condition of the LUP or CUP for the applicable solid waste facilities² projects located within its jurisdiction.

- **Provide FOC Requirements³ to Project Lead Agency early in the facility permitting process**

Mechanisms, including but not limited to the following, could be developed to provide FOC requirement information to the project's Lead Agency at the beginning of the facility permitting process: (1) A mechanism to identify applicable upcoming solid waste facility projects within Los Angeles County that would be required to meet the FOC requirements; (2) A standard list of FOC submittal requirements (e.g., Table 10-1) could be submitted/provided to lead agencies for incorporation into the project permit conditions, and (3) A mechanism to provide the comments to the lead agencies earlier in the facility permitting process (e.g., during the

¹ The "cities" refer to the host cities for the solid waste disposal facility (or preferably all the 88 cities).

² "Solid waste disposal facilities" refers to the permitted landfills and transformation facilities. Note that no new class III landfills are expected to be proposed in the County in the foreseeable future.

³ The FOC Submittal Requirements (see Table 10-1) includes the Facility Siting Criteria.

LUP/CUP permit process) rather than later (e.g., during the JTD/SWFP review process) such that the lead agency and project proponent would become aware of the FOC requirements earlier in the facility permitting process.

- **Include FOC Requirements in the comments on the CEQA documents**

A notification process (during the CEQA process) could be established between the County and cities, whereby the Task Force would be automatically notified (as a responsible agency) by the Lead Agency early in the CEQA process for any solid waste disposal facility project and provided opportunity to review and comment on the project. The Task Force would then comment on the applicable siting criteria, and the FOC submittal/conformance requirements.

10.6.2 Options to Strengthen Enforcement

- **Enforce FOC Requirement as a General Plan (GP) Requirement**

The FOC and its requirements could be enforced as a County General Plan⁴ requirement for applicable solid waste facility projects located in unincorporated areas since the CSE is codified as part of the County General Plan. Also, the CSE goals and policies could be revised to require local planning agencies to enforce FOC requirements as part of the cities' General Plan for applicable solid waste facility projects located within the cities' jurisdiction.

- **Request State Attorney General to enforce FOC Requirements**

The County could request for the State Attorney General to bring an action to enforce the FOC process/requirements pursuant to PRC Section 50001.5.

10.75 ADMINISTRATIVE PROCESS

10.7.1 Finding of Conformance Notice Process

The Task Force in coordination with the County would use the options listed above for strengthening the effectiveness of the FOC process to provide notices and comments to project proponents and lead agencies regarding the FOC process and requirements early in the permitting process.

⁴ The current County General Plan (GP) is countywide, however, the ongoing amendment of the County GP would limit its jurisdiction to unincorporated areas only.

10.7.2 Finding of Conformance Review Process

The Task Force shall review and act on a proposed project which meets the requirements of the CSE. The Task Force has 30 days after the proposal is submitted in which 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 both parties. The proposal will not be considered to be complete without: the certified final environmental document, the land use/conditional use permit, consistency with the local jurisdiction's General Plan, and all other materials listed in Table 10-1 of this Chapter.

In the review process, the Task Force:

1. Considers the project in relation to:
 - The goals, policies, and objectives of the CSE/ColWMP;
 - The policies of the California Integrated Waste Management Board/ appropriate Local Enforcement Agency; and
 - The policies of the local jurisdiction's (city or the County as applicable) General Plan.
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 local jurisdictions shall be requested by the Task Force to comment on project implementation, proposed transportation routes, and planned end uses of the land (for landfills).
4. Examines the projected waste flow to the proposed project and analyses of Countywide/regionwide impacts.
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 of the proposed project within the County in concert with the CEQA cumulative impact analysis for the project.
7. Determines whether or not the city or the County 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 or County's applicable general plan.
8. Determines whether or not, as part of the land use process, the city or the County in which the site is located, has made a finding (of consistency)

based on comments provided by the Task Force, that the establishment or expansion of the site is consistent with CSE

~~10.6 ACTIONS BY THE TASK FORCE~~

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 make one of the following findings: (1) grant the FOC as submitted; ~~Issue an FOC or~~ (2) grant the FOC but with changes/modifications; (3) request additional information and/or analysis, and subsequently reconsider the revised proposal; or (24) ~~D~~deny the request for an FOC and state reasons for the denial.

10.7.3.6.1 Issuance of e-a Finding of Conformance

After a proposed project has met all the requirements to the satisfaction of the Task Force, an FOC will be issued by the Task Force.

10.7.3.6.2 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 Finding of Conformance Enforcement Process

The Task Force does not possess express statutory or regulatory power or authority to enforce the FOC requirements. However, in addition to the options listed in Section 10.5.2 for strengthening the enforcement of the FOC process (i.e., enforcement of FOC requirements by jurisdictions as a General Plan requirement, and requesting for State Attorney General to enforce the FOC requirements), the Task Force may take the following actions to facilitate the enforcement of the FOC requirements.

10.7.4.1~~6.3~~ Local Enforcement Agency/California Integrated Waste Management Board

In accordance with Section 50001 of the PRC, prior to granting a Solid Waste Facility Permit, the appropriate Local Enforcement Agency (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 Local Enforcement Agency and the California Integrated Waste Management Board. The Task Force shall also forward a copy of the FOC to the jurisdiction in which the facility is located.

10.7.4.2~~6-4~~ Revocation of Finding of Conformance~~Project Proponent Failure~~

If a project proponent with an FOC from the Task Force fails to meet the conditions of the finding, the Task Force may revoke the finding. Cause for revoking an FOC shall be documented in the notice of revocation to the local jurisdiction, appropriate Local Enforcement Agency, California Integrated Waste Management Board, and the facility proponent.

10.8 TABLE AND FLOWCHART

This Section includes the table of FOC Submittal Requirements (**Table 10-1**) and flow chart of finding of conformance process (**Flowchart 10-1**). See Chapter 6 for the flowcharts of the solid waste land disposal site and transformation facility permitting process (**Flowchart 6-1**), land use permit and conditional use permit process (**Flowchart 6-2**), solid waste facility permit (full permit) process (**Flowchart 6-5**) and the California Environmental Quality Act (CEQA) process (**Flowchart 6-6**).

TABLE 10-1

PROPOSED FINDING OF CONFORMANCE SUBMITTAL REQUIREMENT

~~Proponents of solid waste disposal (landfill and transformation) facilities, except otherwise exempted, must submit proposals to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force for an FOC. The facility proposal shall contain the following minimum information:~~

Applicant for Finding of Conformance (FOC) with the Los Angeles County Countywide Siting Element for class III landfills, inert waste landfills, and transformation facilities located within Los Angeles County, except otherwise exempted, shall submit Proposals to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force). The facility 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

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

B. FACILITY SITE INFORMATION

- ~~2.~~ Description of facility project location (including complete physical address (including the city and county) and the longitude and latitude (in degrees) of the site).
- ~~10.~~ Planned-site Type and/or classification of the for disposal sites facility.
- Property site acreage (including permitted and unpermitted areas)
- Disposal area acreage (including permitted, unpermitted, active, inactive, closed, and post closure areas)
- ~~4.~~ • Project design capacity or acreage as appropriate.

C. FACILITY OPERATION INFORMATION

- Operational Status (open, closed, permitted, active).
- ~~5.~~ Description of types of waste material accepted and/or disposed at the facility~~to be handled.~~, and types of waste not accepted at the facility.
- ~~6.~~ Identification of waste sources.
- ~~7.~~ Projection of waste quantity to be handled at start-up and at five-year intervals in project's life.
- Permitted and proposed hours and days of operation.
- Maximum daily permitted municipal solid waste throughput (intake) capacity in tons per day.
- Average daily municipal solid waste throughput (intake) in tons per day.
- In-place solid waste density/compaction rate.
- Estimated closure and post-closure date.
- Estimated remaining disposal capacity in cubic yards and tons (including the date the remaining capacity was based on).
- Projected remaining life (in years).
- ~~8.~~ Identification of waste transport corridors and destination.
- ~~9.~~ Technology to be used for treatment facilities.
- Information on any significant ongoing or foreseeable litigation that may affect landfill operations or result in closure of the facility.
- Name of the Local Enforcement Agency with jurisdiction over this facility, and the contact person.
- ~~10.~~ Planned site classification for disposal sites.

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- ~~11. Planned end uses for the land for disposal sites.~~
- ~~12. Final environmental documentation (initial study, negative declaration, categorical exemption, or an Environmental Impact Report) including all Notices of Determinations showing the posting dates with the County Clerk/City Clerk and the State Office of Planning and Research.~~
- ~~13. Planned market for materials/energy recovered from resource recovery projects.~~
- ~~14. Description of proposed waste diversion/salvage programs to be operated at the facility.~~
- ~~15. Information and operations plan for meeting applicable permit/regulatory requirements.~~
- ~~16. Demonstration of compliance with siting criteria requirements as established in Chapter 6 of the CSE.~~
- ~~17. Demonstration of compliance with general plan consistency requirements as required by the California Public Resources Code, Section 50000.5 and 50001, as applicable. In addition, a copy of the appropriate land use permit shall also be provided.~~
- ~~18. A tarping program designed to prevent the accidental release of litter from vehicles entering and leaving the site.~~
- ~~19. A waste load-checking program designed to prevent disposal of hazardous and other unacceptable waste from site.~~

D. FACILITY EXPANSION AND/OR CLOSURE INFORMATION

- ~~3.~~ Project implementation schedule (as applicable) including planned dates for construction start, construction completion, start-up, planned expansion, and closure.
- Description of any proposed future expansion for the facility.
- Additional life that will result due to the proposed expansion.
- Additional municipal solid waste throughput (intake) in tons per day due to the proposed expansion.
- Status of the land use permit for the proposed expansion.

- Status of the environmental impact document for the proposed expansion.
- Approximate date the proposed expansion capacity would most likely become available
- ~~11.~~ Planned end uses for the land for disposal sites.

E. FLOW CONTROL INFORMATION

- Acceptance of municipal solid waste from other counties for disposal at landfill.
- How many tons of municipal solid waste can the facility accept from other counties or States per day.
- Description and/or reference to any municipal solid waste wasteshed or import restrictions that may restrict municipal solid waste from other jurisdictions.
- Host fee and/or other flow control restrictions (code, ordinance or permit conditions) on solid waste coming from areas outside the jurisdiction in which your landfill is located, and the amount of the host fee.

F. WASTE-BY-RAIL INFORMATION

- Accessibility and proximity (in miles) of facility to a rail line or spur and name of the rail line company.
- Description of any proposed waste-by-rail system or integration of facility into an existing waste-by-rail system.

G. MITIGATION MEASURES AND PROGRAMS

In addition, the facility owner/operator will be required to implement the following measures/programs:

- ~~1. Project proponents of new Class III landfills and owners/operators of expansions of existing Class III landfills shall be required to implement the following seismic monitoring requirements:~~
 - ~~a) Install an accelerometer on site to measure seismic ground motions by a date to be established by the Task Force. A set of as-built plans signed and sealed by a California Registered Civil Engineer shall be provided to the Local Enforcement Agency and the Los Angeles County Department of Public Works, Environmental Programs Division for approval.~~

~~b) Following a major seismic event: 1) of magnitude 5.0 or greater in the Richter Scale, as recorded by the closest ground-motion monitoring device as maintained by the California Division of Mines and Geology, and 2) with an epicenter located within 25 miles from the Landfill (or as directed by the Task Force), thoroughly survey the landfill site for primary and secondary surface expressions of seismic activity (such as, surface ruptures, landslides, changes in spring flows, liquefaction, etc.). Submit a damage assessment report on the results of the survey to the Los Angeles County Department of Public Works, Environmental Programs Division and the Local Enforcement Agency for review. The assessment report must describe and discuss all features, including damage to the site and infrastructure caused by the seismic event, and the measures that will be taken to mitigate the impact.~~

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. A set of as-built plans signed and sealed by a California Registered Civil Engineer shall be provided to the Local Enforcement Agency and the County of Los Angeles Department of Public Works, Environmental Programs Division.
- 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.). Submit a damage assessment report on the results of the survey to the County of Los Angeles Department of Public Works, Environmental Programs Division and the LEA for review. The assessment report needs to 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.

2. All Class III landfill owners/operators shall be required to 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) Use green waste or other appropriate materials for use as landfill daily cover other than soil, subject to approval of the appropriate Local Enforcement Agency, the CIWMB, and other appropriate permitting agencies.

- d) Support the County Mass Debris Removal and Recycling Plan and Programs.
 - e) Support development of in-County conversion technology facilities.
 - f) ~~13.~~ Planned market for materials/energy recovered from resource recovery projects.
 - g) Institute waste diversion and salvage operations in compliance with all applicable rules and regulations.
 - ~~h) Description of proposed waste diversion/salvage programs to be operated at the facility.~~
 - ~~i) Technology to be used for treatment facilities.~~
 - ~~j) Fully comply with the landfills waste plan conformance~~
3. All solid waste disposal facility operators shall be required to submit a description of the program that will be implemented at the facility to:
- a) Acquire and provide to the County, all data necessary for cities in Los Angeles County and the County to comply with the mandates of Assembly Bill 939, by using the Los Angeles County Solid Waste Information Management System. ~~Additionally, disposal facility operators will be encouraged to institute waste salvage operations in compliance with all applicable rules and regulations.~~
 - b) Description of proposed waste diversion/salvage programs to be operated at the facility.
 - c) A waste load-checking program designed to prevent disposal of hazardous and other unacceptable waste from the site.
 - d) ~~b)~~ Discourage transportation of uncovered waste to the disposal 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) ~~c)~~ 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, the Proponent shall cease accepting incoming waste during high wind

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Tables, Fact Sheets, Figures, Flowcharts and Maps to be updated**

conditions if, despite the methods and technology used, waste cannot be confined to areas under the Proponent's control.

- f) The Proponent's litter control program shall include the following requirements, unless the LEA requires otherwise:
- Facility personnel shall continuously patrol the access road to the Landfill scales during the Landfill's hours of operation and remove any litter found during the patrol;
 - All debris found on or along the entrance to the landfill and/or Working Face access roads shall be immediately removed;
 - 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. The Proponent shall employ any and all additional measures as necessary 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.

H. PERMITS AND DOCUMENTATION

Provide copies of the most current and approved updates of following permits, documents and information, in hard copy or digital format:

- Joint Technical Document
- Land Use or Conditional Use Permit, or equivalent governmental resolutions
- Waste Discharge Requirement
- Air Quality Management Permit
- Solid Waste Facility Permit
- ~~42.~~ Final environmental documentation (initial study, negative declaration, categorical exemption, or an Environmental Impact Report) including all Notices of Determinations showing the posting dates with the County Clerk/City Clerk and the State Office of

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Planning and Research.

- Information and operations plan for meeting applicable permit/regulatory requirements.
- Demonstration of compliance with siting criteria [\(Appendix 6-A\)](#), and [other](#) requirements as established in Chapter 6 of the CSE.
- Demonstration of compliance with general plan consistency requirements as required by the California Public Resources Code, Section 50000.5 and 50001, as applicable. In addition, a copy of the [\(1\) appropriate land use element of the host jurisdiction showing the land use and zoning designation for the landfill and the surrounding parcels to demonstrate compatibility with surrounding land use, permit shall also be provided, and \(2\) other documentation to demonstrate that the project/expansion is consistent with applicable local jurisdiction's general plan.](#)
- [Written document other than maps that adequately describes any proposed future expansion of the facility.](#)
- [Completed landfill survey form](#)
- [Previous Finding of Conformance Approvals](#)

I. FACILITY MAPS AND PLANS

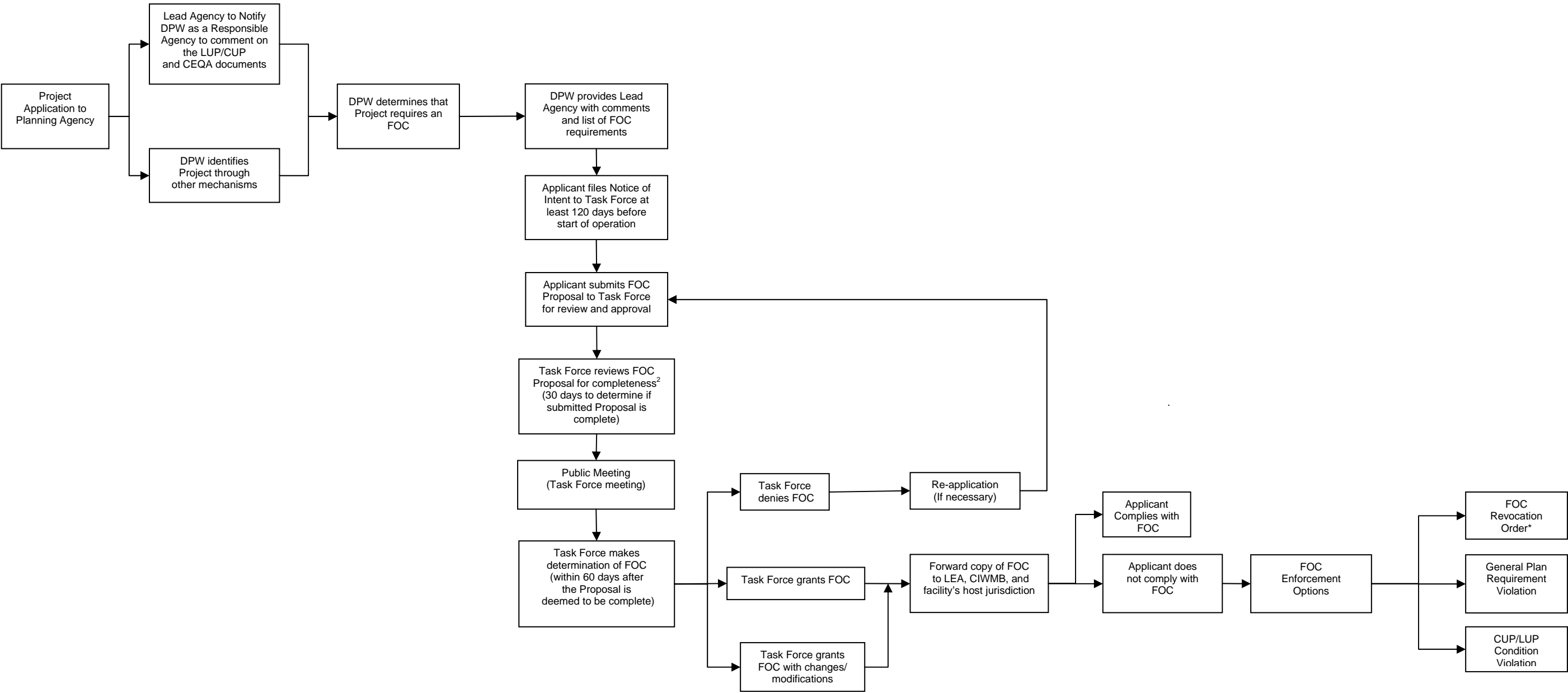
~~20.~~ A set of [the most current maps/plans](#), drawn-to-scale, clearly identifying, [but not limited to, as much of the following information \(where applicable\) as possible.](#) ~~property lines, adjacent land uses, all structures such as scale house, administration buildings, locations of any above ground or underground storage tanks, surrounding streets and access roads, etc. The plans 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.~~ For land disposal facilities, the plans must [also](#) show initial and final grades for and delineate the extent of the fill area. For transformation facilities, the plans must [also](#) show drainage and wastewater discharge lines, the incineration building and equipment, and materials recovery area (if any).

- [Landfill site property lines and boundary](#)
- [Limits of the closed disposal areas](#)
- [Limits of the existing permitted disposal area](#)
- [Limits of the active disposal areas](#)
- [Limits of inactive disposal areas](#)

- Limits of areas that has undergone full and approved post-closure
- Limits of the permitted expansion areas (not yet constructed/active)
- Limits of the proposed future expansion areas
- Initial and final grades for and delineate the extent of the fill area
- All structures such as scale house, administration buildings, locations of any above ground or underground storage tanks.
- Landfill access road and surrounding streets
- Landfill entrance
- Landmark/monuments/street corner close to the landfill location
- Buffer area (if required for the landfill)
- Adjacent city and county limits
- Land use designation of parcels adjacent and contiguous to the landfill property boundary
- Scale of the landfill map
- The map may be a 7.5 or 15 minute USGS quadrangle as required by Section 18755.5 of the Public Resource Code.
- Date the landfill map was prepared
- 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.
- Provide landfill map information in any of the following format in order of preference listed below: GIS files (shape files, coverages, themes), CADD files (dxf, dgn, dwg), Aerial photos (tif, jpg, ecw)
- 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.

- For disposal sites where a change in permitted volume is proposed, a third stratum showing the base and proposed finished ground surface must be included. For each stratum the following information shall be included: site name, stratum name, surface 1 name, surface 2 name, volume calculation method (grid, composite, section), expansion (cut) factor, compaction (fill) factor, cut volume, fill volume and net volume. All volumes shall be reported in cubic yards. If the base ground surface is uncertain, the operator is allowed to provide the best available information as a substitute for the actual as-build contours. If selecting a substitute method, the operator must provide an explanation of the basis for using the substitute base ground surface.

Flowchart 10-1
PROPOSED FINDING OF CONFORMANCE (FOC)¹ PROCESS FLOWCHART



Notes:

* If a project proponent with an FOC from the Task Force fails to meet the conditions of the Finding, the Task Force may revoke the Finding. The cause for revoking an FOC shall be documented in the notice of revocation to the local jurisdiction, appropriate Local Enforcement Agency, California Integrated Waste Management Board, and the facility proponent.

Footnote:

- ¹ Finding of Conformance with Los Angeles County Countywide Siting Element and Countywide Integrated Waste Management Plan
² 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 materials listed in Table 10-1 of Chapter 10.