

**ADDENDUM TO  
FINAL ENVIRONMENTAL IMPACT REPORT  
COMMENTS RECEIVED AND RESPONSES  
FOR  
THE LOS ANGELES COUNTY BOARD OF SUPERVISORS**

**SUNSHINE CANYON LANDFILL EXTENSION**

**CONDITIONAL USE PERMIT 86312-(5)  
SUB PLAN AMENDMENT  
CONDITIONAL USE PERMIT 2556**

**STATE CLEARINGHOUSE NUMBER 89071210  
(PREVIOUS SCH #84082908)**

**COUNTY OF LOS ANGELES  
DEPARTMENT OF REGIONAL PLANNING  
320 WEST TEMPLE STREET  
LOS ANGELES, CA 90012**

**FEBRUARY 1991**



## TABLE OF CONTENTS

<u>Section</u>		<u>Page</u>
1.0	INTRODUCTION .....	1
2.0	RESPONSE TO SECTION 1, GENERAL COMMENTS .....	3
3.0	RESPONSE TO SECTION 2, REBUTTAL OF TOPICAL RESPONSES .....	7
4.0	RESPONSE TO SECTION 3, RESPONSE TO BFI COMMENTS .....	12
5.0	RESPONSE TO SECTION 4, ADDITIONAL COMMENTS ON TOPICAL RESPONSES (SECTION 2) & RESPONSE TO COMMENTS (SECTION 3), SUBMITTED DURING EXTENDED COMMENT PERIOD 11/29/90 AND 12/15/90 ..	33
6.0	ORIGINAL COMMENTS RECEIVED .....	43
ATTACHMENT A	Written Comments Received From the North Valley Coalition on November 29, 1990, Response to BFI's "Response to Comments Volume A, Dated July 13, 1990". (Section 2.0, Section 3.0 and Section 4.0)	
ATTACHMENT B	Written Comments Received subsequent to the November 29, 1990 Board of Supervisors Public Hearing, through December 15, 1990. (Section 5.0)	

## **1.0 INTRODUCTION**

This document, which has been prepared for the Board of Supervisors, provides information and responses which address the North Valley Coalition's, November 1990, Response to BFI's "Response to Comments Volume A, dated July 13, 1990." The comments submitted by the North Valley Coalition were presented for public record during the November 29, 1990 Board of Supervisors public hearing, on the Sunshine Canyon Landfill Extension and during the designated review period, until December 15, 1990.

The majority of comments received from the North Valley Coalition pertain to previously addressed responses from Section 2.0 Topical Responses and Section 4.0 North Valley Coalition Comments of Volume A of the Draft EIR Responses to Comments document. It should be noted that no new significant environmental issue nor responses have been raised through this review process for the Final EIR. Copies of the original submittal by the North Valley Coalition are included as Attachment A and Attachment B of this document.

All comments and/or rebuttals to comments, from the North Valley Coalition have been individually responded to in this document. Many comments from the North Valley Coalition included general statements and/or opinions of the preparer; all were acknowledged even though they are not necessarily relevant to the CEQA environmental process.

This Introduction Section provides the basic framework and background information pertaining to this document. Section 2.0, responds to comments by the North Valley Coalition on general comments on the Draft EIR Responses to Comments Volume A, dated July 13, 1990; Section 3.0, responds to comments related to Topical Responses; Section 4.0, responds to comments originally submitted by the North Valley Coalition on the Draft EIR Responses to Comments Volume A, dated July 13, 1990 and Section 5.0, responds to additional comments on Topical Responses and Responses to Comments. Attachments to this document include the entire comment document submitted by, the North Valley Coalition on November 29, 1990, (Attachment A) and those comments received subsequent to the November 29, 1990 Board of Supervisors Public Hearing, during the comment period through December 15, 1990. (Attachment B)

The Final EIR for the project consists of the following documents:

- Volume I - Draft EIR (April 1989)
- Volume IIA & IIB - Appendices to Draft EIR April 1989)
- Volume III - County Agencies Comments and Responses (July 1989)
- Volumes A & B - Responses to Comments (July 13, 1990)
- Addendum to Draft EIR and Final EIR (October 1990)
- (RPC recommended Final EIR)

Final EIR - Comments Received and Responses (February 1991)  
Final EIR - Addendum to Comment Received and Responses  
(February 1991)

The Final EIR and all incorporated technical reference documents have been on file at the County and are available for review at the following public libraries:

Granada Hills Library  
10640 Petit Avenue  
Granada Hills, CA

Central Library  
433 South Spring Street  
Los Angeles, CA

Sylmar Library  
13509 Glen Oaks Boulevard  
Sylmar, CA

Valencia Library  
23743 W. Valencia Boulevard  
Santa Clarita, CA

San Fernando Library  
1050 Library Street  
San Fernando, CA

Culver City Library  
4975 Overland Avenue  
Culver City, CA

**2.0 RESPONSE TO SECTION 1, GENERAL COMMENTS, BFI'S  
"RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"**

Comments Received and Responses to "General Comments"  
See Attachment A, Page 1 through Page 14

**NO NEW SIGNIFICANT ISSUES RAISED**

Comment Issues: Page 2, Attachment A

Response:

The information provided in this comment is noted.

Comment Issues: Page 3 and 2nd paragraph, Page 4, Attachment A

Response:

For a detailed discussion of alternatives to the proposed project, refer to page 54, Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document. Also refer to Section 3.4 Biota and Section 3.5 Oak Tree Resources, of the same document, for a detailed discussion of tree count, inventory methods, vegetation and wildlife surveys of Sunshine Canyon. Refer to page 1, Section 1.0 Introduction, for a discussion of the chronology of the environmental process.

Comment Issues: Page 4, Attachment A

Response:

For a discussion of these issues, refer to page 3, Topical Response 1, ultimate County and City landfill development project, Volume A, of the Draft EIR Responses to Comments document.

Pursuant to CEQA Guidelines, Section 15084(d)(3), the lead agency may choose a consultant retained by the applicant for preparing a Draft EIR.

For a complete discussion of the comment issues refer to the following sections from the Final EIR, Comments Received and Responses document. The sections are:

Section 3.1	Project Description/EIR Process, page 5;
Section 3.2	Geology, page 8;
Section 3.3	Surface Water/Groundwater, page 11;
Section 3.4	Biota, page 21;
Section 3.5	Oak Tree Resource, page 30;
Section 3.7	Air Quality/Landfill Gas, page 43;
Section 3.8	Traffic, page 50;
Section 3.11	Alternatives, page 54; and
Section 3.12	Cumulative Impacts, page 67.

**Comment Issues:** Page 5, Attachment A

**Response:**

For a complete discussion of these issues reference the following sections from the Final EIR, Comments Received and Responses document. The sections are:

Section 3.11	Alternatives, page 54;
Section 3.5	Oak Tree Resources, page 30;
Section 3.12	Cumulative Impacts, page 67; and
Section 3.3	Surface Water/Groundwater, page 11.

For a detailed discussion of the public review and response period on the Draft and Final EIR, refer to page 1, Section 1.0 Introduction of the Final EIR Comments Received and Responses document.

**Comment Issues:** Page 6, Attachment A

**Response:**

For a detailed discussion of the ultimate County and City landfill development project, refer to page 3, Topical Response 1, Volume A of the Draft EIR, Responses to Comments document. In reference to other issues, the comments are acknowledged and will be available to decision-makers for their consideration. It should be noted that documenting the applicant's past performance is not a function of the CEQA process. In staff's opinion, the past performance record may be taken into consideration during the decision-making process as required. A mitigation monitoring program will be adopted to ensure performance of the conditions of grant.

Comment Issues: Page 7, Attachment A

Response:

For a detailed discussion of the ultimate County and City landfill development project refer to page 3, Topical Response 1, Volume A of the Draft EIR, Responses to Comments document. Also reference, page 6, Section 3.1 Project Description/EIR Process, of the Final EIR Comments Received and Responses document. The intent of the Joint Powers Agreement is to work toward a goal, it is not central to the environmental documentation presented and is mischaracterized by the commentor.

Comment Issues: Page 8, Attachment A

Response:

The commentor's opinion with regard to EIR adequacy is noted.

Reference the following sections contained in the Final EIR Comments Received and Responses document for a discussion of the comment issues:

Section 3.1	Project Description/EIR Process, page 5;
Section 3.7	Air Quality/Landfill Gas, page 44; and
Section 3.4	Biota (Flora/Fauna), page 28.

Refer to page 109, Response #53, Volume A of the Draft EIR Responses to Comments document. Also refer to, the Final EIR Mitigation Monitoring Summary, page 13 through page 22, for a discussions of relevant mitigation measures on biota.

Comment Issue: Page 9, Attachment A

Response:

Refer to page 3, Topical Response 1, Volume A of the Draft EIR Responses to Comment document for a discussion of the ultimate County and City landfill development project.

Comment Issues: Page 10 and Page 11, Attachment A

**Response:**

These issues are included in letter "B2" in Attachment B, of the Final EIR Comments Received and Responses document. For a discussion of fugitive dust emissions refer to page 43, Section 3.7 Air Quality/Landfill Gas, of the same document. Additionally, refer to the Final EIR Mitigation Monitoring Summary, Air Quality section, page 24 through page 25 for a discussion of mitigation measures pertaining to fugitive dust.

**Comment Issues:** Page 12, Attachment A

**Response:**

Refer to page 3, Topical Response 1, Volume A of the Draft EIR Responses to Comments document, for a discussion of the ultimate County and City landfill development project. Also, the additional information provided in these comments is noted. Note that these were recommended findings of the Regional Planning Commission to the Board of Supervisors, who will adopt their own findings.

**Comment Issues:** Page 13, Attachment A

**Response:**

These comments and opinions are noted. References to previously addressed comments are appropriate. Documents incorporated by reference were available at indicated locations as noted on page 2 of this document.



**3.0 RESPONSE TO SECTION 2, REBUTTAL OF TOPICAL RESPONSES,  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13,  
1990"**

Comments Received and Responses to "Rebuttal of Topical Responses"  
See Attachment A, Page 15 through Page 46

**NO NEW SIGNIFICANT ISSUES RAISED**

Comment Issues: Page 16, Attachment A

Rebuttal to Topical Response 1 through 30

Response:

This comment and opinion is noted. The comment lacks specificity. The County has acted in good faith in staff's opinion. Minor clerical errors do not invalidate the EIR.

Comment Issues: Page 17 and Page 17A, Attachment A

Rebuttal to Topical Response 1

Response:

The EIR examines the impacts of the entire County/City project. The County can only approve a "Project" within its jurisdiction. Environmental review is an on-going matter which includes further City review, determination of appropriate environmental documentation, and due process.

Comment Issues: Page 18, Attachment A

Rebuttal to Topical Response 2

Response:

This comment is noted. Ultimate capacity will be approved by the Board of Supervisors. The Regional Planning Commission has made their recommendation in regard to this matter.

Comment Issues: Page 19 and Page 20, Attachment A

Rebuttal to Topical Response 3

Response:

Refer to Topical Response 27, Volume A of the Draft EIR Responses to Comments document. Infeasibility is not solely economic, but also because 5-year capacity as set forth does not exist unless fill takes place in stream area. Refer to the Mitigation Monitoring Summary, Geology, Surface Water, and Groundwater sections for a discussion of relevant mitigation measures relating to these comment issues.

Comment Issues: Page 20A, Page 20B and Page 20C, Attachment A

Rebuttal to Topical Response 6

Response:

Refer to page 11 through page 20, Section 3.3 Surface Water/Groundwater, of the Final EIR Comments Received and Responses document, for a detailed discussion of groundwater contamination and hydrologic continuity. Included within this discussion are quoted comments from the Metropolitan Water District of Southern California, the Department of Water and Power, the Upper Los Angeles River Area Watermaster and the Regional Water Quality Control Board. These letters are included in Section 4.0 Response Letters from Agencies, Item 1 of the same document.

Based on actual geological field investigation no fault was identified on the proposed fill area, therefore maps were revised accordingly.

Refer to page 8 and page 9, Section 3.2 Geology, of the Final EIR Comments Received and Responses document for a discussion of fault evaluation. Additionally, refer to the Final EIR Mitigation Monitoring Summary, Geology section, page 1; Surface Water, page 5; and Groundwater, page 7 for a discussion of relevant mitigation measures.

Comment Issues: Page 21 through Page 27, Attachment A

Rebuttal to Topical Response 6, 7 and 9

Response:

The letter included on page 21 through page 27 has been included as "B7," Attachment B, of the Final EIR Comments Received and Responses document. Refer to page 11 through page 20, Section 3.3 Surface Water/Groundwater, of the Final EIR Comments Received and Responses document for a discussion of these issues.

**Comment Issues: Page 27 and Page 28, Attachment A**

**Rebuttal to Topical Response 15**

**Response:**

Refer to page 28, Section 3.4 Biota (Flora and Fauna), of the Final EIR Comments Received and Responses document for a detailed discussion of revegetation of the existing landfill. Refer to page 16 of the Final EIR Mitigation Monitoring Summary, Biota section, for a discussion of mitigation measures pertaining to revegetation and Oak Tree Mitigation Plans. It should be noted that vegetation has been planted and established on many areas of the existing landfill.

**Comment Issues: Page 29 and Page 30, Attachment A**

**Rebuttal to Topical Response 16**

**Response:**

The commentor has expressed an opinion on the Significant Ecological Areas. Note that a Plan Amendment is required for the County portion of the project.

Refer to page 27, Section 3.4 Biota (Flora/Fauna), of the Final EIR Comments Received and Responses, document for a discussion of the Significant Ecological Areas. Additionally, refer to page 13 and page 14 of the Final EIR Mitigation Monitoring Summary, Biota section, for a discussion of mitigation measures pertaining to Significant Ecological Areas.

**Comment Issues: Page 31 and Page 32, Attachment A**

**Rebuttal to Topical Response 17**

**Response:**

Refer to Section 3.7 Air Quality/Landfill Gas of the Final EIR Comments Received and Responses document for a discussion of fugitive dust emissions, potential odor effects and compliance with the Air Quality Management Plan (AQMP). Refer to page 20, Section 3.3 Surface Water/Groundwater of the same document for a discussion of the use of soil sealant. Additionally, reference the Final EIR Mitigation Monitoring Summary, Biota, Air Quality and Geology sections, for a discussion of

mitigation measures pertaining to fugitive dust, soil sealant and vegetation cover.

The applicant's operations have not necessitated a variance since April 1990, and the applicant voluntarily agreed to various dust mitigation measures which were incorporated in a previous variance.

Comment Issues: Page 33, Attachment A

Rebuttal to Topical Response 18

Refer to Section 3.7 Air Quality/Landfill Gas of the Final EIR Comments Received and Responses document for a discussion of related issues and responses. This comment does not accurately reflect information on landfill gas generation presented in the Draft EIR, Responses to Comments document.

Comment Issues: Page 34, Attachment A

Rebuttal to Topical Response 22

Response:

Refer to page 61, Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of recycling as an alternative. Refer to page 51, Section 3.8 Traffic, of the same document for discussion of traffic impacts due to recycling trucks. Additionally, reference the Final EIR Mitigation Monitoring Summary, Geology, page 3; Traffic/Circulation, page 30; and Recycling Measures, page 42 for a discussion of relevant mitigation measures. The methodology used in documents prepared by agencies relative to the solid waste disposal crisis is not within the scope of this EIR.

Comment Issues: Page 35 and Page 36, Attachment A

Rebuttal to Topical Issue 25

Response:

Refer to Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of the County's waste disposal capacity shortfall and the need for landfills; long-term waste management options; short-term alternatives to meet waste disposal needs; and recycling as an alternative. The methodology used in documents prepared by

agencies relative to the solid waste disposal crisis is not within the purview of the EIR.

Exhibits: Page 37 through 42

Exhibit "CC90" and Exhibit "DD90", newspaper articles from the Los Angeles Times.

Response:

The information provided in these articles is noted.

Comment Issues: Page 43 and Page 44, Attachment A

Rebuttal to Topical Response 27

Response:

Refer to Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of alternatives. Additionally, on page 59 of the same section is included a discussion of the feasibility of the North Valley Coalition's City/County landfill alternative. The findings of this alternative are discussed in detail on that page.

Comment Issues: Page 45, Attachment A

Rebuttal to Topical Response 29

Response:

Refer to page 67, Section 3.12 Cumulative Impacts, of the Final EIR Comments Received and Responses document for a discussion of Elsmere Canyon and the three other potential new landfill sites in the project region.

The quote from the Daily Appellate Report is acknowledged.

#### **4.0 RESPONSE TO SECTION 3, BFI COMMENTS, BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"**

Comments Received and Responses to "BFI Comments":  
See Attachment A, Page 47 through Page 102

##### **NO NEW SIGNIFICANT ISSUES RAISED**

Comment Issue: Page 48, Attachment A

Response 8, references the requirement of AB 2296, Section 50000.5.

Response:

The information provided in this comment is noted. In addition, the County portion of the project requires a Plan Amendment.

Comment Issues: Page 49 and 1st paragraph, Page 50, Attachment A

Response 29, refers to the Preliminary DEIR.

Response:

Refer to Response #29, Volume A of the Draft EIR Responses to Comments document. Refer to page 6, Section 3.1 Project Description/EIR Process, of the Final EIR Comments Received and Responses document for a discussion of the Preliminary Draft EIR. The Final EIR completely supersedes the 1987 Draft EIR. John Edwards letter is consistent with what followed.

Comment Issues: Page 50, Attachment A

Response 30, refers to how and when opinions/comments were transmitted to decision-makers.

Response:

Refer to page 1, Section 1.0 Introduction, of the Final EIR Comments Received and Responses document for a complete discussion of public agency and decision-makers review periods and the environmental documents furnished as part of the CEQA process.

Comment Issues: Page 51, Attachment A

Response 31, refers to environmental documents not providing adequately detailed or specific information relating to flood control, sedimentation control, entrance control, leachate control, etc.

Response:

Refer to Section 3.3 Surface Water/Groundwater, of the Final EIR Comments Received and Responses document for a discussion of bedrock permeability, surface storm water, leachate generation and water discharge requirements. Additionally, reference to the Final EIR Mitigation Monitoring Summary, Geology, Surface Water and Groundwater sections, for a discussion of mitigation measures appropriate to the comment issues.

It is noted that the commentor does not agree with the previous response.

Comment Issues: Page 51, Attachment A

Response 33 asks, what other landfill sites are permitted to accept similar amounts (215 million tons of trash) of solid waste and what problems have arisen?

Response:

The comment is acknowledged, but is beyond the scope of analysis required by CEQA. Refer to the Final EIR Mitigation Monitoring Summary for a detailed list of mitigation measures that would mitigate and safeguard the proposed landfill extension.

Comment Issues: Page 52, Attachment A

Response 34, refers to the types of trees that are proposed for planting around the landfill and how the proponent expects to encourage growth along the ridgetops.

Response:

Refer to the Biota section of the Final EIR Mitigation Monitoring Summary, for a complete discussion of mitigation measures required for planting, revegetation and the Oak Tree Mitigation Plan. These mitigations have been incorporated into the conditional use permit as Exhibit "B", Exhibit "C" and Exhibit "D".

Comment Issues: Page 52, Attachment A

Response 37, refers to the initial proponent response that "this question is beyond the scope of the DEIR being examined and will be forwarded to the decision-makers for their consideration."

Response:

Refer to Response #37, Volume A of the Draft EIR Responses to Comments document. Refer to page 1, Section 1.0 Introduction, of the Final EIR Comments Received and Responses document for a completed discussion of public agency and decision-makers review periods and the environmental documents furnished as part of the CEQA process. All comments expressed here will be available to the decision-makers prior to action on the project.

Comment Issue: Page 52, Attachment A

Response 38, refers to the pricing being developed to encourage morning waste disposal and discourage afternoon waste disposal.

Response:

City differential pricing for morning hauling will not continue with the proposed County operations.

Comment Issue: Page 53, Attachment A

Response 39, refers to sludge material being accepted at the Sunshine Canyon Landfill.

Response:

When the grit was landfilled, the content was less than 50% moisture and the disposal was approved by all appropriate regulatory agencies. The conditions for approval of this project will require approval of all regulatory agency for a Class III landfill.

Refer to page 13, Section 3.3 Surface Water/Groundwater, of the Final EIR Comments Received and Responses document for a discussion of the summarized engineering features utilized to collect and control leachate. Refer to the Groundwater section of the Final EIR Mitigation Monitoring Summary for a detailed discussion of mitigation measures relating to leachate control.



Comment Issue: Page 54, Attachment A

Response 40, refers to boundaries being improperly drawn.

Response:

This comment is noted. Adequate information for analysis purposes has been presented.

Comment Issue: Page 55, Attachment A

Response 41, refers to operational hours.

Response:

Current landfill operations are consistent with the permit requirements. Refer to the Traffic/Circulation and the Noise sections of the Final EIR Mitigation Monitoring Summary, for a discussion of mitigation measures pertaining to operational hours.

Exhibit: Page 56 through Page 65, Attachment A

Exhibit "AA90", Correspondence from the Bureau of Sanitation, City of Los Angeles to Councilman Hal Bernson.

Response:

The information provided in this exhibit is noted.

Comment Issues: Page 66, Attachment A

Response 42, refers to the statement on life vs. capacities and the exclusion of recycled/diverted waste at the landfill.

Response:

Refer to page 61, Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of recycling as an alternative. Refer to the Final EIR Mitigation Monitoring Summary, Recycling Measures section, for a discussion of mitigation measures pertaining to recycling.

For purposes of triggering the Conditions/Mitigation Measures required by the County and the Final EIR, the total amount of waste entering the landfill site, including recycled materials, will be utilized.

Comment Issue: Page 67, Attachment A

Response 43, refers to previous Comment #42

Response:

Refer to previous response.

Comment Issue: Page 67, Attachment A

Response 44, refers to visual open space, the responsibility for maintaining this space, and the standards for maintenance.

Response:

The applicant has agreed to retain the property as visual open space and the County has the power to enforce this agreement.

Comment Issues: Page 67, Attachment A

Response 45, asks about the closure of the landfill and how many years after closure could the land be expected to be returned to public use?

Response:

The information provided in this comment is noted.

Comment Issue: Page 67, Attachment A

Response 47, refers to Topical Response #1 as not being acceptable.

Response:

This comment is noted.

Comment Issues: Page 68, Attachment A

Response 48, asks how the City could permit a landfill that does not meet its specifications to cross over from City property onto County property?

Response:

State requirements for landfill operations are quite stringent and any problems that may arise will be resolved by the City and County under the supervision of the State. Jurisdiction over the County/City line will be a joint effort.

Comment Issue: Page 68, Attachment A

Response 49, refers to Response to Comments #29 as not being true.

Response:

This comment is noted.

Comment Issue: Page 69, Attachment A

Response 50, refers to the feasibility of North Valley Coalition's Proposed 5-year Alternative Landfill Plan.

Response:

The information in this comment is noted. During the November 29, 1990 Board of Supervisors Public Hearing, the North Valley Coalition presented to the Board another alternative for consideration. Refer to page 59, Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of the feasibility of the North Valley Coalition's City/County landfill alternative. In response to this alternative, Mr. Stephen Maguin, Head of the Solid Waste Management Department of the Sanitation Districts of Los Angeles commented that,

"... the Sanitation Districts estimate that approximately 5 million tons of capacity could be achieved in the designated area.... BFI also identified another potential significant obstacle to implementing in a reasonable time period, a fill operation in the proposed area due to the presence of a series of electrical transmission lines and towers running along the boundary between the City and County. BFI correctly maintains that these towers would have to be moved prior to filling in this area."

Refer to Section 4.0 Letters From Public Agencies, Item 4, of the Final EIR Comments Received and Responses document for this letter from the Los Angeles County Sanitation Districts.

In addition, CEQA does not require examination of alternatives that are infeasible in terms of project objectives.

Comment Issue: Page 70, Attachment A

Response 51, refers to residual impacts as identified in Section 3.3, of the Draft EIR, Volume I.

Response:

Statement of "significance" or "non-significance" are required by CEQA. Decision-makers may modify these as required through the appropriate findings. Refer to Response #51, Volume A, of the Draft EIR Responses to Comments document. It should be noted that impacts and related mitigation measures from the Draft EIR have been summarized in the Draft EIR Summary Section for the benefit of the reader, but are not intended to replace the full text provided in the body of the document.

Refer to the Final EIR Mitigation Monitoring Summary, for a complete discussion of Topical Issue mitigation measures.

Comment Issue: Page 71, Attachment A

Response 52, refers to landslides, removal of landslides and slope stability.

Response:

Refer to Response #52, Volume A of the Draft EIR Responses to Comments document. Refer to Section 3.2 Geology, of the Final EIR Comments Received and Responses document for a discussion of landslide identification and removal. Additionally, reference the Final EIR Mitigation Monitoring Plan, Geology and Air Quality sections, for a detailed discussion of mitigation measures pertaining to geology and air quality.

Comment Issue: Page 72, Attachment A

Response 53, refers to interim cut areas and how interim cut areas would be compacted to minimize erosion.

Response:

According to the consulting engineer, cut areas are at the soil densities of the existing soils and additional compactive effort is not required.

Perimeter interceptor ditches will be placed in native soils and will be lined. Refer to the Final Mitigation Monitoring Summary, Geology and Biota sections for mitigation measures relevant to revegetation and planting.

Comment Issue: Page 72, Attachment A

Response 54, refers to proponents not addressing the question by referencing Topical Response #17.

Response:

This comment is noted.

Comment Issue: Page 73, Attachment A

Response 55, refers to the permittee's disregard for the rules and past violations.

Response:

This comment is noted.

Comment Issues: Page 74, Attachment A

Response 57, refers to SEA #20 designation within the unincorporated County of Los Angeles portion of the canyon and the removal of oak trees from the existing landfill not covered by the existing variance permit from the City of Los Angeles.

Response:

Refer to Response #57, Volume A of the Draft EIR Responses to Comments document. Refer to page 27, Section 3.4 Biota (Flora/Fauna) of the Final EIR Comments Received and Responses document for a discussion of the SEA designation and boundary. Additionally, refer to page 112, Response #56, Volume A, of the Draft EIR Responses to Comments document for a discussion of the applicant's compliance with all conditions of County approvals.

Any oak tree removal that has taken place in the City area is permitted under City ordinances. Additionally, in a recent decision, the Los Angeles City Zoning Administrator determined that no oak tree infraction by the applicant exists.

Finally, even if, through some mapping error, the SEA includes City territory, the City of Los Angeles would certainly be the first to maintain that there is no County jurisdiction over City land in such circumstances.

Comment Issue: Page 75, Attachment A

Response 58, alleges that the final cover material from within Sunshine Canyon to retain soil composition for native flora is offered as mitigation or even a partial mitigation for the loss of 2-1/2% of SEA #20.

Response

The writer of this comment has misinterpreted the mitigation measure. Refer to page 20 of the Final EIR, Mitigation Monitoring Summary, Biota section, for a discussion of mitigation measures pertaining to replacement cover.

Under the County SEA restrictions, various types of development is permitted in SEA #20. The applicant has agreed however, through dedication of East Canyon, to forego such development. Consequently, East Canyon would be completely retained for public, as opposed to private, use. In addition, the entity which accepts the dedication would protect the flora and fauna of East Canyon.

Comment Issues: Page 76, Attachment A

Response 59, refers to replacement oaks and the length of time necessary these new trees would need to equal the total effect of the destroyed oaks on the environment.

Response:

Refer to Section 3.5 Oak Tree Resources, of the Final EIR Comments Received and Responses document for a complete discussion of the Oak Tree Mitigation Plan and Oak Tree Survival. Additionally, refer to page 17 through page 18 of the Final EIR Mitigation Monitoring Summary for a complete discussion of biota mitigation measures pertaining to oak trees and replacement trees.

Comment Issues: Page 76, Attachment A

Response 60, refers to problems with vectors at the existing landfill and the condor habitat.

Response:

Refer to page 22, Biota section of the Final EIR Mitigation Monitoring Summary, for a discussion of mitigation measures pertaining to vector control. For a discussion of condors refer to page 25, Section 3.4 Biota of the Final EIR Comments Received and Responses document. This comment is noted.

Comment Issues: Page 77, Attachment A

Response 61, refers to the failure to address the entire process as required by CEQA and the proposed County-only project.

Response:

Refer to Topical Response 1 of the Draft EIR Responses to Comments document for a discussion of the proposed project. County decision-makers need to have specific information on the project within their jurisdiction as well as the overall envisioned proposal.

Comment Issue: Page 77, Attachment A

Response 62, refers to archaeological or paleontological resources in the project area being disturbed.

Response:

Refer to page 22 and page 23, of the Final EIR Mitigation Monitoring Summary, Archaeological, Historical, and Paleontological Resources sections for a further discussion of mitigation measures on these types of resources.

Comment Issue: Page 78, Attachment A

Response 63, asks whether the applicant will run water trucks at night when wind speed exceeds 15 miles-per-hour?

Response:

Refer to page 24 of the Final EIR Mitigation Monitoring Summary for a complete discussion of mitigation measures pertaining to air quality, measures employed for dust control. Appropriate control measures would be employed 24 hours a day if necessary.

**Comment Issues:** Page 79 and 1st paragraph, Page 80, Attachment A

Response 64, refers to the potential PM-10 being generated at the landfills by dust; the proponents inability to meet State and local standards in regard to dust; health surveys; and the health study required by the City Zoning Administrator for the City of Los Angeles.

**Response:**

Refer to page 20, Section 3.3 Surface Water/Groundwater, of the Final EIR Comments Received and Responses document for a discussion of the use of soil sealant. Refer to page 24 through page 27 of the Final EIR Mitigation Monitoring Summary, for a discussion of mitigation measures relevant to air quality. The Health Study referenced has been submitted to the City of Los Angeles and has not yet been approved. The SCAQMD has indicated that all pertinent Air Quality issues have been addressed and the letters are contained in Volume A and B of the Draft EIR Responses to Comments documents.

**Comment Issue:** Page 80, Attachment A

Response 65, refers to air quality damage to surrounding communities.

**Response:**

Refer to Response #65, Volume A of the Draft EIR Responses to Comments document. Refer to page 44, Section 3.7 Air Quality/Landfill Gas of the Final EIR Comments Received and Responses document for a discussion of mobile emissions from landfill truck traffic. Refer to the Final EIR Mitigation Monitoring Program, pages 24 through 27 for a discussion of relevant mitigation measures on air quality.

**Comment Issue:** Page 81, Attachment A

Response 66, refers to methane gas being generated at the landfill.

**Response:**

Refer to page 48 and page 49, Section 3.7 Air Quality/Landfill Gas, of the Final EIR Comments Received and Responses document for a detailed discussion of fugitive emissions. Refer to page 26, of the Final EIR Mitigation Monitoring Summary, Air Quality section for a detailed discussion of mitigation measures pertaining to the gas flaring system and



the permittee's ability to recover and sell as much gas as it is technically and economically feasible to reduce total emissions from landfill operations.

Newhall refinery had purchased amounts of methane considered too small to be viable by other potential purchasers. The applicant has addressed the entire City/County project in the Final EIR. County decision-makers have been provided information specific to the County-only project.

Comment Issue: Page 82, Attachment A

Response 67, refers to air monitoring for dust and gas migration monitors.

Response:

Refer to page 28, of the Final EIR Mitigation Monitoring Summary, Odor/Landfill Gas section, for a discussion of mitigation measures pertaining to the landfill gas monitoring program.

Comment Issue: Page 82, Attachment A

Response 68, refers to the proponent seeking granted exemptions from State and local regulations on numerous occasions.

Response:

This comment is noted.

Exhibit: Page 83 through 85, Attachment A

Exhibit "BB90", Correspondence from the North Valley Coalition to the City of Los Angeles Zoning Administrator.

Response:

The existing landfill has never been cited by the SCAQMD for an odor violation and there are no odors emanating from the site.

Comment Issue: Page 86, Attachment A

Response 69, refers to the peak-hour traffic table being incorrect, truck queuing on City property, and if these impacts have been addressed.

**Response:**

It should be noted, that the subject DEIR Table in the Summary Section is correct. Refer to page 50, Section 3.8 Traffic, of the Final EIR Comments Received and Responses document for a discussion of traffic impacts and mitigation measures. Additionally, reference page 30 through page 32 of the Final EIR Mitigation Monitoring Summary for a discussion of mitigation measures pertaining to traffic/circulation.

**Comment Issue:** Page 87, Attachment A

Response 70, refers to truck queuing not occurring on City property, and how the County will guarantee improvements on City property.

**Response:**

Refer to the previous response and to page 51, Section 3.8 Traffic, of the Final EIR Comments Received and Responses document for discussion of truck traffic from recycling operations.

**Comment Issues:** Page 88, Attachment A

Response 71, references that the only roadway improvements that would be required prior to the landfill extension operations would be insufficient. The comment asks how the City could maintain control over roadways, when it cannot control the inflow or the landfill's conditions under traffic improvements; considering the landfill entrance improvements, how is the City not impacted; and why the total tonnage received is not used to trigger traffic improvements?

**Response:**

Refer to pages 30 through 32 of the Final EIR Mitigation Monitoring Summary, for a complete discussion of mitigation measures pertaining to traffic/circulation improvements.

The City has complete control over the proposed traffic/circulation mitigation measures and improvements. The applicant will fund the improvements; the City needs only to build them. The City in testimony before the Regional Planning Commission on October 4, 1989 indicated that no significant traffic impacts are expected.

Comment Issue: Page 89, Attachment A

Response 72, asks why the second northbound left-turn lane on Balboa is considered a mitigation?

Response:

Refer to page 50, Section 3.8 Traffic, of the Final EIR Comments Received and Responses document for a complete discussion of traffic impacts and mitigation measures. In addition, refer to page 30, of the Final EIR Mitigation Monitoring Summary for a discussion of mitigation measures pertaining to traffic improvements.

Comment Issue: Page 89, Attachment A

Response 73, refers to permitted hours of operation.

Response:

Refer to page 65 and page 66, Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of early morning hauling. Additionally, the Final EIR Mitigation Monitoring Summary, on page 33, lists the mitigation measures for noise including hours of operation.

The limitation addressed refers only to limiting operations to non-nighttime operations; there is no statement made that the hours of operation would be reduced from the existing hours of operation.

Comment Issues: Page 89, Attachment A

Response 75, refers to high frequency backup alarms and associated noise disturbances.

Responses:

Refer to page 33 of the Final EIR Mitigation Monitoring Summary for a discussion of noise mitigation measures.

Comment Issue: Page 90, Attachment A

Response 76, refers to the proposed landfill extension being in a more remote area of Sunshine Canyon; how the City portion of the 215 million ton project has not been addressed; and how the ridgeline protection and

fill height limitations responsibility rest with the County Department of Health Services.

Response:

Refer to page 15, Biota section of the Final EIR Mitigation Monitoring Summary, for a discussion of mitigation measures on ridgeline protection. Additionally, refer to page 3, Topical Response 1 of Volume A, of the Draft EIR Responses to Comments document for a discussion of the ultimate County and City landfill development.

Comment Issue: Page 90, Attachment A

Response 77, refers to the Newhall-Saugus Pass stating that, the landfill is located in a wind tunnel and that no amount of mitigation will prevent dust and litter.

Response:

This comment is noted.

Comment Issue: Page 91, Attachment A

Response 78, asks what sort of future monitoring will be done by the County to insure BFI performs properly (pertains to Waste Load Checking Program)?

Response:

Refer to page 34 through page 42 of the Final EIR Mitigation Monitoring Summary for a discussion of mitigation measures relevant to hazardous materials and recycling measures.

Comment Issues: Page 91, Attachment A

Response 79, asks what type of liquid waste is being accepted at the landfill and what type of monitoring program will be in placed by the County to assure BFI performs properly?

Response:

Refer to the previous response.

**Comment Issue: Page 91, Attachment A**

Response 80, refers to Response to Comment #78, as not being acceptable.

Response:

This comment is noted.

**Comment Issue: Page 92, Attachment A**

Response 81, refers to the statement "The information provided in this document is noted and will be forwarded to decision-makers for their consideration," this statement by the proponent is not acceptable.

Response:

Refer to Section 1.0 Introduction, of the Final EIR Comments Received and Responses document for a discussion of agency review comment periods and associated environmental documents included in the CEQA process for this project.

**Comment Issue: Page 92, Attachment A**

Response 82, refers to the statements made in Comment 82, which do not answer the questions asked.

Response:

Refer to page 40, of the Final EIR Mitigation Monitoring Summary for further discussion concerning mitigation measures relevant to the Waste Load Checking Program and hazardous materials. Decision-makers will have this information available before acting on the project.

Authorities have been notified and measures taken at the existing City landfill when illegal hazardous waste disposal has been attempted; statutory and regulatory requirements concerning illegal waste disposal have been met by the applicant.

**Comment Issue: Page 93, Attachment A**

Response 84 suggests that, the Draft EIR does not address the "No-Project" Alternative in accordance with CEQA Guideline Section 15126(d).

Response:

Refer to page 54, Section 3.11 Alternatives of the Final EIR Comments Received and Responses document for further discussion on alternatives.

Comment Issue: Page 93, Attachment A

Response 85, refers to the statement that "The information provided in this comment is noted and will be forwarded to decision-makers for their consideration", is not acceptable.

Response:

Refer to Response #85, Volume A of the Draft EIR Responses to Comment document. Refer to Section 1.0 Introduction of the Final EIR Comments Received and Responses document for a discussion on agency and public review during the CEQA process.

Comment Issue: Page 93, Attachment A

Response 86, refers to Comment #84 as being unacceptable.

Response:

This comment is noted.

Comment Issue: Page 94, Attachment A

Response 87, states that, "Identifying Sunshine Canyon as a "potential site" in the COSWMP or the SWMAP for Los Angeles, does not automatically make it a landfill site."

Response:

Refer to page 5, Section 3.1 Project Description/EIR Process of the same document for a discussion on the County Solid Waste Management Plan. Additionally, refer to page 54 through 66, Section 3.11 Alternatives of the Final EIR Comments Received and Responses document, for further discussions on the proposed landfill extensions consistent with COSWMP.

Comment Issue: Page 94, Attachment A

Response 88, refers to the referenced pages in the DEIR (267-281); It is stated that, they do not answer the numerous questions posed; CEQA requires that you answer the questions; and the public is tired of being put off, and having to refer to Topical Responses, which do not address the questions asked.

Response:

This comment is noted. The level of specificity does not have to be exhaustive but only to the degree which allows informed decisions.

Comment Issue: Page 95, Attachment A

Response 89, states that the proponent has not diligently tried to explore alternatives that would reduce environmental impacts to a level that would make them environmentally superior to the currently proposed project.

Response:

Refer to Response #89, Volume A of the Draft EIR Responses to Comments document. Refer to Section 3.11 Alternatives of the Final EIR Comments Received and Responses document, for a discussion of alternatives.

Comment Issues: Page 95, Attachment A

Response 90, refers to Topical Responses #15, #16, #17, #18 and #25 as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 96, Attachment A

Response 91, refers to the adoption and implementation of AB939 with a 50% wastestream reduction.

Response:

Refer to Response #91, Volume A of the Draft EIR Response to Comment document. Refer to Section 3.11 Alternatives, of the Final EIR

Comments Received and Responses document for a discussion of various waste reduction, recycling and re-use measures. In addition, reference page 42 of the Final EIR Mitigation Monitoring Summary, for mitigation measures relevant to recycling.

Comment Issues: Page 96, Attachment A

Response 92, states that, "The proponents response to the smaller landfill alternative is unacceptable. The point being made that they have not considered a truly smaller alternative because they have sought to maximize their profit."

Response:

Refer to Response #92, Volume A of the Draft EIR Response to Comment document. Refer to Section 3.11 Alternatives, of the Final EIR Comments Received and Responses document for a discussion of alternatives to the proposed project and page 62 of the same section for a discussion on environmentally superior alternatives.

Comment Issues: Page 97, Attachment A

Response 93, refer to Responses to Comments #92, #84 and #66 and Topical Responses #26 and #18, as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 97, Attachment A

Response 94, refers to NVC disagreeing with the proponent and states that, "the referenced Responses to Comments #89, #265 and #299 and Topical Responses #25 and #27 do not address the issues raised, and therefore fails to comply with CEQA."

Response:

This comment is noted.



Comment Issue: page 97, Attachment A

Response 95, refers to Topical Response #29 as being unacceptable.

Response:

This comment is noted.

Comment Issue: Page 98, Attachment A

Response 96, states that, "The proponent continues to lie about the solids content of the material (deposited at the landfill)."

Response:

This comment is noted.

Comment Issue: Page 98, Attachment A

Response 97, references that (material) digester grit was more liquid than solid, consisting of a mixture of inorganic and organic matter, and heavy metals.

Response:

The information presented in this Response #97 and Response #39 is correct. When the grit was landfilled, the content was less than 50% moisture and disposal was approved by all appropriate regulatory agencies.

Comment Issue: Page 99, Attachment A

Response 98 asks, What and who will determine the need for the disposing of ash into the landfill?

Response:

The Los Angeles County Department of Health Services (DOHS) is the responsible agency for determining if ash should be deposited into a landfill. All other questions pertaining to this issue are beyond the scope of the EIR and should be directed to DOHS.

Comment Issue: Page 99, Attachment A

Response 100, refers to the differences of opinion between the City and the applicant (concerning access to a County only landfill).

Response:

This comment is noted.

Comment Issue: Page 101, Attachment A

Response 116, refers to averaging not being a satisfactory way to assess non-methane organics. As stated, "If, a health risk analysis is being prepared, based on this type of information, it is totally inadequate."

Response:

Refer to page 150, Response #116, Volume A of the Draft EIR Responses to Comment document. Refer to page 45 through page 47 Section 3.7 Air Quality/Landfill Gas of the Final EIR Comments Received and Responses document for a discussion of air quality impacts. The correct values of these emissions are shown in the modeling analysis.

**5.0 RESPONSE TO SECTION 4, ADDITIONAL COMMENTS, ON TOPICAL RESPONSES (SECTION 2), AND RESPONSES TO COMMENTS (SECTION 3), BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"**

Comments Received and Responses to "Additional Comments"

See Attachment B, Page 103 through page 126

**NO NEW SIGNIFICANT ISSUES RAISED**

Exhibit: Fax Transmittal Memo, dated December 14, 1990, Attachment B

Response:

The information is noted.

Comment Issues: Page 104, Attachment B

Topical Response 5 suggests that, BFI Consultants were unable to find the fault indicated in the Alquist-Priolo Special Study Zone. Topical Response 5 also notes that, the majority of the geologic work has been conducted on the County land and that faults located within the City have been ignored.

Response:

As stated in Topical Response 5, the State of California's program for establishment of Special Studies Zones for potentially active faults is administered by the California Division of Mines and Geology (CDMG). During exploration of the special studies zone to the north of the site, Dr. Richard Saul, a representative of the CDMG, who mapped this area after the San Fernando earthquake, looked at these trenches. Dr. Saul agreed as to the absence of an active fault, as stated in his correspondence referenced in the appendix to the Report of Waste Discharge.

The remaining Special Studies Zones south of Sunshine Canyon and east of Sunshine Canyon were evaluated by aerial photographs and field mapping. This study determined that neither Special Study Zone had any field evidence to extend these zones onto the site.

Dr. Saul stated, in 1975 that the Santa Susana fault zone, "has probably been inactive since the middle Pleistocene", and that the faults most active during the San Fernando earthquake were not related to the Santa Susana fault in either location or age.

The slope stability of the landfill, even in ultimate County/City configuration was analyzed by computer models using much higher seismic forces than what the San Fernando earthquake generated at the site and higher than that required by Chapter 3, Subchapter 15, Title 23 of the California Code of Regulations concerning waste discharge to land.

Comment Issues: Page 105, Attachment B

Topical Response 19, states that, "The air quality and public health analyses provided in the Draft EIR and technical support documentation indicate that, emissions for the proposed flaring system would not significantly impact air quality or pose a risk to public health and safety", is not correct, because it utilizes 40 MMCFD and not 70-100 MMCFD.

Response:

Refer to page 44, Topical Response 18, Volume A Draft EIR Responses to Comments for a discussion of landfill gas generation, collection system and commercial recovery. As stated on page 26, of the Mitigation Monitoring Summary, Air Quality section, "The permittee will recover and sell as a renewable energy resource, as much as gas as is technically and economically feasible to reduce total emissions from the landfill." Additionally, the applicant is actively pursuing markets for the sale of landfill gas. Additionally, refer to page 49, Section 3.7 Air Quality/Landfill Gas of the Final EIR Comments Received and Responses document for a discussion of fugitive dust emissions which was submitted in a letter by SCAQMD (December 14, 1990).

Comment Issues: Page 106 and 107, Attachment B

Topical Response 24, states that, "The County has failed to take into account that a 215 million ton landfill could pose a potential of 2,150,000 tons of toxic material from household waste alone."

Response:

Refer to Topical Response #24, Volume A of the Draft EIR Responses to Comments document. Refer to Section 3.9 Hazardous Materials, of the Final EIR Comments Received and Responses document for a discussion of disposal and handling of hazardous materials.

Comment Issues: Page 109, Attachment B

Response 101, refers to the questions contained in Comment #101 as being relevant.

Response:

The applicant has complied with the 5-year permit review requirements. The Local Enforcement Agency delayed finalizing and submitting the applicant's document to the State due to unresolved City issues.

Comment Issues: Page 109, Attachment B

Response 102, refers to the proponent still not removing the statement made, as it relates to, non-hazardous solid waste materials.

Response:

This comment is noted.

Comment Issues: Page 110, Attachment B

Response 103, refers to asbestos and the applicant's failure to check waste loads properly, and the lack of employee training.

Response:

Refer to Response #103, Volume A of the Draft EIR Responses to Comments document. Refer to Section 3.9 Hazardous Materials of the Final EIR Comments Received and Responses document for a detailed discussion of the proposed waste load checking program for the landfill extension. In addition, refer to the Final EIR Mitigation Monitoring Summary for hazardous materials mitigation measures.

Comment Issue: Page 110, Attachment B

Response 104, refers to Comment #44 as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 111, Attachment B

Response 105, refers to the EIR's failure to address the issue of the County threatening to refuse to accept City trash, and the possibility of the City denying access to the County for the County portion of Sunshine in retaliation.

Response:

The discussion of this issue is beyond the scope of CEQA.

Comment Issue: Page 111, Attachment B

Response 108, refers to the rationale that 20-foot cell heights are more efficient because they would minimize the disturbed area of the landfill site at any one time.

Response:

Landfilling would progress into undisturbed areas slower because these 20-foot cells take longer to fill, thereby keeping the landfill activities in the one area for a greater period of time. Additionally, because less land would need to be prepared ahead of time, environmental mitigation can be more efficiently implemented. Refer to the Mitigation Monitoring Summary, Geology and Air Quality sections, for mitigation measures that are relevant to landfilling operations.

Comment Issues: Page 112, Attachment B

Response 109, states that "The landfill operator proposes to keep weekly records to track fill areas of the site which are transferred to an inactive status..." this is an unacceptable statement.

Response:

Refer to the Monitoring Plan, Part X - Monitoring Reports as contained in the Final EIR, for a detailed discussion of the monitoring and reporting requirements required by the County.

Comment Issues: Page 112, Attachment B

Response 110, asks, about plans for final cover of the existing landfill and what kind of liner (if any) will be placed between the existing and proposed ultimate County/City landfills?

Response:

Final cover meeting State (California Integrated Waste Management Board) and local requirements for water quality and waste management will be applied to the existing landfill prior to placement of refuse on the side slope of the existing City landfill.

Comment Issues: Page 114, Attachment B

Response 111, refers to the preparer stating, "The applicant proposes to provide a liner system within the entire canyon extension...." For the record, is the City portion of the extension included?

Response:

All landfilling extensions proposed within the County or the City, will have approved landfill liner and leachate recovery systems in place prior to any filling activities in the active area.

Comment Issues: Page 114, Attachment B

Response 112, refers to Comment #34 as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 114, Attachment B

Response 113, refers to Topical Response #15 and Response to Comment #53 as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 114, Attachment B

Response 117, refers to Topical Response #18 and Response to Comments #66 as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 115, Attachment B

Response 118, refer to Response to Comments #68 as being unacceptable.

Response:

This comment is noted.

Comment Issues: Page 115, Attachment B

Response 119, refers to the statement that, "Under normal circumstances, there would be no illuminescence from flames. Under low cloud cover conditions, some illuminesence may occur," as being insufficient.

Response:

The light produced from the flares will have no impact of local air travel nor is it anticipated to impact nocturnal animals or near by residents. Refer to the Final EIR Mitigation Monitoring Summary, Visual section for a discussion of mitigation measures that pertain to these issues.

Comment Issue: Page 116, Attachment B

Response 120, refers to the question of what realistic potential options for the use of landfill gas still need to be addressed.

Response:

The applicant is actively pursuing markets for the sale of landfill gas. Refer also to page 26 of the Final EIR Mitigation Monitoring Summary for a discussion of mitigation measures relevant to the recovery and selling of landfill gas.

Comment Issue: Page 118, Attachment B

Response 157, references the proposed expansion drainage plans and the perimeter ditches for the entire project.



Response:

The alignment of the perimeter drainage ditch is not over the existing landfill, but around its southern border as shown on Figure 2B, of the Draft EIR Responses to Comments, Volume A.

Comment Issue: Page 118, Attachment B

Response 158, refers to the proponent's failure to address the question in Comment 158.

Response:

There was never a Comment #158 in the North Valley Coalition's submittals, this number was strictly internal and used by the EIR preparer in a previous document. The comment which was #158 in this document was irrelevant to the CEQA process and therefore omitted.

Comment Issue: Page 118, Attachment B

Response 159, refers to the proponent ignoring CEQA requirements. Reference to Responses to Comments #44 and #1067 are noted as being inadequate.

Response:

The commentor has misstated the language of the City of Los Angeles Variance. In addition, the project has not yet reached completion and regulatory requirements restrict future use of the site.

Comments Issue: Page 119, Attachment B

Response 160, refers to the landfill as growth inducive.

Response:

Refer to Comments #301 and #917, Volume A, of the Draft EIR Responses to Comments.

Comment Issue: Page 119, Attachment B

Response 161, asks to, please explain "Therefore, no elevation for solution cavities is needed."

Response:

The sentence should be corrected to read, "Therefore, no excavation for solution cavities in rock is needed."

Comment Issue: Page 119, Attachment B

Response 163, asks to please explain, "The numerous seeps on the south facing wall of Bee Canyon in O'Melveny Park directly opposite the dump."

Response:

The seeps described in Bee Canyon do not originate from Sunshine Canyon due to the prevailing bedding dip of the bedrock from south to north. It is more likely that the Bee Canyon seeps respond to local hydrologic conditions contained within the Bee Canyon watershed, which is separated from the Sunshine Canyon watershed. In Bee Canyon, seepage could be emitting from the soil/bedrock contact or from shallow bedrock features containing limited water supplies.

Comment Issue: Page 120, Attachment B

Response 166, references that the commentor does not concur with the statement that, "There is no analytical value in detailing the amount of acreage involved in each individual landslide area."

Response:

This comment is noted.

Comment Issue: Page 121, Attachment B

Response 167, refers to the proponent having failed to explain how the seeps in Bee Canyon are supported if not from the landfill side, from where?

Response:

The seeps described in Bee Canyon do not originate from Sunshine Canyon due to the prevailing bedding dip of the bedrock from south to north. It is more likely that the Bee Canyon seeps respond to local hydrologic conditions contained within the Bee Canyon watershed, which is separated from the Sunshine Canyon watershed. In Bee Canyon seepage could be

emitting from the soil/bedrock contact or from shallow bedrock features containing limited water supplies.

Comment Issue: Page 121, Attachment B

Response 168, refers to the preparers detailed technical project-related design and permitting detail as being arbitrary and self-serving.

Response:

The geologic map of the Report of Waste Discharge has been incorporated by reference into the Draft EIR as allowed by CEQA requirements and this information has been available for review at the local public libraries.

Comment Issue: Page 122, Attachment B

Response 169, asks, "Why the proponent has not described or discussed all faults in Sunshine Canyon (both County and City)."

Response:

Extensive field mapping, geophysical surveys, aerial photo interpretation and exploratory trenching were performed to evaluate the potential for active faulting and seismic characteristics of the site area. All faults both City and County were considered in the evaluation.

Comment Issue: Page 122, Attachment B

Response 170, asks the proponent, "If the same level of detailed fault investigation suggested for Elsmere, was carried out for the City portion of the proposed expansion?"

Response:

Extensive field mapping, geophysical surveys, aerial photo interpretation and exploratory trenching were performed to evaluate the potential for active faulting and seismic characteristics of the site area. All faults both City and County were considered in the evaluation.

Comment Issue: Page 123, Attachment B

Response 171, refers to the Report of Waste Discharge and the fact that, there are eight abandoned oil wells located within sunshine canyon, and that the location of two of these wells are unknown.

Response:

A study was conducted to evaluate on-site and off-site oil/gas drilling explorations. The available records indicate that eight exploration wells were drilled within Sunshine Canyon and all locations are approximately known. Any well encountered during landfill operations, where the seal is disturbed, will be resealed in accordance with applicable State and local regulations, if necessary. Seals provide a barrier to fluid flow from both above and below. In addition, refer to page 10, Section 3.2 Geology for a discussion of oil and gas exploration within Sunshine Canyon.

Comment Issue: Page 123, Attachment B

Response 173, refers to Topical Response #5 as being unacceptable.

Response:

This comment is noted.

Comment Issue: Page 125, Attachment B

Response 1067, states that the proponent has totally ignored CEQA requirements.

Response:

This comment is noted.

## **6.0 ORIGINAL COMMENTS RECEIVED**

The following Attachments provide comments on the responses to the Draft EIR Response to Comments document submitted by the North Valley Coalition during the Final EIR review period, through December 15, 1990. Comments and responses, as relevant to the Final EIR certified by the Regional Planning Commission, are provided in the preceding section of this document.

Each individual comment issue references the page number and attachment in which the original response or rebuttal can be found. Below the comment issue is the specific topical response or response to comment number being addressed by the commentor. The original topical responses and responses to comments can be found in the Draft EIR Responses to Comments, Volume A. By referencing the page number and attachment letter found next to the comment issue the reader can reference the original response or rebuttal made by the commentor in the Attachments.

## **ATTACHMENT A**

**Written Comments Received From the North Valley Coalition  
on November 29, 1990, Response to BFI's "Response to Comments Volume A,  
Dated July 13, 1990." (Section 2.0, Section 3.0 and Section 4.0)**

PAGE 1

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

SECTION 1      SECTION 1      SECTION 1

\*GENERAL COMMENTS\*   \*GENERAL COMMENTS\*   \*GENERAL COMMENTS

NORTH VALLEY COALITION  
COMMENTS ON THE EIR  
FOR SUNSHINE CANYON LANDFILL EXTENSION

The County's approval of the EIR in this case will be used to support the approval of a conditional use permit and oak tree permit. Approvals of a conditional use permit: "...involve the application of general standards to specific parcels of real property. Such governmental conduct, affecting the relatively few, is 'determined by facts' peculiar to the individual case; and is adjudicatory' in nature." While pure amendment to a general plan is usually a legislative act, when such amendment is made simultaneously with adoption of a private development plan, the Board of Supervisors ("the Board") has made a quasi-judicial decision. The Board will act upon a specific development proposal here. Its approval, therefore is adjudicatory, and subject to due process principals.

The CEQA Guidelines explicitly require that the County evaluate and respond to public comments. Guidelines SS 15088; Failure to comply with the evaluation and response requirement is an independent basis for disapproval of the project. The concept of "harmless error" is inapplicable to CEQA; failure to follow its proper procedures is necessarily prejudicial.

The County has relied heavily on secret information -- withheld from the CEQA process, and submitted ex parte after the "close" of public hearings and comment period on the DEIR. This has resulted in substantive changes and recommendations to the County Board of Planning. Additionally, the petitioners have been unable to locate or have made available documents incorporated by reference into the EIR. The Permit to Construct was not available at the library, and the Annual Report by the Watermaster was not available.

The County has delegated its CEQA responsibilities to the Proponents. First, by using an EIR made up of the proponent's documents, which were prepared by the proponent's paid consultants, the County has violated the clear mandate of CEQA, that it or its own consultants prepare the EIR. Second, and separately, the County violated the CEQA requirement that it independently analyze the environmental effects of the project. The cursory



evaluation submitted by the County does not satisfy this requirement.

The County's failure timely to provide the Draft EIR to the Public was prejudicial. The specific directive in Guideline SS15087(a) that the EIR be circulated to both (public agencies and public) simultaneously was not observed. The public agencies had already completed their review and their comments and were included as part of the DEIR before it was circulated to the public.

The EIR's Alternatives discussion and the County's purported analysis of Alternatives were both woefully inadequate. The County and the Proponents have expressly rejected identified alternatives that would plainly cause less harm to the environment, on the sole basis of their being economically infeasible. The record, however, offers no support for any such conditions. Without such specific comparative data, no meaningful conclusions regarding the feasibility of the alternatives could have been reached."

The County's rejection of the "No Project" Alternative was improper.

The County has not considered the Department of Parks and Recreation, and other Institutional Alternatives. Public Resources Code Section 21002.1(a) explicitly requires that the EIR "identify alternatives to the project" without any limitation as to identifying alternatives that could only obtain the purpose of the project.

The requisite evidence on biotic resources was unavailable when the County approved the project. The report which the County relies on to make its findings regarding biotic resources -- that prepared by Ralph Osterling, the proponents paid consultant -- cannot support its findings. Substantial evidence presented by the appellant which questioned the accuracy of the oak tree survey, and the additional requirement that the removal of SEA biotic resources requires an ACCURATE accounting, necessitated additional information and subsequent review. During the entire 3 years EIR review, the County has failed to verify the biological surveys, even though new studies continue to turn up new plant and animal species. The DEIR included an initial biotic study in 1978 which took four man-days, and

one man-day spent by Dr. Joel Weintraub on November 8, 1986 actually looking for rare and endangered species. The balance of the two man-days that comprises the total of all the DEIR studies man-days was spent by the proponents paid consultant in mapping vegetation communities. Because of the questions raised by the public a further 1 man-day was expended in May 1990 for an updated animal species report, 2 man-days in March 1990 for an additional plant survey, and 2 man-days looking for Spotted Owls. These subsequent studies have uncovered an additional 9 new animal species, and 4 new species of plants. In 6 hours, on November 14, 1990, under very poor conditions, a team of NVC consultants found 28 new species of plants not on the official list. This is a thirty-five percent increase in the total plant species noted by previous BFI consultants.

The EIR is being challenged on several grounds, which are generally catagorized as (1) the adequacy of the discussion of the impact of this project on the local environment with regard to air quality, water quality, geology, and biota, (2) the adequacy of the discussion of the cumulative impacts of this project and similiar projects with regard to air quality, water quality, geology, and biota, (3) the removal of a portion of SEA #20, (4) the adequacy of the discussion of alternatives to the proposed project, and (5) the adequacy of the project description. Because of the inadequacy of the EIR, there is no substantial evidence to support a determination by the Board of Supervisors to certify the EIR as complete and to approve the project as proposed. The General Plan is legally deficient, and would render approval null and void.

The EIR is inadequate because it does not address the whole of the action, and contains insufficient and conflicting information in several respects which will not enable the Board of Supervisors to make an informed decision whether to approve the project.

REASONS FOR APPEAL  
FROM APPROVAL OF THE OCTOBER 11, 1990 DECISION  
OF THE REGIONAL PLANNING COMMISSION

The April 1989 DEIR and final EIR do not adequately consider environmentally superior alternatives and they reject those options using biased and incorrect analysis.

The April 1989 DEIR and final EIR do not provide a complete tree count, an accurate age assessment, or a complete and impartial resource evaluation of the oak woodland. The mitigation proposed for the loss of these trees, provides only partial compensation, and does not guarantee growth of replacement trees to full maturity.

The April 1989 DEIR and final EIR fail to address the whole of the action by refusing to answer questions related the City portion of the expansion.

The final EIR attempts to unlawfully secure the approval of the City portion of the entire 215 million ton landfill expansion prior to the EIR review by placing a condition that the County would not allow the receipt of City trash unless full approval by the City of Los Angeles is granted.

The April 1989 DEIR and final EIR fail to adequately and accurately address the cumulative impacts of the project with other known and proposed projects in the vicinity.

The April 1989 DEIR and final EIR fail to accurately and adequately address the cumulative impacts of all facets of the project on air quality.

The April 1989 DEIR and final EIR fail to resolve serious hydrological questions.

The public was not given an opportunity to respond either at hearings or in writing to substantial changes in the 1989 DEIR until after the decision of the County Planning Commission was made.

The County has improperly delegated its EIR responsibilities to the proponent's paid consultants. It has accepted the consultants' conclusions without independent verification. It has accepted results arrived at by distant laboratories, who have extensive business dealings with the proponent, and yet has not sought to validate or to require duplicate or independent laboratory testing.

The proponent in the Response To Comments from the April 1989 DEIR, did not respond to all the material submitted by the agencies, organizations and the public. The proponent has disregarded many questions, and has deferred others to the Regional Planning Commission. The Regional Planning Commission has failed to address those comments deferred to them by the proponents.

The County Planners and the Regional Planning Commission have approved the project despite findings that fail to avoid or mitigate the significant environmental effects of the project.

In the April 1989 DEIR and the final EIR, the proponent and its consultants have misrepresented or responded untruthfully on items of importance. For example, the proponent claims that they have not removed any oak trees on City property outside of their currently permitted boundaries. In the DEIR the proponent stated that no sludge or material IS or will be accepted at the Sunshine Canyon Landfill. When challenged on this statement they acknowledge accepting 22,000 tons of digester cleanings at the existing landfill in the Response to Comments. However, they now state that the moisture content was less than 50% and in conformance with the BOS and RWQCB requirements. This is not true.

In the final EIR the use of the term "initial increment", and the removal of the entire 542 acres from SEA #20, points to the incremental approval of the entire 215 million ton project.

The County has failed to take into account the past poor record of the proponent, not only in failing to comply with its City variance, but in not complying with regulatory agencies in a timely manner, and also for failing to meet its commitments for final closure of the City landfill.

The County has consistently failed to address the impact of the entire 215 million ton project and its effects on the City property and the surrounding neighborhoods. The County and the proponent has sought to artificially limit the EIR, the review process, and its subsequent approval to the 70 million ton expansion in the County. Questions of impacts, design criteria, etc., affecting the City portion of the expansion have been deferred to subsequent City permitting. No guarantees of EIRs beyond 17 million, 70 million or the balance of the project have been given. The County's refusal to address the full 215 million tons represent incremental approval of the entire project.

The County has sought to force the City of Los Angeles to accept the expansion of the Sunshine Canyon Landfill Expansion through its inclusion in the Joint Powers Agreement for the establishment of the Elsmere Canyon Landfill. Through this prior agreement, the County has demonstrated that the expansion of Sunshine Canyon was preapproved prior to a proper agency review and public comment of the April 1989 DIER or the EIR.

The proponent has erroneously characterized his proposal as an extension of the existing landfill. The development as approved by the RPC represents a non-contiguous landfill sited on County property, with intervening City property in between, and with no guarantees of subsequently joining with the existing landfill on City property. The intervening land is in fact zoned A-1 agricultural. This landfill should be classified as a new landfill subject to the appropriate rules and regulations.

The County has failed to recognize the December 1987 Draft Environmental Impact Report, Sunshine Canyon Landfill Extension, Project Number: SP 86312, Case: CP 2556 prepared by the proponent and presented to the public as a bona fide DEIR.

The County has not honored its written assurances to the public that the proponent would respond to the December 1987 DEIR, and it has failed in its duty to protect the public from the monetary losses sustained in opposition to the pseudo document.

The County's lack of action has permitted the proponent to refer to the December 1987 DEIR a "Preliminary DEIR" in the April 1989 DEIR. In so doing, it has sanctioned the proponent's failure to comment on the written responses.

The County's failure to require the proponent to respond to the December 1987 data when it was resubmitted to the April 1989 DEIR, and to require the proponent to respond to the questions presented, has resulted in a failure to comply with CEQA.

RESPONSE TO POINTS RAISED  
IN THE STATEMENT OF OVERRIDING CONSIDERATION  
IN THE FINAL IMPACT REPORT, OCTOBER 1990

A. The EIR's statement of overriding consideration is based on County documents that are inadequate and incomplete. The County has not provided the information necessary for decision makers to conclude that an impending "crisis" is at hand. This project must be evaluated on its own merit. Under County reasoning all projects, no matter how deficient, now incorporated into the County Solid Waste Management Plan, would have to be approved due to "crisis". This makes the entire review process meaningless.

B. The reduction of air quality impacts brought about by shorter trips must be weighed against the destruction of the thousands of mature trees in a forest that currently provides a natural mitigation for the residents of the area. This trip reduction cannot be considered an "environmental benefit" because the same goals can be achieved by transfer stations, long haul and cleaner fuels, all without the destruction of the forest.

C. The rationale that loosing 542 acres of Designated Significant Ecological Area from a total of 1066 acres is somehow a benefit, defies logic. East Canyon already has the implied protection of this designation and the zoning that currently exists conforms to its place as a part of the County's Open Space element in the general plan. Together with Sunshine Canyon, East Canyon is considered part of the proposed Santa Clarita Woodlands Park.

D. The community offered the recycling facility option to the proponent and this is not precluded by the denial of the expansion into the forest.

E. Neither the proponent nor their predecessors have ever been successful in revegetating on the existing landfill located on City property even after 32 years in operation. The proponent has failed to give a response to direct questions in the Response Volume, or to give any assurances that they will not retain the land for their own purposes.

F. A study of the "Los Angeles County's hardwood resources" is hardly a rationale for destroying an existant hardwood forest. All responsible environmental organizations and arborists currently recognize that the hardwood forests and oak woodlands of California are in jeopardy.

G. The scaled down version is only "phase one" on the proposed maps and the County's referral to this as the "initial increment" in the final EIR leads us to believe that the County is in fact giving incremental approval to one of the largest landfills in the world based on an evaluation of a lesser project.

NORTH VALLEY COALITION  
COMMENTS ON THE EIR  
FOR SUNSHINE CANYON LANDFILL EXTENSION

GENERAL COMMENTS ON WATER

Speakers at the hearing and written comments to the DEIR addressed the problem of fugitive dust being blown into the water supply. The proponent has failed to respond to these comments.

The proximity of the Jensen Filtration Plant, the Los Angeles Filtration Plant, and the Van Norman Reservoir pose a grave concern. One hundred percent of the water supply for the city of Los Angeles is treated at these facilities. The Van Norman Reservoir itself contains treated water that is being stored prior to being delivered to consumers during peak demand. According to the Department of Water and Power, the "DWP's reservoirs are among the few remaining open distribution reservoirs in California and the nation that store (potable) water." Among the dangers cited by the Department of Health Services (DHS) and identified as "significant" public health concerns are:

"contamination by birds that could result in gastrointestinal diseases."

and

"contamination from wind-blown material that could introduce harmful elements."

and

"Today, regulation of turbidity is an important public health issue, since particles suspended in water can shield disease organisms and allow them to escape the effects of disinfection."

Obviously the blowing and ambient dust created daily by landfilling activities will find its way into the uncovered treatment and reservoir areas. All landfills, Sunshine included, attract seagulls who feed at the dump and subsequently defecate in the nearest body of water (Van Norman Reservoir). As recently as the end of 1989 the Bureau of Sanitation, City of Los Angeles observed "seagulls which had invaded the landfill in large numbers".



Organic compounds, trihalomethanes (THM's) that are produced by the interaction of chlorine (used to treat Van Norman water) with organic substances such as algae that grow in large bodies of open water. The most common of the THM's found in water is chloroform. THM's are suspected human carcinogens. The EPA and the DHS are in the process of setting new standards for THM's of 25 to 50 parts per billion. Can the Van Norman Reservoir currently meet the new standard? Given the fact that the Van Norman Reservoir is too large to ever be covered, that it will be downwind from a 215 million ton megadump and a constant source of dust, and at risk from contamination by seagulls, will it be able to meet the new standards in the future?

FAILURE TO ADDRESS THE WHOLE OF THE ACTION, DEIR FOR SUNSHINE  
CANYON LANDFILL

The DEIR which represents a City/County project for the disposal of 215 million tons of solid waste consistently refuses to discuss the project as it relates to the City portion and confuses the reader by providing data that alternately includes or excludes the project as a whole.

When the planning staff directed the proponent to reduce the number of Oak trees to be removed this was, in part, accomplished by excluding the trees to be removed within the City. When the AQMD suggested that the truck trips exceeded "the districts threshold level for significance" (Response to Comment Vol. A, page 592 - comment 998) the trips were reduced by the proponent through simply including only those trips that were a part of a smaller project (Ibid - response 998).

Simultaneously, the County has directed the proponent to apply for the City expansion by July 1, 1991 as a condition of the permit (condition 10-D). The County, in its findings & conditions, refers to the recommended smaller project as the "initial" phase or an "incremental grant". The findings of the commission states on page 8, section 21 "Approval of the landfill in increments will further assure the approved landfill will be operated in compliance-----".

The removal of the entire SEA from the General Plan. rather than the footprint of the smaller project, further indicates the county's intent to approve the entire project incrementally while accepting data based on a smaller project to avoid findings of significance.

Since the project has been "down scaled substantially" (statement of overriding considerations, pg 19-G) as part of the justifications presented in the statement of overriding considerations, the reviewer is at a loss to know what is the ultimate intent of the County.

DEIR PROCESS

Attorneys for BFI have consistently pointed to the protracted review process and voluminous printed record as evidence that they have conducted a thorough analysis of the project. Nothing could be further from the truth. If the process has been delayed it is through the sincere efforts of citizens and County Planners to cut through the verbiage, request important information and find the answers. The documents provided by the proponent are extremely heavy in physical weight and extremely light in substantive content. They abound with redundant and self serving statements. Direct questions are not answered in a forthright manner. The verbal tap dance done to avoid straightforward answers would make Gene Kelly green with envy.

In the Response to comment Volume, the reader is sent back and forth through the misnumbered pages searching for answers. The reader is constantly told that their question is not in the scope of the EIR or that a comment will be forwarded to the "decision makers". Unfortunately, the Community believes the "decision makers" will not have the time or patience to ferret out the information. Often the reader is directed to a "Topical response" that deals with their questions only in a generic sense but never directly answers the question posed.

Documents "incorporated by reference" and important to the evaluation process were not sent to local libraries but were only available at agencies many miles distant.

The County should not have allowed the proponent to hire and direct the preparation of the DEIR. Even if the County reviews the documents provided by the consultants, the consultants are employed by, and paid by, the proponent. Consequently, there is an awareness by their employer. Even a scientist can do an "accurate" although less than objective assessment by extrapolating data that supports the proponents desired conclusion.

of the results  
desired

LA  
11

CEQA was established to provide an objective analysis and accurately assess impacts. This EIR is neither objective nor accurate.

PAGE 14

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK

PAGE 15

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

SECTION 2      SECTION 2      SECTION 2

\*\*\*REBUTTAL OF TOPICAL RESPONSES\*\*\*

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSES 1 THROUGH 30:

REBUTTAL TO TOPICAL RESPONSES 1 THROUGH 30:

This statement is generic and applies to all the aforementioned responses. The public has vehemently complained of the extremely poor presentation of information. While the Topical Responses provide somewhat easier reading, in most instances THEY DO NOT ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN THE COMMENTS TO THE DEIR. The preparer merely continues to advance the proponent's project by a recompiling existing data but offers LITTLE or NO NEW INFORMATION to the public. While many of the BFI's Comments have been specifically addressed by the NVC, all Topical Responses referenced as answers by the proponent to other Comments which may have not been addressed in the North Valley Coalition's, November 1990, Response to BFI's Response to Comments Volume A, dated July 13, 1990, are hereby rejected. Further, it should be noted that the proponent has failed to provide the public with properly collated Response to Comments, Volumes A & B, and that the County has been delinquent in its responsibilities to detect and correct this situation.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 1:

REBUTTAL TO TOPICAL RESPONSE 1: The statement that "the Draft EIR addresses the entire ultimate envisioned County and City landfill extension development ('whole of the action') as required under the State CEQA guidelines, Sections 15126 and 15378", is not true. The proponent statement that, "however, the project applicant is currently seeking permits only for that portion of the total landfill extension that lies within the County..", has been the proponent's entire approach to the EIR, and in so doing has sought incremental approval for the entire project. Substantive discussions for the protection of groundwater, liner installation, leachate control, stacking roads, dust control, litter control, vector control, vermin control, revegetation, geology, earthquake and landslide, oak tree mitigation, relocation of support facilities and drainage control from County to City, past record of compliance, jurisdictional and regulatory control at City/County line, and mitigation of the impacts to the City property HAVE NOT BEEN DONE. The proponent has failed to answer specific question relating to "the whole of the action" and is in violation of CEQA. Specific questions such as those above were posed regarding the City portion of the "whole of the action", the public was referred to the Topical Responses which only dealt mostly in generalities and information relative to the County portion of the expansion. If a question was not directed to a Topical Response, it was answered either by indicating that only the County portion was being applied for, or by noting the comment and stating that it would be forwarded to the decision-makers. Reference to Topical Response #3 is not acceptable.

The proponent statement that, "however, the project applicant is currently seeking permits only for that portion of the total landfill extension that lies within the County because that is where the initial landfill extension activity must occur for proper landfill development." The proponent did not seek to evaluate a superior City/County design, but instead siezed upon a misguided concept of one of BFI's own consultants, who was seeking to discredit an earlier NVC suggestion. See the NVC's rebuttal of Topical Response #3.

The statement that "permit approval from the City would be sought by the applicant prior to the complete build-out of the project", completes the incremental approval process. There is no discussion as to how this will be handled. Will the City require an EIR? Will the City approve the County EIR? Further, the County has sought to prejudice and circumvent the EIR process by forcing the City to approve the expansion through a clause that will prevent the City from using Elsmere Canyon landfill if they do not approve the expansion of Sunshine. They have also threatened to close the Calabasas Landfill to the City because it did not approve a mini expansion of the City landfill that contained support facilities and drainage control for the proposed County expansion. In short, through their actions, they have created an artificial "trash crises" for the City of Los Angeles in order to site a landfill on City property at any cost. Extensive lobbying, large political contributions, past actions, and the stories circulating in County administration, say that the Sunshine Canyon expansion is "a done deal". The effect of the County's actions will be to deprive the public of due process.

How can conditions imposed by the County for County property be applicable on City property? How can the County consider an EIR that purports to be "the whole of the action" (215 million tons) if they can only consider 70 million tons?

The question as to whether or not this landfill is really an extension or a new landfill arises. The fact that the County portion may be approved and the intervening City portion may not, most certainly would leave a separate and independant landfill not under the control of the City of Los Angeles. As such it would represent a new landfill.



NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 2:

REBUTTAL TO TOPICAL RESPONSE 2: The proponent was requested to reconsider the original proposed landfill design and reduce, if possible, the amount of disturbance that would be necessary for the landfill extension development at its upper elevations. BFI returned with Figures 1A and 1B which only amount to a 7.7% (42/542) of the total acreage destined for landfilling or 3.9% (42/1066) of the total County land. Using this configuration, the County Planning Commission recommended a 17 million ton landfill. By BFI's calculations this configuration would give them 20 million tons. Obviously, the difference between the two is an additional reduction in size that BFI should make in order to preserve more trees.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 3:

REBUTTAL TO TOPICAL RESPONSE 3: The proponent advances the reason for developing the County area first is that "the consulting geologists indicate that if the 164 acres in the City were developed first, the existing drainage outlet for surface waters would require an extensive surface water management system to handle the upstream runoff from the County area. This would result in disturbance to the County portion of the canyon in order to install the system." The NVC rejects this statement as blowing smoke in an attempt to discredit a reasonable alternative. The exact configuration envisioned by the consulting geologist in the 164 acres has never been established. Without such specific comparative data, no meaningful conclusions regarding the feasibility of the alternative could have been made. Apparently, from the statements, the proponents consultants appear to have visualized a landfill which ran from the north side to the south side, and completely blocked the canyon's drainage. The question is, why do they deliberately create such impossible conditions, and conditions not normally associated with what had been normal practice up until this time?

What should have been considered for the 164 acres is the same arrangement as exists today. It consists of a landfill on the southern side of the canyon with the toe of the fill south of the central roadway and the stream bed. The north side consists of a secondary landfill on the northern side of the canyon with its toe, also ending north of the central roadway and stream bed. From time immemorial this stream bed has drained the entire Sunshine Canyon. Since 1958, by keeping the toes of the fill away from the central roadway and stream there has never been any problems with drainage and no extensive surface management is required. The purported need to construct an extensive surface water management system is only necessary so long as the proponent takes this impossible configuration (of his own consultants design) and places it over the stream which drains the entire canyon. In the past the development of the fill area has always preceded from the lower reaches to the upper reaches (east to west). Why is the intervening City land suddenly bypassed and a new landfill started in mid canyon with the fill area preceding from the lower reached to the upper reached (east to west) just as it does today?

Reference to Topical Response #27 is also unacceptable. The proponents dismissal of the North Valley Coalition's (NVC) proposal to create an extension in the existing City landfill area in Sunshine Canyon using such statements as: "not only does it fail to satisfy the applicant's stated project objective and the County's overall waste management policy of providing ongoing landfill capacity..." and "...and would in any event, be economically unfeasible."

The proponent has expressly rejected an identified alternative that would plainly cause less harm to the environment, on the basis of economic infeasibility. The record, however, offers no support for any such conditions. Without such specific comparative data, no meaningful conclusions regarding the feasibility of the alternative can be reached. Public Resources Code Section 21002.1(a) explicitly requires that the EIR "identify alternatives to the project" without any limitation as to identifying alternatives that could only obtain the purpose of the project. The County's Solid Waste Management Plan, which defines County's "overall waste management policy", is based on deficient capacities data, poor recycling estimates, et cetera. These have led them to make faulty assumptions and to erroneously predictions of impending trash shortfalls.

The proponent also seeks to dismiss the proposal by claiming that "it fails to satisfy essential engineering criteria which must be met to develop a landfill..". They go on to reinforce this claim with:

"First, this landfill would block the natural drainage..", "...potentially creating a lake..", "the only design that would allow proper drainage to eliminate this blockage would be a large permanent storm drain..."  
"...which would not be allowed under applicable State law.."

At no time, either verbally or in writing to BFI or any agency, was an underdrain ever proposed by the North Valley Coalition as a part of this proposal. The use of an underdrain was, and always has been, CONJECTURE on the part of BFI's representatives. Indeed, the record shows that BFI tried to trick the City of Los Angeles into approving an underdrain in an expansion of their existing City landfill, and the North Valley Coalition opposed it for precisely the same reasons that you now use for rejection of the NVC's alternative.

PAGE 20A

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 6:

REBUTTAL TO TOPICAL RESPONSE 6:

The proponent claims that an independent review by Mr. Melvin L. Blevins, Watermaster for the Upper Los Angeles Basin Area, of information available for the Sunshine Canyon landfill site, resulted in his conclusion that there is no groundwater connection between Sunshine Canyon and the San Fernando groundwater basin. Compare that statement with the following statements, all of which have been taken from correspondence included in the EIR.

"The existing and proposed sites are part of the San Ferando Hydrologic Subunit..."

Anne Saffell  
Environmental Specialist  
Regional Water Quality Control Board

"The movement of this large body of water is from the higher to lower elevations so Sunshine Canyon and thence into the main valley."

Elgar Stephens  
Consulting Geologist

"The existing Sunshine Canyon Landfill is located in a canyon tributary to the San Fernando Ground Water Basin, and is about one mile north of Metropolitan's Jensen Filtration Plant. Although the site does not directly overlie the San Fernando Basin, it is hydrologically connected to the basin..."

Myron B. Holburt  
Assistant General Manager  
Metropolitan Water District  
of Southern California

One of the most obvious questions is exactly what did BFI show Mr. Blevins for him to come up with that conclusion?

Further, they offer up Robert P. Bean, Consulting Geologist with a quote that, "Whatever groundwater movement does occur is undoubtedly complicated and slow... ..Interbeds of siltstone and shale act as subsurface dams with little or no permeability." This quote does not rule out any connection with the San Fernando Water Basin, only that movement of water is slow.

After fault investigation the proponent claims that, "This study determined that there were no active faults within Sunshine Canyon or faults that would extend into the proposed landfill site", and state that Mr. Saul after reviewing the trenches confirmed the consulting geologist's conclusion that no active fault was encountered. Based on this information the proponent has seen fit to remove a Holocene fault line from their maps. State maps still show this fault line. Although Mr. Saul did confirm that no fault was encountered in the trenches he did not say that "no fault existed". A statement from W. Hunter while testifying at a California Water Quality Control Board Hearing on November 23, 1987 in which he quoted Richard B. Saul, State Geologist, who on that very same day, had made the following statement.

"There is no evidence of Holocene displacement on this fault (Santa Susana) except this debatable displacement on the SOLE of the Santa Susana Fault during the 1971 San Fernando Earthquake. THERE MAY HAVE BEEN Holocene activity but erosion may have removed surface evidence. The two faults through the BERM are potentially active because they are part of a broad zone of faults comprising the East end of the Santa Susana Fault Zone. Mr. Hunter at this point said, "And may I add, cut and fill operations would most certainly obliterate any evidence." Excerpt from NVC Request for a Regulation XII Hearing, under the Section THE SOILS REPORT AND THE 1979 STUDY BY THE APPLICANT CONTAINED INACCURACIES AND WHICH UNDETECTED BY THE RESPONSIBLE AGENCIES LED TO THE CURRENT SITING OF THE GAS RECOVERY PLANT, Page 9 on file with the South Coast Air Quality Management District and hereafter made a part by reference.

There is no basis for concluding that "the inherent stability of a sanitary landfill during an earthquake was indicated by the response of the existing Sunshine Canyon during the 1971 San Fernando Earthquake". The existing landfill in 1971 was about one-third the tonnage it is today, it was only 200 feet high, and it was built using 9-foot cells. Further, not only does it not compare to today's existing landfill, it does not come close to comparing with the mega dump proposed.

**WATER RESPONSE**  
**TOPICAL RESPONSES 6,7 AND 9**  
**FROM THE JULY , 1990 ENVIRONMENTAL IMPACT REPORT**

**TOPICAL RESPONSE 6 PG. 17**

FROM THE E.I.R.

BASED ON THE PUBLISHED LITERATURE , FIELD HYDROGEOLOGY TESTS, GEOLOGIC MAPPING AND WATER QUALITY DATA , THE CONSULTING GEOLOGISTS CONCLUDE THAT NO CONTACT OF THE LEACHATE WITH GROUND WATERS OF THE SAN FERNANDO BASIN WOULD BE EXPECTED. AN INDEPENDENT REVIEW BY MR. MELVIN BLEVINS , WATERMASTER FOR THE UPPER LOS ANGELES BASIN AREA , OF THE INFORMATION AVAILABLE FOR THE SUNSHINE CANYON LANDFILL SITE , RESULTED IN HIS CONCLUSION THAT THERE IS NO GROUND WATER CONNECTION BETWEEN SUNSHINE CANYON AND THE SAN FERNANDO BASIN.

**ON PAGE 18 PARAGRAPH 2 OF TOPICAL RESPONSE 6** , IT SAYS THAT THE ONLY AVAILABLE GROUND WATER FLOW FROM SUNSHINE CANYON IS FROM WITHIN THE CANYON'S ALLUVIAL VALLEY SEDIMENTS. THE PROJECTED AMOUNT OF OUTFLOW FROM SUNSHINE CANYON ALLUVIUM AMOUNTS TO ONLY .002 PERCENT OF THE SAFE YIELD FOR WATER CONSUMPTION IN THE SAN FERNANDO BASIN ( APPROXIMATELY 0.16 ACRE- FEET ). THE LATEST ANNUAL REPORT FROM THE STATE WATER MASTER FOR THE UPPER L.A. BASIN AREA IDENTIFIES POTENTIAL LANDFILLS THAT REQUIRE GROUND WATER MONITORING REVIEW DUE TO THEIR POTENTIAL THREAT TO GROUND WATER RESOURCES. THE EXISTING SUNSHINE CANYON LANDFILL IS NOT LISTED AS BEING A FACILITY THAT POSSIBLY COULD BE A CONTRIBUTOR TO DRINKING WATER CONTAMINATION OF THE BASIN. THE UPPER L.A. BASIN AREA WATER MASTER DOES NOT CONSIDER SUNSHINE CANYON AS A SIGNIFICANT RECHARGE AREA TO THE BASIN.

**THEN IN PARAGRAPH 3** IT SAYS THAT THIS WATER WILL COMBINE WITH SURFACE WATER AND EXIT AS THE WAY STATED. **IT DOES NOT STATE THAT THIS WATER IS FILTERED FIRST.** IT SAYS THAT THE WATER WILL JOIN WITH SURFACE WATER AND EXIT TO THE PACIFIC OCEAN. **WHY IS THIS WATER NOT TO BE TESTED OR IS THIS AN ASSUMPTION ON THE PART OF THE READER OF THIS EIR ?**

WHY IF NO POSSIBLE CONNECTION EXISTS IS THE APPLICANT B.F.I. REMOVING ALL THE ALLUVIUM FROM THE PROPOSED EXTENTION AREA ? IT IS STATED THAT THEY ARE DOING THIS TO SEVER ANY POSSIBILITY THAT ANY POSSIBLE CONNECTION TO THE SAN FERNANDO BASIN EXISTS, YET THEY HAVE SAID IN THE E.I.R. THAT NO CONNECTION EXISTS. THEN WHY ARE THEY GOING TO ALL THIS TROUBLE AND EXPENSE ? IT SEEMS THAT THEY ARE TRYING TO DESTROY THE CONNECTION THAT VERY PROBABLY EXISTS.

IT IS THEN STATED THAT POTENTIAL LEACHATE GENERATED FROM THE LANDFILL WOULD BE TREATED AT THE CANYON BOTTOM BY AIR STRIPPING AND ACTIVATED CARBON ABSORPTION SYSTEMS. THIS AIR STRIP AND ACTIVATED CARBON ABSORPTION SYSTEM IS NOT VERIFIED IN TOPICAL RESPONSE # 7 IN WHICH THE LEACHATE RECOVERY SYSTEM (LCRS) IS EXPLAINED. IT IS STATED ONLY THAT THE APPLICANT PROPOSES TO INSTALL SEVERAL ENGINEERING FEATURES WITHIN THE CANYON BOTTOM TO PREVENT LEACHATE OR REFUSE FROM POTENTIALLY CONTACTING ANY ISOLATED AND CONTROLLED GROUND WATER FLOW. THIS DOES NOT SAY ANYTHING ABOUT TREATMENT TO MAKE THIS WATER SAFE. REMEMBER THAT THIS WATER WILL AS THEY STATED ON PAGE 18 TOPICAL RESPONSE # 6 PARAGRAPH # 3, WILL GO TO THE LOS ANGELES RIVER AND INTO THE PACIFIC OCEAN.

#### TOPICAL RESPONSE #7

QUESTIONS ARE ASKED ABOUT SURFACE WATER , GROUNDWATER PROTECTION AND LEACHATE COLLECTION. THE ONLY TOPIC REALLY DISCUSSED HERE IS THE LEACHATE COLLECTION AND LINER. AND THIS DOES NOT SAY ANYTHING ABOUT THE TREATMENT OF ANY SURFACE WATER THAT ENTERS THE LANDFILL.

IN TOPICAL RESPONSE # 6 PAGE 18 PARAGRAPH 2 IT IS STATED THAT THE WATER MASTER'S ANNUAL REPORT SAYS THAT SUNSHINE CANYON IS NOT LISTED AS BEING A FACILITY THAT SHOULD REQUIRE GROUND WATER MONITORING. WHY THEN ARE GROUND WATER MONITORING WELLS GOING TO BE INSTALLED BOTH UP-GRADIENT AND DOWN-GRADIENT ? WHERE IS THIS PROPOSED 100 YEAR 24 HOUR CAPABLE STORM DRAIN SLOTTED FOR PLACEMENT ? WAS THIS THE SAME STORM DRAIN THAT WAS SLOTTED FOR PLACEMENT IN THE CITY ? WAS THIS NOT THE SAME STORM DRAIN THAT THE APPLICANT TOLD THE BOARD OF REFERRED POWERS WAS NOT PART OF THEIR EXPANSION OR EXTENSION PLANS ? THIS STORM DRAIN WAS DENIED BY THE BOARD OF REFERRED POWERS , SO WHERE IS THIS DRAIN TO BE PLACED ?



THERE IS NO MENTION OF AN ALTERNATE PLACEMENT AND DOES THIS NOT ALSO NEED TO BE APPROVED AND SHOULD WE NOT BE ABLE TO RESPOND TO ANY PLANS REGARDING THE STORM DRAIN PLACEMENT? WHAT WILL HAPPEN IF IT DOES FLOOD AND THE APPLICANT DOES NOT INSTALL A SAFE AND CAPABLE DRAINAGE SYSTEM ?

**TOPICAL RESPONSE # 9 PAGE 25**

WATER QUALITY IN SUNSHINE CANYON , THIS IS A RESPONSE TO CONCERNS THAT THE EXISTING LANDFILL IN SUNSHINE MAY BE CONTAMINATING THE LOCAL GROUND WATER AND THAT THE PROPOSED EXTENSION COULD ALSO AFFECT AVAILABLE POTABLE WATER SOURCES.

BASED ON REVIEW OF THE PUBLISHED LITERATURE , THE CONSULTING GEOLOGISTS INDICATE THAT THERE IS NO EVIDENCE TO SUGGEST THAT THERE IS A HYDROLOGIC CONNECTION BETWEEN SUNSHINE CANYON BEDROCK GROUND WATER AND THE UPPER LOS ANGELES BASIN AREA ( ULABA ) .

WHY IF THE ABOVE WAS ACCURATE DOES THE METROPOLITAN WATER DISTRICT STATE IN A LETTER TO MS. PAMELA HOLT LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING . DATED OCTOBER 4 , 1989 , THEY HAVE REVIEWED THE DRAFT E.I.R. FOR THE SUNSHINE CANYON LANDFILL EXPANSION AND THE COMMENTS STATED IN THEIR LETTER REPRESENT THE METROPOLITAN WATER DISTRICTS RESPONSE AS A POTENTIALLY AFFECTED PUBLIC AGENCY. " THE EXISTING SUNSHINE CANYON LANDFILL IS LOCATED IN A CANYON TRIBUTARY TO THE SAN FERNANDO GROUNDWATER BASIN AND IS 1 MILE NORTH OF THE JENSEN FILTRATION PLANT. ALTHOUGH THE SIT DOES NOT DIRECTLY OVER LIE THE SAN FERNANDO BASIN , IT IS HYDRGEOLOGICALLY CONNECTED TO THE BASIN THROUGH THE SHALLOW WATER BEARING SOILS OF THE CANYON FLOOR. HENCE , THE SUNSHINE CANYON LANDFILL IS A POTENTIAL SOURCE OF CONTAMINATION TO THE SAN FERNANDO BASIN.

**IN PARAGRAPH 3 PAGE 26 IT IS STATED** THAT THE RECENT WATER QUALITY DATA SUBMITTED BY THE APPLICANT DEMONSTRATE THAT THE CHLORIDES ARE NOT IMPACTING BENEFICIAL USES OFF-SITE FROM SUNSHINE CANYON. MONITORING WELLS LOCATED DOWN-GRADIENT OF THE EXISTING LANDFILL'S MONITORING WELL # 1 (MW-1) ADJACENT TO SAN FERNANDO ROAD HAVE CHLORIDE LEVELS WHICH FALL WITHIN STATE AND FEDERAL DRINKING WATER STANDARDS.

IN PARAGRAPH 5 OF THE SAME PAGE IT STATES, WATER QUALITY TESTS OF MONITORING WELLS LOCATED IN THE BEDROCK BOTH UP-GRADIENT AND DOWN-GRADIENT IN SUNSHINE CANYON SHOW NEGLIGIBLE CHLORIDE LEVELS WITH THE EXCEPTION OF WELL ( MW-1) CONCERN HAS BEEN EXPRESSED THAT THE ELEVATED CHLORIDE READINGS ARE AN INDICATOR OF POSSIBLE LEAKAGE OF CONTAMINATED WATER FROM THE EXISTING LANDFILL. THE STATED LEVELS AT MW-1 ARE 520 MG/L TO 780 MG/L . THE STATE AND FEDERAL DRINKING WATER STANDARDS FOR CHLORIDE IS A MAXIMUM OF 500 MG/L FOR SAFE HUMAN CONSUMPTION. IN THE LAST SENTENCE OF PARAGRAPH 1 ( A CONTINUATION OF PARAGRAPH 5 OF PAGE 26 ) THE MAXIMUM STANDARDS OF CHLORIDE FOR STATE AND FEDERAL ARE THE SAME AS I HAVE STATED HERE. THIS SHOWS THAT WHAT WAS STATED IN PARAGRAPH 3 PAGE 26 IS A FALSE STATEMENT. MW-1 HAS A CHLORIDE CONTENT BETWEEN 20 MG/L AND 280 MG/L OVER THE SAFE AMOUNT DESIGNATED BY THE STATE AND FEDERAL GOVERNMENT. IN THE EIR THEY SAY THAT THE LEVELS OF CHLORIDE ARE WITHIN SAFE STANDARDS. THIS IS FALSE BY THEIR THEIR OWN DOCUMENTATION , HOWEVER , THEY LEAVE THIS FACT TO BE DISCOVERED BY THE CAREFUL READER OF THE EIR. TO REFER BACK TO M.W.D.'S REPORT DATED OCTOBER 4 ,1989 TO PAM HOLT : PARAGRAPH 3 STATES THAT EXISTING GROUND WATER CONTAMINATION MUST BE REMEDIED BEFORE EXPANDED OPERATIONS ARE CONSIDERED. GROUND WATER QUALITY DATA PRESENTED IN THE EIR INDICATE THAT THE EXISTING LANDFILL MAY BE LEAKING CONTAMINATED WATER. IT GOES ON TO EXPLAIN THE DIFFERENCE IN THE CHLORIDE CONTENT OF AN UP-GRADIENT WELL AND A DOWN-GRADIENT WELL MW-1. IN PARAGRAPH 4 M.W.D. STATES, THAT BROWNING FERRIS INDUSTRIES PLAN FOR SUNSHINE MUST SPECIFICALLY ADDRESS THE SITING AND DESIGN MEASURES TO BE USED TO PREVENT LEACHATE FROM REACHING THE BASIN. THEY GO ON TO SAY THAT THE EIR STATES " GROUND WATER MONITORING WILL PROVIDE FOR EARLY DETECTION OF LEACHATE MIGRATION , THERE BY ENABLING CORRECTIVE ACTION TO BE TAKEN " . HOWEVER , THE NATURE AND ADEQUACY OF THE IMPLIED CORRECTIVE ACTION IS UNSPECIFIED. PRIOR TO UNDERTAKING EXPANDED OPERATIONS , A CORRECTIVE ACTION PLAN MUST BE ESTABLISHED TO PREVENT THE DOWN-GRADIENT SPREAD OF CONTAMINATION. THESE MEASURES SHOULD BE SPECIFIED IN A SUBSEQUENT AMENDMENT TO THE EIR. I DO NOT SEE THAT THE M.W.D.'S RESPONSE HAS BEEN ANSWERED. IN THE CURRENT RESPONSE TO COMMENTS , VOLUME A JULY 1990 , THE CHLORIDE CONTENT IS STILL 20 MG/L TO 280 MG / L OVER THE MAXIMUM LEVEL CONSIDERED SAFE TO DRINK BY BOTH THE STATE AND FEDERAL LAW.

REMEMBER THAT THIS WATER WILL GO TO THE LOS ANGELES RIVER AND THEN TO THE PACIFIC OCEAN IF IT DOES NOT SOMEHOW GET DIRECTLY INTO

THE AREA THAT SUPPLIES 100% OF LOS ANGELES'S WATER SUPPLY , WHICH IS ONLY 1 -1 1/2 MILES AWAY FROM THE PROPOSED EXPANSION AREA. THERE IS ALSO NO MENTION OF A CORRECTIVE ACTION PLAN MENTIONED IN THE RESPONSE TO COMMENTS THE M.W.D. SAID A PLAN OF CORRECTIVE ACTION MUST BE ESTABLISHED , IF THERE IS A PLAN WHERE IS IT OUTLINED ? WHO WILL MONITOR THE PLAN ? WHO WILL APPROVE SUCH A CORRECTIVE ACTION PLAN ?

IN TOPICAL RESPONSE # 9 PAGE 27 THE LAST PARAGRAPH EXPLAINS HOW ANY GROUND WATER AND SURFACE WATER COMING FROM THE LANDFILL AREA WILL BE PROTECTED FROM LEACHATE . IT STATES , FINALLY AS OUTLINED IN TOPICAL RESPONSE 7 : SURFACE WATER CONTROL , GROUND WATER PROTECTION , AND LEACHATE COLLECTION MEASURES PROPOSED , THE PROPOSED LANDFILL EXTENSION PLANS INCLUDE AN EXTENSIVE SYSTEM TO CONTAIN ANY POTENTIAL LEACHATE THAT MAY BE PRODUCED AND TO SEPARATE LEACHATE FROM BOTH SURFACE AND GROUND WATER RESOURCES. IT IS EXPECTED THAT THESE SITE DESIGN FEATURES , IN CONJUNCTION WITH AN EARLY DETECTION GROUND WATER MONITORING , COLLECTION AND REMOVAL SYSTEM , WOULD PREVENT OFF-SITE MIGRATION OF LANDFILL LIQUID. PLEASE NOTE THAT THE ABOVE PARAGRAPH SAYS IT IS EXPECTED THAT THESE DESIGN FEATURES, THIS DOES NOT INCLUDE WHAT THE FEATURES ARE AND THERE IS NO DEFINITE INFORMATION GIVEN HERE. WHAT FEATURES WILL THEY INSTALL ? HOW WILL THESE PROTECT THE GROUND WATER AND SURFACE WATER THAT LEAVES THE LANDFILL ? IT SEEMS TO ME THERE SHOULD BE A PRECISE PLAN , EQUIPMENT AND OTHER OPERATION DETAILS MENTIONED , THESE SHOULD HAVE TO BE APPROVED WITH THE PLAN OR THERE IS NO REAL PLAN FOR ANY INSTALLATION OF ANY OF THESE SAFETY FEATURES . THIS APPEARS TO ONLY BE INCLUDED TO SOUND LIKE THERE IS ACTUALLY A PLAN TO PROTECT OUR SAFETY. THIS IS DEFINITELY NOT ACCEPTABLE. IT IS SAD TO SAY BUT AS WE ALL KNOW FROM THE APPLICANTS TRACK RECORD , THEY MAY NOT INCLUDE THOSE FEATURES THAT WOULD DEFINITELY PROTECT OUR SAFETY.

WE CAN NOT AFFORD TO TAKE ANY RISK WITH OUR WATER. WE ARE IN A DROUGHT SITUATION . ANY POSSIBILITY EVEN IF THEY SAY IT IS A REMOTE POSSIBILITY THAT OUR WATER CAN BE CONTAMINATED CAN NOT BE OVERLOOKED.

I AM NOT SURE THAT WE AS LOS ANGELES RESIDENTS CAN AFFORD TO HAVE OUR WATER CONTAMINATED , PLEASE REMEMBER THAT THE PROPOSED SUNSHINE CANYON EXPANSION IS 1-1 1/2 MILES FROM 100 % OF LOS ANGELES WATER. PART OF THE WATER SOURCE IS VAN NORMAN DAM, IT HOLDS FILTERED WATER , THE WATER IS NOT FILTERED AFTER STORAGE IT IS LEFT UNCOVERED FOR ANY DUST AND BIRD FECES TO ENTER IT AND IT IS CLOSE TO THE EXISTING SUNSHINE CANYON LANDFILL . WE HAVE INCREDIBLE DUST AND TRASH COMING FROM THE LANDFILL . THE BIRDS THAT FREQUENT THE CURRENT DUMP TO DINE , VISIT THE VAN NORMAN DAM AREA TO DRINK WATER BECAUSE IT IS SO CLOSE BY. ALSO , BE AWARE THAT IF A CONTAMINATION PROBLEM OCCURS IT WILL TAKE A LONG TIME AND A GREAT DEAL OF OUR TAX DOLLARS TO REMEDY THE CONTAMINATION CLEAN UP. ONCE IT BEGINS THERE WILL BE LITTLE CHANCE OF PREVENTING ITS CONTINUANCE . ANY DECISION MADE NOW WILL BE REMEMBERED AND YOU CAN NOT LOOK BACK AND PLEAD IGNORANCE BECAUSE MANY PEOPLE HAVE WARNED YOU OF THE POTENTIAL RISK TO ALL OF OUR WATER THAT THIS LANDFILL HAS CREATED. ARE YOU POSITIVE THAT THERE WILL NOT BE ANY RISK TO OUR WATER ? I AM NOT , AND BECAUSE OF BROWNING FERRIS'S PAST RECORD FOR FOLLOWING THE LAWS AND RULES , I DO NOT KNOW HOW YOU AS SUPERVISORS , REPRESENTATIVES FOR YOUR COUNTIES , CAN GIVE THIS APPLICANT ANY PERMIT UNTIL THEY PROVE THEY CAN STAY WITHIN THE LIMITS THAT ARE SET. THEY HAVE STILL NOT MITIGATED VIOLATIONS THAT THEY WERE FOUND GUILTY OF OVER A YEAR AGO , THEY HAVE MADE LITTLE OR NO ATTEMPT TO MITIGATE THE VIOLATIONS. IT SEEMS THAT YOU ARE REWARDING THE APPLICANT BECAUSE THEY HAVE CONTRIBUTED SOMEHOW TO YOUR OFFICE , IF NOT DIRECTLY THEN POSSIBLY INDIRECTLY. IT IS VERY SAD TO THINK THAT THIS PROPOSAL FOR THEIR PERMIT HAS MADE IT THIS FAR. THERE ARE SO MANY REASONS THAT A LANDFILL SHOULD NOT BE PLACED , NOT TO MENTION EXPANDED , ESPECIALLY NEAR SUCH A VALUABLE RESOURCE , OUR WATER.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 15:

REBUTTAL TO TOPICAL RESPONSE 15:

The proponents statements raise more questions than they answer. They have not given an honest account of what has happened at the existing landfill. This lack of candor does not instill any confidence in the public that things will be different in the future.

The proponent's statement that "in 1986 and 1987 the City of Los Angeles required regrading of the existing slopes on the landfill to lessen the slope gradient" fails to include that this was due violations caused by BFI's improper engineering of the landfill. The fact that "the entire upper slope area required grading and much of the top soil material had to be removed" still does not explain why it remains unrevegetated today, 3 years later. Was the missing top soil replaced? Is the final cover in place? Why not? Why has the proponent failed to live up to the conditions of his permit? Why does the proponent in his 5-Year Plan on file with the Bureau of Sanitation, City of Los Angeles, propose not to final cover the north side of the southern fill area of the existing landfill? Given the fact that the last 3 years have been drought years how does this excuse the proponent from not constructing sufficient watering facilities in order to maintain interim and/or final cover as required by State and local regulations? If "by contrast" as the topical response states "the proposed extension would utilize only small active areas that would be revegetated", why weren't small active areas used on the existing landfill? What guarantees are there that the proponent will once again FAIL to live up to his obligation under the conditions of his permit?

Given the proponents statement that: "However, for the past year plantings have been installed on the landfill face and in the surrounding hillside areas around the existing landfill." Since there is more than one landfill face, which face is referred to? If it is the south facing slope of the berm, this does not demonstrate the feasibility of growing trees on landfilled ground. This is because this area is located on a ridgeline and a berm, that was constructed out of purportedly clean earth, and was many times thicker than any final cover material. If it is the northern face, then what trees and vegetation have been established here? As to "in the surrounding hillside areas around the existing landfill", precisely what areas were

these, and how many and what types of trees have been established? The surrounding hillsides also do not demonstrate an ability to revegetate landfilled ground. The statement regarding the growth of the trees planted on the berm is confusing. Precisely what type of trees exhibited 6 inches or more of growth per month? Are they the kind proposed as mitigation or for final vegetative cover for the existing or proposed extension of the landfill? What is the survival rate of oaks NOT in the nursery, and how many of them have been planted? Will any of these trees be removed from the berm area for subsequent replanting elsewhere? What will be the effect on the viewsheds on off-site areas? Will ALL AREAS OF THE EXISTING LANDFILL BE FINAL COVERED AND REVEGETATED, REGARDLESS OF WHETHER OR NOT THE FUTURE EXPANSION WILL OVERLAY IT?

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 16:

REBUTTAL TO TOPICAL RESPONSE 16: The statement "this SEA was established because it was thought 'it would become an important corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains, via the Simi Hills'", is DELIBERATELY MISLEADING. While it was one of the reasons, it was not the only reason for establishing this SEA. An excerpt from the recommendations of the 1976 Task Force Report that was adopted in the County's 1980 General Plan, says: "The sixty-two significant ecological areas selected were chosen in an effort to identify areas in Los Angeles County that possess uncommon, unique or rare biological resources, and areas that are prime examples of the more common habitats and communities. Thus the goal of the project was to establish a set of areas that would illustrate the full range of biological diversity in Los Angeles County, and remain as undisturbed relics of what was once found throughout the region. HOWEVER, TO FULFILL THIS FUNCTION, ALL SIXTY-TWO SIGNIFICANT ECOLOGICAL AREAS MUST BE PRESERVED IN AS NEAR A PRISTINE CONDITION AS POSSIBLE" (emphasis added). Further on it states that: "If the biotic resources of significant ecological areas are to be protected, and preserved in a pristine state, they must be left undisturbed. Thus the number of potential compatible uses is limited. Residential, agricultural, industrial, and commercial developments necessitate the removal of large areas of natural vegetation and ARE CLEARLY INCOMPATIBLE USES" (emphasis added). Significant Ecological Area #20 most noted natural feature are its OAK WOODLANDS.

Additionally, the proponent continues the half truth by linking the statement that:

"this SEA was established because it was thought 'it would become an important corridor for gene flow and species movement between the San Gabriel and Santa Monica Mountains, via the Simi Hills'.."

to

"At one time there must have been an open corridor between the Santa Susana Mountains and the San Gabriel Mountains to the east; however, currently there are substantial barriers to terrestrial animal movement east of Sunshine Canyon..".

In this way the SEA's viability is dismissed by inferring that its reason for being no longer exists.

The proponent then magnamously states that: "If gene flow and species movement are still possible in this area despite the existing movement barriers, East Canyon, as a dedicated undeveloped open space area, would facilitate the objectives of SEA #20 by providing opportunities for movements of animals between the Santa Susana and San Gabriel ranges." The proponent fails to grasp the situation. East Canyon and Sunshine Canyon are both a part of SEA #20, and any reduction will further reduce the opportunity for gene flow and species movement and erect yet one more barrier. How can the 542 acres of East Canyon which is already in SEA #20, be offered as mitigation for the loss of 542 acres of SEA #20 in Sunshine Canyon? A recent article in the Los Angeles Times by Myron Levin states in part: "The 61 SEAs were mostly privately owned, but the county's 1980 General Plan made it official policy to protect them from incompatible development and to acquire those most threatened. Since then, the SEAs have suffered from obscurity and neglect, an investigation by The Times has found. SEAs have been nibbled by development and with other open space dwindling, they are under enormous pressure from big housing and commercial projects, proposed roads and even garbage dumps."



NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 17:

REBUTTAL TO TOPICAL RESPONSE 17:

The proponents internal reference to Topical Response #15 does not address the questions asked in the comments to the DEIR. See the NVC's Rebuttal of Topical Response #15.

The fact that "the proposed landfill extension would be 50 vertical feet below the ridgelines..." does nothing to abate dust in the proposed expansion as it has done nothing to abate dust on the existing landfill, which is under the same 50-foot vertical requirement. The South Coast Air Quality Management District (SCAQMD) Rule 402 and Rule 403 referred to here, which requires that the proponent provide adequate mitigation measures to control fugitive dust, cannot be offered as mitigation because it has not provided relief to the public in the past. This has been due to a number of factors among them being: BFI's failure to obey, a failure to ever shut down the landfill in excessive winds (except for one instance, ordered closed), a loophole in the SCAQMD Rules, the failure of the SCAQMD to enforce or prosecute violations. BFI's reluctance to obey SCAQMD rules can be seen in this NVC transcript from a SCAQMD Hearing on 07/07/88 in which AQMD Council is addressing the Board.

"As I said earlier the District attempted to negotiate some additional variance conditions which would help to alleviate any future dust problems. In light of the fact that the petitioner has told us at our prior meeting this morning that, I believe, THEY INTEND NOT TO ADOPT ANY VARIANCE CONDITIONS DEALING WITH DUST (emphasis added). We have no choice but to oppose the granting of this variance mainly under Health and Safety code, Section 42353. And it clearly states that no variance shall be granted if the operation under the variance will result in violations und 41700. And as you are aware 41700 is the Nuisance Provision. They were cited for a violation of 41700... ...We have had numerous complaints from residents in the area concerning odor and dust problems. We have not been able to verify many of them, but there is a problem there, and we would like to address that problem."

The "use of soil sealant where appropriate" does not provide mitigate in of itself. The Conditions proposed by the County contain no provision for DAILY soil sealant to be applied to ALL ACTIVE CUT AND FILL AREAS. BFI has expressed at past meetings with the NVC, the high cost of using soil sealant on the existing landfill and the extreme difficulty in apply sealant to cut faces, therefore the proponents willingness to maintain this type of dust control mitigation is seriously in doubt. The frequency of soil sealant must be extended to all ACTIVE cut and fill areas on a DAILY basis. Additionally, due to past violations, the Zoning Administration, City of Los Angeles has imposed the DAILY requirement on the existing landfill and as the expansion is situated in the same wind tunnel it must be treated in a like manner.

The statement that, "A temporary vegetation cover would be established on all slopes that are to remain inactive for a period longer that 180 days.", IS NOT VIABLE. This is because NO PROVISION has been made TO NOTIFY the enforcement agencies immediately an area becomes inactive, or to report subsequent action/lack of action, and there are no penalties for failure to comply.

## TOPICAL RESPONSE #18 LANDFILL GAS GENERATION

The rationale for the use of 40MMCFD (40 Million Cubic Feet Per Day) based on "the permit being requested by the applicant at this time is for the County - only portion of the landfill". This fails to address the whole of the action. Again we are confused as to what we are evaluating. In the future, will another incremental approval be sought excluding the - then current project? This has been done with proposal now being evaluated wherein the current emissions from vehicles and flares are not considered in the assessment.

In a letter to the first "DEIR on the Sunshine Canyon Extension" (submitted on January 12, 1988 to Regional Planners). The AQMD states "the most likely gas generation rate predicted is 70MMCFD (70 million cubic feet per day). It appears that the emissions stated in Paragraph 3.2.6 Air Quality, based on 40MMCFD gas generation rate, may have been underestimated".

Instead of using the emission figures for the 40MMCFD the applicant again reduces the amount to 35 MMCFD based on a likelihood of a smaller project. The very least the applicant should provide the public with is a comparison chart based on both 40 "least optimistic" 70 MMCFD based on AQMD "most likely" and the 98MMCFD - the DEIRs "most optimistic". Based on the information sent to the neighborhood by AQMD when the proposed incinerator was constructed the chart should read as follows:

## POUNDS PER DAY FROM INCINERATORS

	40MMCFD	70MMCFD	98MMCFD	The DEIR Lists pg. 175
Carbon Monoxide	5320	9310	13034	4800
Sulfur Oxides	264	462	5814	none
Nitrogen Oxides	1080	1890	2646	960
Hydrocarbons	20	36	50	none
Particulates	4200	7350	10290	160

Was outgasing external of the incinerator considered and if so in what quantity? External outgasing is a reality.

The air quality impacts must be re-evaluated using the 70 MMCFD to assess cumulative impacts.

RESPONSE TO COMMENTS TOPICAL RESPONSE #22

It is impossible for the reviewer to assess the Traffic impacts of the proposed project. It seems to be the County's intention to allow unrestricted inflows under condition 10-G of the permit. The exemption of all recyclable materials (which should reach 50% under AB 939 or possibly greater) makes the traffic impacts a complete unknown.

Recycling operations do not use the same truck that delivers recyclables to remove recycled products. This will mean additional truck trips. The County's exemption of green waste and dirt used for cover will similarly not be counted. While the community whole heartedly supports recycling we feel that we have a right to assess the scope of the project.

Although the AQMD stated that vehicle trips were over the level of significance, the proponent has simply reduced the number based on a possibility that a smaller inflow will be approved.

Although the DEIR recognises that one intersection could reach LOS-F (the highest possible intersection impact) the mitigations are nebulous and referred to the City. The traffic light proposed is to only be put in when the landfill reaches 9,000 TPD. It is never made clear if this also excludes recyclables etc.

The current permit under which the Facility is now operating states:

"This Facility receives 3,000 cubic yards per day of group 2 & 3 wastes-----".

In fact there have been considerable periods of time when the dump received over 30,000 cubic yards per day or 10 times what is described in their permit.

How can the public evaluate the impacts of the project upon traffic with so many unknowns and in light of their operating history.

## RESPONSE TO COMMENT. TOPICAL RESPONSE #25

The County has failed to substantiate that a "crisis exists in disposal options. Since a shortfall in disposal options is the premise upon which the statement of overriding considerations is based, this shortfall must be statistically justified. While the shortfall might indeed exist, it is nevertheless incumbent upon the county to prepare and present the documentation necessary to demonstrate, statistically, the validity of their premise. This documentation is lacking in the documents referenced in the Sunshine Canyon DEIR and Response volumes.

By limiting their overview to the 10 largest disposal sites (and giving inconsistent information on these) the County has ignored many operating facilities that are currently taking substantial amounts of the County's waste stream. The documentation referenced in the DEIR is inadequate. The County has not prepared a complete survey of ALL sites in the County currently receiving trash, together with their permitted in-flow, actual in-flow, date of permit expiration, and specific permit required. This information constitutes a minimum of data necessary to substantiate the conclusions.

Certain assumptions are erroneously made. AB 939 will not allow the County to assume that they are currently diverting/recycling 10-25% as state in the County DEIR and reflected in the graphs (Integrated Solid Waste Management System DEIR SCH No. 89010419 2.4.1 Pg 2-8) in order to prove compliance with this legislated mandate. In the County's publication Solid Waste Management Status and Disposal Options in Los Angeles pg 27 (1988), the County states that a 15% waste stream diversion could possibly be accomplished by the year 2000. Two years later we have the County making the assumption that the goal has already been accomplished or possibly exceeded. This is clearly an attempt to subvert the intent of the recycling legislation and exacerbate the future "crisis".

Further, the County assumes on its waste generation graphs (DEIR pg. 2-9 Fig. 2-3) a 1.5% per capita yearly increase in trash generation on the part of every person living in Los Angeles County. Since Los Angeles already disposes of a higher per capita amount of trash than any other part of the United States, the County should show resolve to decrease rather than increase this percentage. This percentage increase cannot be assumed.

There are serious inconsistencies in the data presented by the County. The 6000 TPD shortfall in 1992 predicted by Sunshine closure cannot be substantiated. Sunshine is currently operating at such reduced in-flow that very little, if any,

PAGE 36

impact of its closure can be proven.

In its rush to prove "crises" and justify its commitment of local landfilling, the County skewed the statistics and presented totally inadequate documentation.

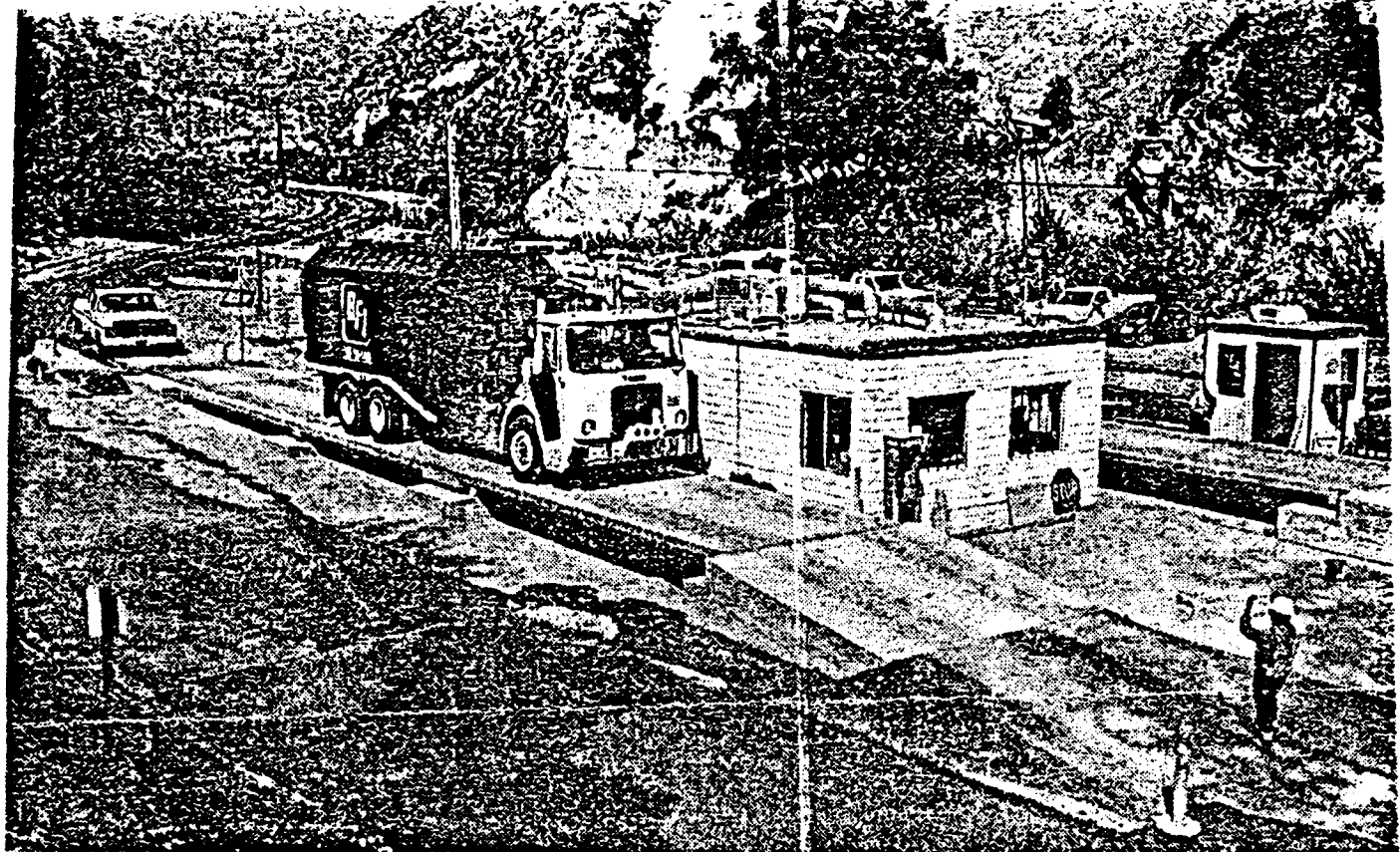
The decision makers cannot base a finding of overriding consideration on this inadequate analysis. Also see the following newspaper articles, NVC Exhibits "CC90", and "DD90".

PAGE 37

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

EXHIBIT "CC90"

Newspaper article  
Los Angeles Times, October 2, 1990  
"Wondering Where Waste Went"  
by Steve Padilla



ROLANDO OTERO / Los Angeles Times

A Browning-Ferris truck is weighed as it leaves Sunshine Canyon Landfill on Monday after dumping a load of trash.

# Wondering Where Waste Went

■ **Sunshine Canyon:** The low turnout of trucks on the first day of cutbacks at the brimming landfill leaves its operators puzzled.

By STEVE PADILLA  
TIMES STAFF WRITER

Where has all the garbage gone? That was the question landfill operators were asking themselves Monday, the first day that dumping at the Sunshine Canyon Landfill was scaled back 77% to conserve space at the rapidly filling landfill. Despite the cutback, operators of other landfills reported no appreciable increases in truck traffic at their facilities.

And at Sunshine things were so quiet that operators scratched their heads and wondered where someone might hide more than 2,000 tons of garbage.

Officials at Browning-Ferris Industries, which operates the landfill above Granada Hills, said they were forced to reduce the daily dumping from about 3,000 tons to 700 tons, because Los Angeles officials recently killed a company proposal to expand the facility.

Meanwhile, the company is pushing a separate proposal to expand the landfill



RICHARD DERK / Los Angeles Times

On Monday, after accepting 900 tons of trash, landfill's gates are locked.

in Los Angeles County territory.

Dean Wise, district manager for Browning-Ferris, had feared last week that chaos might erupt Monday morning as haulers competed for the right to deposit trash at Sunshine Canyon. Wise envisioned long lines outside the dump

on San Fernando Road shortly after the gates opened at 6 a.m.

It didn't work out that way. And Wise was at a loss to explain why.

Before Browning-Ferris announced the cutbacks Sept. 13, the dump typically

Please see LANDFILL, B5



## EY NEWS

# LANDFILL: Low Turnout on 1st Day of Cutbacks Baffles Operators

Continued from B3

ly received about 1,000 tons of refuse by 8:30 a.m. each day. But by 9:30 a.m. Monday, said a clearly surprised Wise, only 600 tons had been left at the landfill.

Warning letters sent to the landfill's regular customers apparently worked. "I think we scared everyone off," he said.

Truck traffic remained light all day, and Wise closed Sunshine Canyon shortly before 2 p.m. after receiving 900 tons of garbage, slightly more than the 700 tons he had planned. Wise said the tonnage levels may fluctuate until his staff adjusts to the cutbacks.

In previous years, Sunshine Canyon had remained open from 6 a.m. to 6 p.m. For the first time, following the 2 p.m. closure, work crews posted yellow flags at the gate and near freeway off-ramps as a sign to customers, ranging from municipalities to private companies, that the dump was closed. BFI is routing its own trucks to a landfill in Azusa, but its trucks account for only 8% of the total amount of garbage dumped in Sun-

**Before Browning-Ferris announced the cutbacks Sept. 13, the dump typically received about 1,000 tons of refuse by 8:30 a.m. each day. But by 9:30 a.m. Monday, only 600 tons had been left at the landfill.**

shine Canyon, Wise said.

Officials at the three landfills closest to Sunshine Canyon—Calabasas, Chiquita Canyon and Bradley—said they had expected to see extra trash trucks backed up at their facilities. But nothing unusual happened.

"We haven't seen anything today," said Bob Asgian, site engineer at the Calabasas landfill.

"I think it is too early to tell," said Paula Becker, spokeswoman for the Bradley Landfill in Sun-

Valley, of the cutbacks' impact. The Bradley Landfill, which receives between 2,000 and 3,000 tons a day, had been prepared to accept extra trash, she said.

But Becker, Asgian and other landfill officials agreed that the cutbacks at Sunshine Canyon eventually would start a domino effect that will influence the practices and perhaps prices of municipal and private trash haulers searching for a place to dump their loads. Already the city of Santa Monica has diverted some of its trash trucks from Sunshine Canyon to the other Browning-Ferris dump in far-off Azusa.

County sanitation officials and landfill operators said they are cautiously watching to see how the scaled down operations at Sunshine Canyon will affect the industry. The uneventful turnout Monday may have been an anomaly, said Nazareth Chabonian, owner of Blue Barrel Disposal in Santa Clarita.

"The trash is going somewhere," he said.

PAGE 40

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

EXHIBIT "DD90"

Newspaper article  
Los Angeles Times, September 9, 1990  
"County Draft Report May Overestimate Landfill Needs"  
By Myron Levin



daughter Christy, 1½, wife  
a, mother Rita and sister  
eth. 5, right, keep home  
fires burning for Marine  
Christopher Sosa, above.



**OLD APART**  
an occasional series on  
of fighters in the Middle

Persian Gulf before, said  
er. Rita Sosa, a 43-year-  
ewife who lives next door  
daughter-in-law in a  
-class neighborhood in  
ando.

in the military, Christo-  
s traveled to the Middle  
1 Japan—places he could  
erwise afford to see, his  
said. Her living room  
e covered with more than  
ographs of her four chil-  
cluding nearly a dozen of  
her. She also has pinned  
souvenirs as paper mon-  
topher sent her from the



RICARDO DEARATANIA / Los Angeles Times

Persian Gulf when he was on  
duty two years ago.

"Let me tell you about Bahrain,  
a small country in the beginning  
of the gulf," Christopher wrote in  
a letter dated Dec. 3, 1987. "The  
people here dress with sheets on  
their heads like sheiks. It's just  
like Beverly Hills in the desert."

Although she is glad her son is  
getting to see the world, Rita  
Sosa said that, like her daughter-  
in-law, the less she hears about  
the present crisis in the Middle  
East, the better she feels. "If I  
listen to the news, I won't sleep,"  
she said.

Christopher had been home for  
only two days on emergency  
leave after his wife had surgery  
to remove a cyst from her spine  
when he was called back to Camp  
Pendleton Aug. 5 and sent to  
Saudi Arabia. The couple's child,  
Christy, is 1½ years old.

"She sees his shoes, his hat and  
yells, 'Papa, papa,'" Olivia said  
tearfully. "I say, 'Papa is at work,  
and he'll be home soon.'"

The family says they are confi-  
dent their prayers will keep  
Christopher safe because he has  
so much to live for. There's the  
1963 Chevy Impala waiting in the

back yard for him to restore. And  
there's his fledgling marriage,  
which began about two years ago  
when the couple eloped to Las  
Vegas. The couple has been to-  
gether largely only during week-  
end leaves ever since.

"I feel like we just got married.  
We're not tired of each other,"  
Olivia said.

□

Jimmy Mallett walked out of  
his Glendale print shop in the  
middle of the afternoon again last  
week, but this time it was to

Please see VIGILS, B4

## County Draft Report May Overestimate Landfill Needs

■ **Environment:** The head  
of one watchdog group  
says the result is that the  
Sanitation Districts will be  
less committed to waste  
reduction and recycling.

By MYRON LEVIN  
TIMES STAFF WRITER

A report by Los Angeles County  
sanitation officials appears to over-  
state the disposal capacity local  
communities will need if they com-  
ply with a new state law that limits  
landfill dumping.

The draft environmental impact  
report, issued Aug. 31 by the Los  
Angeles County Sanitation Dis-  
tricts, argues that substantial new  
dump space will be required even if  
area cities meet the goals of the  
new law, which mandates a 25%  
diversion of waste going to landfills  
by 1995 and a 50% reduction by the  
year 2000.

But in computing future disposal  
needs, the report uses a different  
method than specified in the law,  
state officials said in interviews  
with The Times. Consequently, the  
report shows a need for about 15%  
more landfill capacity than would  
have resulted from using the law's  
formula.

Scaling back the estimate of  
landfill demand by 15% would not  
erase the report's basic conclusion  
that new dump space will be need-

## VALLEY NEWS

## LANDFILLS: Report Disputed

Continued from B3

ed. However, it could have some effect on the number or the timing of new landfills.

The situation is likely to be seized upon by dump opponents, who see sanitation officials as eager to build landfills but cool toward recycling.

The law, Assembly Bill 939, allows cities and counties to consider population growth in computing the volume of required waste reduction. And the draft report puts the annual population growth of Los Angeles County at 1% between now and 2000.

However, the report also factored in a 1.5% growth rate for per capita trash generation—based on historical data suggesting the garbage produced by the average person is increasing at that rate.

Use of the 1.5% growth factor pumps up the county's projected trash volume by more than 9,200 tons per day by the year 2000. The report shows 50% of that amount being diverted but 50% going to landfills—raising the estimated need for landfill space by more than 4,600 tons, or about 15%, per day.

But the law does not appear to permit the use of the 1.5% trash-growth factor, two state officials

said.

The law allows consideration of "increases or decreases in population and not increases or decreases in" the average person's trash production, said an aide to Assemblyman Byron Sher (D-Palo Alto), author of AB 939. "As the law is written right now, it appears pretty clear that that kind of addition or growth factor could not be" considered, the aide said.

"What they're saying may have some historical precedents down there, but it's not specifically allowed in the statute," agreed Chris Peck, a spokesman for the California Integrated Waste Management Board, which administers the law.

A sanitation districts official disputed these contentions, saying the law must consider society's growing wastefulness.

Don Nellor, chief of planning and engineering for the districts' Solid Waste Management Department, said he did not "see how you can get around taking that into account. . . . It would be foolhardy for solid waste planners to ignore the historical reality."

But the head of one environmental group said waste diversion should be measured only against current trash volumes. She said the

Please see LANDFILLS, B9

## LANDFILLS

Continued from B8

report's use of a growth factor is "completely counter to the spirit" of the law.

"I think it's an effort to secure more landfill capacity than would really be needed if those goals are met," said Jill Ratner, Southern California regional director of Citizens for a Better Environment, a statewide environmental group involved in waste disposal issues.

"I think that the County Sanitation Districts are trying to protect themselves, because they're afraid that people will continue to grow more and more wasteful," Ratner said. "Regardless of the intent, the effect is to reduce the county's commitment to source reduction and recycling."

Ratner said she will raise the issue in written comments on the draft environmental report, which will be the subject of public hearings in October.

The debate is complicated by the fact that individual cities—not the Sanitation Districts—are covered by the law, and subject to the 25% and 50% trash diversion goals. The districts own and operate landfills that take trash from their 78 member cities. But it is the cities that must file compliance plans with the state waste management board.

The districts have helped organize cities into regional groups and have committed up to \$1 million to help them plan recycling and waste reduction strategies.

The draft environmental report, co-sponsored with the districts by the Los Angeles Department of Public Works, called for extending the lives of seven existing public and private landfills, whose permits will lapse in the next few years.

The landfills needing expansion include Sunshine Canyon, Lopez Canyon and Bradley West in the San Fernando Valley, Chiquita Canyon in the Santa Clarita Valley and Scholl Canyon in Glendale, according to the report.

The report said another big public landfill will be needed by 2001 to ensure sufficient disposal capacity for the county. Blind Canyon above Chatsworth and Towsley and Elsmere canyons in the Santa Clarita Valley were identified as feasible sites for the next big dump, along with Mission, Rustic and Sullivan canyons in the Santa Monica Mountains, which together are considered a single site.

The report said that as an alternative to a new dump in the local mountains, large volumes of trash could be hauled 200 miles by rail to one of two remote landfill sites proposed by private firms in San Bernardino and Riverside counties

PAGE 42

EXHIBIT  
"DD 90"

PAGE 2 OF 2



Come On In...  
**SKATE  
FOR FUN!**  
Meet & Make Friends  
— SKATING

**STOP!!**

**IN A HURRY TO GET ORGANIZED**

Ask About Our  
**NEXT DAY INSTALLATIONS**

**CLOSET**  
LAMINATED  
PRICE  
AS LOW AS  
**\$300.00**  
INSTALLED

**GARAGES**  
LAMINATED  
PRICE  
**\$740.00**  
INSTALLED



NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 27:

REBUTTAL TO TOPICAL RESPONSE 27:

The proponents dismissal of the North Valley Coalition's (NVC) proposal to create an extension in the existing City landfill area in Sunshine Canyon using such statements as:

"not only does it fail to satisfy the applicant's stated project objective and the County's overall waste management policy of providing ongoing landfill capacity..." and "...and would in any event, be economically unfeasible."

The proponent has expressly rejected an identified alternative that would plainly cause less harm to the environment, on the basis of economic infeasibility. The record, however, offers no support for any such conditions. Without such specific comparative data, no meaningful conclusions regarding the feasibility of the alternative can be reached. Public Resources Code Section 21002.1(a) explicitly requires that the EIR "identify alternatives to the project" without any limitation as to identifying alternatives that could only obtain the purpose of the project. The County's Solid Waste Management Plan, which defines County's "overall waste management policy", is based on deficient capacities data, poor recycling estimates, et cetera. These have led them to make faulty assumptions and to erroneously predict impending trash shortfalls.

The proponent also seeks to dismiss the proposal by claiming that, "it fails to satisfy essential engineering criteria which must be met to develop a landfill...". They go on to reinforce this claim with:

"First, this landfill would block the natural drainage...", "...potentially creating a lake...", "the only design that would allow proper drainage to eliminate this blockage would be a large permanent storm drain..."  
"...which would not be allowed under applicable State law..."

At no time, either verbally or in writing to BFI or any agency, was an underdrain ever proposed by the North Valley Coalition as a part of this proposal. The use of an underdrain was, and always has been, CONJECTURE on the part

BFI's representatives. Indeed, the record shows that BFI tried to trick the City of Los Angeles into approving a underdrain in an expansion of their existing City fill, and the North Valley Coalition opposed it for precisely the same reasons that you now use for rejection of the NVC's alternative.

TOPICAL RESPONSE #29

According to the map included in the JPA the boundaries of Elsmere are much closer than 2 miles from Sunshine (See Attached). The "1% of background levels" of emissions represents only an indication of how dirty the local air already is, not an assessment of impact. Using this logic the dirtier the air the more one can pollute without problems.

The close proximity of these two (Sunshine & Elsmere) major landfills deserves a much more thorough analysis of traffic biotic and especially, air quality impacts. The proponent should provide a chart showing the impacts if these two large landfills were operating simultaneously at capacity using gas generation figures of 70 MMCF for Sunshine and a similar amount for Elsmere (proposed 195 million tons). This should be combined with on and off site vehicle emissions using the maximum inflows requested for each site. These, in turn, should be combined with the other projects in the immediate area (including freeways and the Aliso Canyon gas field proposed projects, etc.) to achieve a meaningful analysis.

The map is "not to scale". Please provide a map that correctly shows the distance between Sunshine, Elsmere and Towsley.

The Biotic impact on the removal of both Towsley and Sunshine from the SEA and the wildlife corridors must be discussed. Information on this is readily available in the County Integrated Solid Waste Management System DEIR and supplements now in circulation as one commentator has said;

"One of the most important environmental lessons evident from past experience is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant, assuming threatening dimensions only when considered in light of the other sources with which they interact. Perhaps the best example is air pollution where thousands of relatively small sources of pollution cause a serious environmental problem".

quoted from Daily Appellate Report  
Environmental Law Section  
June 28, 1990

PAGE 46

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK



PAGE 47

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

SECTION 3      SECTION 3      SECTION 3

\*RESPONSE TO BFI COMMENTS\*    \*RESPONSE TO BFI COMMENTS\*

RESPONSE 8

The requirement of AB 2296, Section 50000.5 b reads, in part.

In addition to the requirements in subdivision (a) any new or expanded solid waste disposal facility or transformation facility shall be deemed to be consistent with the general plan only if both of the following requirements are met;

(1) The facility is located in a land use area designated or authorized for solid waste facilities in the applicable city or County general plan.

(2) The land uses which are authorized adjacent to or near the Facility are compatible with the establishment, or expansion of, the solid waste disposal facility or transformation facility.

The facility is not now located in a land use area compatible with the General Plan and will require a General Plan Amendment to make it consistent.

The proximity of O'Melveny Park (the City of Los Angeles 2nd largest) is not compatible with the establishment of this facility.

Since this is "Gap" legislation the intent must be to have existent consistency. To now seek consistency would make this requirement meaningless.

RESPONSE 29

The Draft EIR released in 1987 was presented to the community and agencies as Just That, a Draft EIR. When the North Valley Coalition requested information as to the proper response to that document we were told (see letter to John Phillips, December 30, 1987 Volume B Response to comments) "upon receipt of your comments they will be forwarded to the EIR consultant for their review and response to be included in the EIR document". This letter was from the Department of Regional Planning and signed by John Edwards, Administrator, Community Planning Board.

In January 1990 we requested that documents prepared for the original DEIR (letter Jan 17 from Ann Messina Vol. B response to comments) be responded to as promised. At that time we submitted another copy of our response plus copies of the agency and community responses available to us, and asked again that they be responded to.

This DEIR was not "informally" circulated as the proponent claims but was, in fact, sent to local libraries where it was represented as the Draft EIR. (see cover included as part NVC submittal Vol. B Response to Comments). Nothing in this document or at no time during our conversations with County planners was this represented as anything but a Draft EIR. Commenting agencies, similarly fooled, addressed their comments to the Sunshine Canyon Draft EIR (see packet). A deadline for comments was given by Regional Planning and our documents received and time stamped. In as much as the community went to a great deal of work to prepare these comments and to considerable expense to hire consultants, we feel the unanswered comments must be addressed. Many agencies and NVC comments remain unanswered and this is certainly an abridgement of the CEQA process to say nothing of the guarantee given to us in writing by Regional Planning.

NORTH VALLEY COLITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 29:

RESPONSE 29: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 29.

The claim that "In order to facilitate input from responsible public agencies, a Preliminary Draft EIR (PDEIR) prepared for County Regional Planning Department was released for agency review in December 1987.." and "...The County included this optional informal review as an effort to maximize opportunities for citizen participation..." is patently NOT TRUE. As stated before the proponents attempt to characterize the public and agency responses to the 1987 DEIR as an expanded scoping/early public consultation process, so that they will not be required to address/include in the second 1989 DEIR the questions/issues raised is clearly a violation of CEQA. What documented proof exists prior to the December 1987 release, that this was the intent of the proponent? What or where on the document does the word PRELIMINARY or any other QUALIFICATION exist that identifies the 1987 DEIR to the public or the reviewing agencies as not being a bona fide DEIR? What proof exists that the County Regional Planning Department and the other reviewing agencies were properly notified that this was a pseudo DEIR? What steps were undertaken by BFI and County Regional Planning to notify or otherwise inform the public that this was not a formal DEIR?

COMMENT 30:

RESPONSE 30: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 30.

The proponent has stated here and in many places that "this comment reflects the opinion of the commentator and will be forwarded to the decision-makers for their consideration." How and when were these opinions transmitted to the decision-makers? What mechanism exists to allow the public to know that the decision-makers have responded to or are aware of the opinions?

COMMENT 31:

RESPONSE 31:

THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 31. Apart from a few general maps, they have not addressed the specific issue, and that is that there is no DETAILED and/or SPECIFIC information relating to flood control, sedimentation control, entrance control, leachate control, and the IMPACTS ON CITY PROPERTY from development of the entire 215 million ton landfill both County and City. Topical Response #1 does not address this issue. Topical Response #3 does not address this issue. The topical responses only explain the proponents approach to incremental approval, and only address the County portion. They do not address the entire project as required by CEQA. The North Valley Coalition is not prepared to accept another run around. If the proponent and their consultants cannot understand the question, Mr. Wayne Hunter of the North Valley Coalition can be contacted for clarification (360-7635).

COMMENT 33:

RESPONSE 33:

THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 33. The proponents claim that the questions posed are not relevant to the DEIR being examined and are beyond the scope of analysis required by CEQA is a cop out. A landfill of 235 million tons (215+20) is a world class mega dump. Considering the life span of the expansion, the requested information is necessary for the Public (and agencies) to assess how successful comparable landfills have been and what problems have arisen so that appropriate mitigation and safeguards are installed.

COMMENT 34:

RESPONSE 34:

THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 34. The response fails to address viewsheds from residential areas approximately SSE. Precisely what types of trees are proposed for planting around the perimeter of the landfill? Since the 215 million ton expansion will rise within 50 vertical and horizontally of ridgelines where will the trees be planted? How does the proponent expect to encourage growth on what is basically remaining ridgetops when these are typically bare in nature? How long will it take to establish these trees so that they would provide a screen? How long will the public be exposed to dump viewsheds before the trees will hide it? Additionally, the proponent is obviously not aware of the true extent of the Santa Clarita Woodlands Park and has not addressed the extension's impacts.

COMMENT 37:

RESPONSE 37:

THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 37. The proponent has stated here and in many places that "this question is beyond the scope of the DEIR being examined and will be forwarded to the decision-makers for their consideration." How and when were these unanswered questions transmitted to the decision-makers? Are the decision makers required to respond, and if so what documentation was provided to the public for their review?

COMMENT 38:

RESPONSE 38:

When responding to comment 38 the document preparers state that: "The applicant also indicates that pricing has been developed to encourage morning waste disposal and discourage afternoon waste disposal.." We are not aware of any such policy. What is/was this policy? Is such a policy contemplated for the County expansion?

COMMENT 39:

RESPONSE 39: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 39.

The preparers states that: "According to the applicant, prior to disposal the Hyperion plant treated the digester grit to achieve an acceptable solids content. Therefore at the time the grit was accepted at the landfill, it had a moisture content less than 50% in conformance with the requirements of both the City of Los Angeles Bureau of Sanitation and the Regional Water Quality Control Board." These statements are patent falsehoods. First, while it is true that Hyperion did treat the digester cleanings, it DID NOT MEET the acceptable solids content level when it left the plant. Second, the assumption that the grit had a moisture content of less than 50% when accepted at the landfill is pure speculation. The sludge had a solids content of LESS THAN 50% (correspondence, Ralph Kennedy, City of Los Angeles Board of Public Works to Robert Ghirelli, Regional Water Quality Control Board, Los Angeles 7/31/86). Sludges with less than 50% solids can be disposed of a Class III site ONLY IF IT IS LINED, or has a LEACHATE COLLECTION AND REMOVAL SYSTEM (handwritten memo JB to DD, Regional Water Quality Control Board, Los Angeles 4/4/85). The Bureau of Sanitation, in conjunction with their contractor, has apparently been unable to consistently bring the solids content of the sludge up to 50%. The Bureau of Sanitation approached BFI in late 1986 with a request that BFI obtain an exemption from the 50% solids rule from the RWQCB, and apply for a revision to its Solid Waste Facilities Permit in order to accept the Hyperion digester sludge (correspondence, Harry Sizemore, Bureau of Sanitation to Dean Wise, Mgr. BFI Sunshine Canyon Landfill). The above documents are on file with the RWQCB in the NVC Sunshine Canyon Landfill Briefing Document, Volume 2. The applicant is plainly aware of all of these documents both in the files of the agencies and their own files. Why does the proponent continue to deny any knowledge that the moisture content was greater than 50% and that sludges with less than 50% solids CANNOT be disposed of in a Class III site UNLESS IT IS LINED, or has a LEACHATE COLLECTION AND REMOVAL SYSTEM?

COMMENT 40:

RESPONSE 40: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 40.

The response that: "the intent of these referenced figures is to depict the topographic changes in the canyon... and ...not meant to specifically delineate the boundaries of the proposed landfill extension", is not acceptable. The North Valley Coalition has pointed out in its response to the DEIR, that in numerous other maps, depicting various other things, that the boundaries have also been improperly drawn. How does the preparer/proponent expect the agencies and the public to evaluate the individual/multiple impacts internally and externally to the project, and to assess their true extent if most of these maps have improperly drawn boundaries?



NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 41:

RESPONSE 41: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 41.

The statement that "The current permit for the existing landfill allows operations from 6:00 AM to 4:30 PM Monday through Friday, and 7:00 AM to 4:30 PM on Saturdays" IS NOT TRUE. We believe the proponent has DELIBERATELY MISLED the County as to its permitted hours of operation in the City in order to gain extended hours in the County. The proponent still has not admitted and corrected, the erroneous statement that says that.. "the landfill extension will continue to operate under its present schedule, 6:00 A.M to 6:00 P.M. Monday through Friday and Saturday between 7:00 A.M. and 4:30 P.M.". Since the proponent points out that the proposed hours are 6:00 am to 6:00 pm Monday through Saturday this represents (if we accept that the current permit hours are 6:00 A.M. to 6:00 P.M. Monday through Friday--and we do not) then this at a minimum represents an increase in Saturday dumping hours. Why are the Saturday hours being increased? Unless the proponent can provide proof, we feel that all the hours for every day have been increased and that this was done illegally. In a call to the Bureau of Sanitation, City of Los Angeles in October 1990, the Bureau confirmed that 19-AR-002 is the current City Landfill Permit. This permit says the hours are 7:00 A.M to 4:30 P.M., Monday through Saturday. On February 14, 1990 and again on February 26, 1990, Councilman Hal Bernson received exactly the same information (see NVC Exhibit "AA90"). Why does BFI refuse to acknowledge that this is their current permitted operating hours? What permit are you referring to in your response? What documentation exists that shows that these hours have been legally altered? Isn't this change of hours without approval by the Bureau a violation? Where is the documentation we requested?

PAGE 56

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

EXHIBIT "AA90"

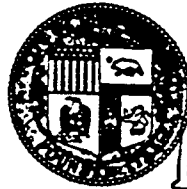
Correspondence Bureau of Sanitation  
City of Los Angeles  
to  
Councilman Hal Bernson  
regarding the current Sunshine Canyon Landfill  
Solid Waste Facilities Permit

CITY OF LOS ANGELES  
CALIFORNIA

BOARD OF  
PUBLIC WORKS

COMMISSIONERS

EDWARD J. AVILA  
PRESIDENT  
DENNIS N. NISHIKAWA  
VICE-PRESIDENT  
MYRLIE EVERS  
PRESIDENT PRO-TEMPORE  
STEVE HARRINGTON  
FELICIA A. MARCUS



TOM BRADLEY  
MAYOR

RECEIVED  
FEB 14 1990

HAL BERNSON  
Councilman, 12th District

DEPARTMENT OF  
PUBLIC WORKS

BUREAU OF SANITATION

DELWIN A. BIAGI  
DIRECTOR

HARRY M. SIZEMORE

ROBERT M. ALPERN

MICHAEL M. MILLER  
ASSISTANT DIRECTORS

SUITE 1400, CITY HALL EAST  
200 NORTH MAIN STREET  
LOS ANGELES, CA 90012  
(213) 485-5112  
FAX NO. (213) 626-5514

February 14, 1990

Councilman Bernson  
200 N. Spring St  
Los Angeles, CA 90012  
City Hall

ATTN: Greig Smith

SUNSHINE CANYON PERMIT (19-AR-002)

Per your request on 02-13-90 enclosed is a copy of Sunshine Canyon's current Solid Waste Facilities Permit. Should you have any further questions please call Scott Hill at (213) 237-0806.

DELWIN A. BIAGI, Director  
Bureau of Sanitation

Enclosure

PAGE 5.7 NVC EXHIBIT "AA30" (8 PAGES)

SEH 2/sb

## SOLID WASTE FACILITIES PERMIT

MS 7-2-77 (REV. 10-77)

ISSUING AGENCY City of Los Angeles  
 Dept. of Public Works/ Los Angeles  
 City Dept. of Health Services

COUNTY  
 Los Angeles

PAGE	1	OF	2
SOLID WASTE FACILITY PERMIT NO. 19-AR-002 (Formerly) 19-SS-127			
DATE	PROPOSED APR 16 1979		
	SWMB APPROVAL MAY 17 1979		
	ENFORCEMENT AGENCY APPROVAL JUN 5 1979		

Facility Name  
 Sunshine Canyon North Valley Landfill

OWNER

Ownership - Ferris Industries of California, Inc.,

Facility Location

747 San Fernando Road.

## FINDINGS

This facility is an existing, (since 1958) 230 acre Class II sanitary landfill utilizing the cut and cover method of operation. Remaining site life is estimated to be 13 years. This facility receives 3,000 cubic yards per day of Group 2 and 3 wastes and is operated from 7 a.m. to 4:30 p.m. Mondays through Saturdays. No salvage operations are conducted. Types of wastes received at the site include:

1. Residential
2. Commercial
3. Demolition and concrete-

Design and operation of this facility are as specified by the Report of Disposal Site Information dated November 1, 1978. There will be no significant changes in design or operation in the next five years except increased inflow due to the possible closure of more centralized sites. Expansion of the disposal activity to other areas of ownership would require a permit modification, new waste discharge requirements, land use approval and city permit.

The following documents condition operation of this facility:

- 1. City of Los Angeles Sanitary Landfill Permit No. 2
2. California Regional Water Quality Control Board, Los Angeles Region:  
Administrative procedure in compliance with Section 13054 of the State Water Code dated March 2, 1967.
3. City of Los Angeles Zone Variance, Z.A. Case No. 17804.

This facility's design and operation are currently in substantial compliance with State Minimum Standards for Solid Waste Handling and Disposal as determined by physical inspection made on January 29, 1979, except that they violate Section 17638. The Conditions of this permit establish an appropriate schedule for compliance with this Section.

This permit is consistent with the Los Angeles County Solid Waste Management Plan (Pg. 159, 160, 183) and with the State Minimum Standards for Solid Waste Handling and Disposal.

This permit is granted solely to the operator named above, and is not transferable. Upon a change of operator, this permit is subject to revocation. Upon a significant change in design or operation from that described in this permit or in attachments thereto for the existing design and operation of a facility operating immediately prior to August 15, 1977, or from the approved intended design and operation of a facility which was not operating prior to August 15, 1977, or which herein is granted a permit modification, this permit is subject to revocation, suspension, modification or other appropriate action.

This permit does not authorize the operation of any facility contrary to the State Minimum Standards for Solid Waste Handling and Disposal. This permit cannot be considered as permission to violate existing laws, ordinances, regulations, or statutes of other government agencies.

## ISSUING AGENCY

City of Los Angeles/County Department of Health Services

(SIGNATURE)

TYPED NAME

JACK M. BETZ/ CHARLES W. COFFEE

Director, Bureau of Sanitation/Program Director, Solid Waste Mgmt. Program

DATE APR - 3 1979

**II. CONDITIONS:****A. Requirements:**

1. This facility must comply with the State Minimum Standards for Solid Waste Handling and Disposal.
2. This facility must comply with all federal, state, and local requirements and enactments.
3. Additional information concerning the design and operation of this facility must be furnished upon request of the enforcement agency.

**B. Prohibitions:**

The following actions are prohibited at the facility:

1. Acceptance of slurries
2. Acceptance of hazardous or liquid wastes
3. Acceptance of dead animals or infectious wastes
4. Scavenging

**C. Specifications:**

No significant change in design or operation from that described in Item A of the Findings is allowed, except for those changes which are required under the Conditions portion of this permit.

**D. Provisions:**

1. The following must be corrected within 30 days of permit issuance.
  - a. Establishment of a log of special occurrence (Sec. 17638).
  - b. Physical establishment of permitted disposal area by survey.
2. This permit is subject to review by the enforcement agency, and may be suspended, revoked, or modified at any time for sufficient cause.

**E. Monitoring Program:**

The following items shall be monitored by the operator of this facility or his agent. Records including but not limited to these items shall be kept and made available to the enforcement agency upon request:

1. Gas generation and migration.
2. Leachate.
3. Monthly analysis of the stream quality.
4. Monthly submission of refuse disposal volumes, days of operation, and location of refuse disposal.

1 PAGE 60  
CITY OF LOS ANGELES  
CALIFORNIA

BOARD OF  
PUBLIC WORKS

COMMISSIONERS

EDWARD J. AVILA  
PRESIDENT  
DENNIS N. NISHIKAWA  
VICE PRESIDENT  
STEVE HARRINGTON  
PRESIDENT PRO-TEMPORE  
KATHLEEN BROWN  
MYRLIE S. EVERS



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
PUBLIC WORKS  
BUREAU OF SANITATION

DELWIN A. BIAGI  
DIRECTOR  
HARRY M. SIZEMORE  
ASSISTANT DIRECTORS

SUITE 1400 CITY HALL EAST  
200 NORTH MAIN STREET  
LOS ANGELES CA 90012  
(213) 485-5112

February 26, 1990

Councilman Bernson  
200 N. Spring St  
Los Angeles, CA 90012  
City Hall

ATTN: Greig Smith

CITY OF LOS ANGELES SANITARY LANDFILL PERMIT NO.19-AR-002

Per your request on 02-13-90 enclosed is a copy of Sunshine Canyon's current City of Los Angeles Sanitary Landfill Permit. Should you have any further questions please call Scott Hill at (213) 237-0806.

DELWIN A. BIAGI, Director  
Bureau of Sanitation

Enclosure

SEH 2/sb

BOARD OF  
PUBLIC WORKS

COMMISSIONERS

MAUREEN A. KINDEL  
PRESIDENT  
HOMER F. BROOME, JR.  
VICE-PRESIDENT  
EDWARD J. AVILA  
STEVE HARRINGTON  
ROYAL O. SCHWENDINGER

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

PAGE 61

DEPARTMENT OF  
PUBLIC WORKS  
BUREAU OF SANITATION

DELWIN A. BIAGI  
DIRECTOR  
WILLIAM F. GARBER  
STERLING C. BUESCH  
ASSISTANT DIRECTORS  
ROOM 1410, CITY HALL EAST  
200 NORTH MAIN STREET  
LOS ANGELES, CA 90012  
(213) 485-5746

MAR 15 1985

Browning-Ferris Industries of California, Inc.  
14747 San Fernando Road  
Sylmar, CA 91342

Attn: S. Woody Gravett, Jr.

CITY OF LOS ANGELES SANITARY LANDFILL PERMIT NO. 19-AR-002

Enclosed is your 1985 City of Los Angeles Sanitary Landfill Permit and additional permit conditions established for your facility.

Two changes have been made to the monitoring requirements presently established for your facility.

The City Permit now requires that you use attachment "A" to submit information regarding monthly tonnage inflow. This form should be filled out each month in a manner such that all previous months information for the current calendar year is listed. This may be done by photocopying an original, however, the signature at the bottom must be an original signature each month. This report shall be submitted by the 15th of each month to:

Bureau of Sanitation  
200 North Main Street  
Room 1410, Stop 520  
Los Angeles, CA 90012  
Attn: Sheila Molyneux

A copy of the monthly report shall also be submitted to:

Mr. Charles Coffee  
Solid Waste Management Program  
Department of Health Services  
2615 So. Grand Ave. Room 450  
Los Angeles, CA 90007

Secondly, you are now required to submit an aerial topographic map and any other requested information with your renewal application which is due on/or before December 1, preceding the year being applied for. The aerial topographic survey shall be of the entire site in a scale no smaller than 1"= 100' and shall be taken no earlier than February of the year submitted.

With the exception of these two changes all former permit conditions established for your facility, and the two additional conditions following shall remain in force:

1. Established procedure which must be followed in the event any hazardous, suspected hazardous, liquid or infectious waste is brought illegally into your facility.
2. Your financial responsibility for costs incurred to properly dispose of any prohibited material.

An original and one copy of all the forementioned permit conditions are enclosed. After completely reviewing the entire permit and permit conditions, please sign and date the original permit in the space provided and initial and date each of the subsequent pages. The signed document should then be returned to the Bureau of Sanitation and the copy kept for your record.

If you have any questions regarding the permit or any of the new conditions, please call Mrs. Sheila Molyneux at (213) 485-5347.

Very truly yours

  
DELWIN A BIAGI,  
Director

cc: Charles Coffee/w attachments  
SCM 30/mas



City of Los Angeles  
Department of Public Works  
Bureau of Sanitation  
Industrial Waste Operations

Class: II-A  
Permit No: 10-AR-002

For Bureau Use Only

PAGE 63

APPLICATION FOR SANITARY LANDFILL PERMIT

BROWNING-FEREIS INDUSTRIES OF CALIFORNIA, INC.

- 1) Firm Name: dba Sunshine Canyon/North Valley Landfill
- 2) Type of Business: BFI- SUNSHINE CANYON SANITARY LANDFILL CLASS II
- 3) Installation Address: 14747 San Fernando Rd., Sylmar, CA 91342 818 367 5823  
Zip Phone
- 4) Mailing Address: 14747 San Fernando Rd., Sylmar, CA 91342 818 367 5823  
Zip Phone
- 5) Legal description of property: (SEE ATTACHED SHEET)
- 6) Surety Bond Number: SAFCC BOND NO. 2883620 (City Attorney's No. CA218955)
- 7) Surety Bond Expiration Date: Two years after completion of landfill.
- 8) Name of Applicant or representative of firm: S. Woody Gravett, Jr. Vice President  
(Please Print) Firm Affiliation
- 9) Signature: *S. Woody Gravett Jr.* Date: 1-2-85
- DO NOT WRITE BELOW THIS LINE
- 10) Additional Information: All former permit conditions and requirements shall remain in force. Additional permit conditions have been established (dated March 1985) and are attached hereto.
- 11) Recommended by: *Sheila C. Nicholson* Date: 3/22/85
- 12) Approved by: *Robert M. Jones* Date: 4/4/85
- 13) Applicant: A permit is issued subject to Section 66.15 of the City of Los Angeles Municipal Code and any Rules and Regulations as established by the Board of Public Works under authority granted in the Los Angeles Municipal Code.
- 14) Enclose Application Fee of: \$12,400.00 made payable to: Dept. of Public Works, City of Los Angeles.

MAIL TO: Bureau of Sanitation, Room 1410, City Hall East, 200 N. Main Street, Los Angeles, California 90012

FOR ADDITIONAL INFORMATION: Phone No. 485-5347

Signature \_\_\_\_\_ Date \_\_\_\_\_

ADDITIONAL PERMIT CONDITIONS

Permit No. 19-AR-002

March 1985

- #1. Attachment "A" shall be used to submit, by the 15th of each month, information regarding monthly tonnage inflow. This form shall be filled out in a manner such that all previous months information for the current calendar year are listed. The signature must be original on each report submitted.

This report shall be submitted to:

Bureau of Sanitation  
200 North Main Street  
Room 1410, CHE, Stop 520  
Attn: Sheila Molyneux

Charles Coffee  
Solid Waste Management Program  
2615 S. Grand Ave., Room 450  
Los Angeles, CA 90007

- #2 The operator shall supply, on or before December 1, preceding the permit year being applied for, a topographic survey of the entire site in a scale no smaller than 1" = 100'. The survey shall be taken no earlier than February of the year submitted.
- #3. In the event that hazardous or suspected hazardous material, liquids, sludges or infectious wastes are brought to your facility you are hereby required to handle the situation as described below. Any negligence in handling the situation or obtaining the required information will be a violation of this permit condition and may result in the revocation of your permit.
- A) If the driver that transported the material onto the facility is still on the premises
- 1.) Instruct him to stay until Bureau of Sanitation staff or County Health staff arrive at the facility, and
  - 2.) Obtain the driver's license number and the vehicle number.

If the driver will not give the requested information or refuses to remain at the site, notify the Senior Industrial Waste Engineer at (213) 485-5347 immediately.

- B ) Barricade effected area with rope, effectively isolating the area.
- C ) Notify Senior Industrial Waste Inspector at (213) 485-5886.
- D ) Notify Charles Coffee of L.A. County Department of Health Services at (213) 744-3261.

INITIAL DATE

- #4 It is the financial responsibility of the facility operator to dispose of any prohibited materials. (Hazardous or suspected hazardous materials liquid, sludges, or infectious wastes) in a manner approved by County of Los Angeles Department of Health Services. The operator may then endeavor to recover any costs from the generator of the prohibited material.

SCM 31/mas

COMMENT 42:

RESPONSE 42 : THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 42.

While the statement on life vs. capacities (70 million ton landfilled trash) is acceptable, the exclusion of the recycled/diverted waste is not. The amount of waste removed from the waste stream will obviously prolong the life of the landfill. Thus far, County has only placed a limit on trash and excludes the recycled material. Since BFI plans to run a recycling facility which will be semi-independent of the incoming trash waste stream, the approval of the EIR will be a de facto approval of this facility/business without the benefit of its own EIR. In the DEIR only the impacts of 17,500 tpd of trash have been identified. If the amount of recycled material is not included in the total amount trash accepted daily, the impacts from this recycling activity on traffic, air et cetera has not been properly identified and mitigated. What would the traffic, air impacts, et cetera be assuming that 6,000 tpd, 8,000 tpd, 10,000 tpd and 17,500 tpd were ACTUALLY BURIED, and that an additional 25% and 50% of those amounts has been recycled as mandated by State law? At what point would traffic improvement mitigation be instituted; actual tonnage buried or actual tonnage buried + recycled tonnage? Recycling activities cause more truck end trips because of the need for additional vehicles to pick up the material gathered at the recycling center and to deliver it to the processors/end users. How have the impacts from these vehicles been accounted for? How much OTHER/INDEPENDENT recycling business does BFI contemplate using their facility and how have these impacts been accounted for? What is landfill life for a 215 million ton landfill?

COMMENT 43:

RESPONSE 43: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 43.

See previous response to Comment #42.

COMMENT 44:

RESPONSE 44: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 44.

Precisely what is an open visual space? Who will be responsible for maintaining this space? What standards will be set and how will they be maintained? What agreements will be established and with whom? What guarantees will be given that if this area remains in BFI hands that it will not subsequently be mined to recover landfilled materials, or otherwise used for purposes inconsistent with "open visual space?"

COMMENT 45:

RESPONSE 45: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 45.

While we appreciate that some debate may have arisen over the possible acquisition of landfill, by the governing agency(s) for park and recreational use, it is imperative that this issue be settled before any deliberation for approval be undertaken. We still would like to know, given the assumption that the landfill WILL BE TURNED OVER TO THE PUBLIC, how many years after closure could the land be expected to be returned to public use?

COMMENT 47:

RESPONSE 47: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 47.

Reference to Topical Response #1 is not acceptable. See the NVC's rebuttal of Topical Response #1.

COMMENT 48:

RESPONSE 48: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 48.

The questions posed are certainly not beyond the scope of the EIR. The proponent has claimed that the EIR properly addresses the 215 million ton expansion, but refuses to answer, instead sloughing off questions to the decision-makers. The decision-makers have refused to consider anything but the 70 million ton landfill on County property. The decision-makers have not responded (either verbally or written) to the questions "forwarded to decision-makers". The failure by the proponent and the County to limit responses to a only a portion of the project and/or failure to respond to specific questions represents a failure to comply with CEQA requirements. The importance of these questions cannot be denied. The viability of the 215 million ton project is questionable if these considerations have not been addressed. Again, we repeat the questions. Since the landfill extension is claimed to be a contiguous entity by the proponent, how can the City permit a landfill that does not meet its specifications to cross over the County/City line, or conversly, the County permit a landfill that does not meet its specifications to cross over from City property into County property? Has this issue ever been examined before with either the City or the County? Shouldn't the more exacting regulations (either City or County) apply to the entire project? Who has jurisdiction on the County/City line itself as the landfill will be 400 feet deep in trash at this point?

COMMENT 49:

RESPONSE 49: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 49.

Again, we state that the proponents #29 Response to Comments is patently not true. See the North Valley Coalition's Response #29.

COMMENT 50:

RESPONSE 50: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 50.

Topical Response #27 is inadequate, fails to comply with CEQA, and erroneously describes the North Valley Coalition's proposal. See our rebuttal of Topical Response #27. The question of why wasn't a landfill that was limited to the City portion of Sunshine Canyon, or one that excluded SEA #20 also considered still stands?

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 51:

RESPONSE 51: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 51.

The residual impacts identified in Section 3.3 for the most part have been classified as "non significant" by the preparer of the document. What is the criteria for assigning "non significance"? In the case of each impact considered "non significant, precisely what information was used by the preparer to assign it to this category?

The proponent and the preparer have insufficient information to assess the impacts that cannot be mitigated, and those that they have assigned to non significance. The project DOES NOT ADDRESS: if and how the proponent will line the balance of the site; how the proponent will be able to maintain integrity of the groundwater when a portion of the expansion overlies the existing City landfill; which local regulations, design criteria, and enforcement (City or County) will be applied to the ultimate contiguous landfill both in each jurisdiction, and at the City/County line where the trash will be 400 feet deep? Why haven't these questions been answered (if they have precisely where), and how can you assess impacts if they have not? The proponent has failed to address the whole of the action. Reference to Topical Response #1 is not acceptable. See the NVC's rebuttal to Topical Response #1.



COMMENT 52:

RESPONSE 52: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 52.

The proponent has failed to answer the question correctly. Ninety plus acres is an extremely large area of potential slides. The past history of dealing with slides in Sunshine Canyon does not support the mitigation proposed. How will a large slide (same kind as referred to in Comment 52), with continual movement, threatening the stability of the landfill be handled? Also, the proponent has not addressed the questions of what and how this material will be treated if it is removed. Specifically, what areas are to be set aside for the material, how will dust be prevented from blowing off site, how will this loose material be protected in the rainy season?

The slope stability of the existing landfill is indeed questionable. When excavations were taking place for the installation of the incinerator in early 1990, additional slope had to be removed. This was according to BFI, made necessary because of a potential slide and threat to their water tank located just above the southeast berm area. This potential hazard occurred even after geologic examination by their engineering consultants, who had pronounced the slope and material as stable. Why hasn't the proponent recognized this information as being pertinent to the slope stability issue? Has this information been passed on to the Regional Water Quality Control Board for inclusion in their files? If not, why?

COMMENT 53:

RESPONSE 53: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 53.

The recent cut/fill area that were referred to were the ones that were not final (interim), and that would undergo additional work and/or be buried by subsequent application of trash. Since interim cut areas could range up to 90 degrees from horizontal, how will these interim "cut" areas be compacted to minimize erosion? Would the berms and ditched proposed be on the fill and/or cut area? Would the temporary ditches for the interim areas be lined? Topical Response #15 referred to here as part of the answer is deficient. See our Rebuttal to Topical Response #15. The statement of "with all costs of both planting and maintenance borne by the applicant" is self serving agrandizement. Who else might have been expected to bear the cost of planting and maintenance?

COMMENT 54:

RESPONSE 54: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 54.

The proponents reference to Topical Response #17 does not address the questions asked. See our Rebuttal of Topical Response #17. Additionally, Topical Response #17's subsequent internal reference to Topical Response #15 does not satisfy the questions posed. See our Rebuttal to Topical Response #15.

COMMENT 55:

RESPONSE 55: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 55.

The statement that "a landfill is an enormously complex and extensive operation" is concurred with. In the original comments the statement was that "the proper placement of daily , intermediate and final surface cover material will restrict leachate formation...", and that this was a mitigation measure. The NVC's original comment was intended to bring to the attention of the reviewers, BFI's modus operandi, which includes among other things, a disregard for the rules. The fact is that in the past, BFI has not engineered properly/abided by the rules, that they have been cited, and that these infractions were not small oversights or things that had occurred over a short duration. Since the violations include the very basics of landfilling, the on-site staff would have seen, and been aware of these infractions. If they were not aware of the infractions what hope have they of complying with the more extensive rules and regulations for the extension? Reference to Topical Response #6 & #7 is not acceptable. See the NVC's rebuttal to Topical Responses #6 & #7.

COMMENT 57:

RESPONSE 57: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 57.

The statement that "SEA #20 is a designation within the unincorporated County of Los Angeles portion of the canyon only", IS NOT TRUE. SEA #20 also extends over the City/County line. Additionally, SEA's were also established on City property as well. All oak trees that have been removed for the existing landfill ARE NOT COVERED BY THE EXISTING VARIANCE PERMIT FROM THE CITY OF LOS ANGELES. The NVC's original comment was intended to bring to the attention of the reviewers, BFI's modus operandi, which includes among other things, a disregard for rules and regulations. The fact is, that in the past, BFI has not abided by them. The removal of the City portion of the SEA and the removal of oak trees in the unpermitted City property was not a small oversight or something that occurred over a short period of time. BFI's on-site staff would have seen, and been aware of these infractions. If for some giant stretch of the imagination, they claim they were not aware, ignorance of the law cannot be claimed as a defense. If BFI thought they had a right to remove the trees based upon their interpretation of their variance, they were required by their variance to seek approval prior to any grading.

COMMENT 58:

RESPONSE 58: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 58.

We repeat the question once again. How can the mitigation measure as stated "The project's final cover material will be obtained from within Sunshine Canyon to retain soil composition for native flora", be offered as mitigation or even a partial mitigation for the loss of 2-1/2% of SEA #20? Cover material will be removed from, and will destroy the very 2-1/2% that the proponent claims to save. Also Topical Response #16 which offers East Canyon is not mitigation for loss of 2-1/2% of SEA #20 because it is itself located within SEA #20 and as such is afforded the same protection as the entire SEA. See the NVC's rebuttal to Topical Response #16. The Reference to Topical Response #2 also has no application here as the reduction of the footprint is only for "phase 1", (which takes out the best part of the oak trees and riparian woodlands), and subsequent phases will bury the rest. Additionally, the County is planning to remove the entire 542 acres from the SEA which will strip the flora and fauna in this area of any protection. Reference to Topical Responses #2 & #16 is not acceptable. See the NVC's rebuttal to Topical Responses #2 & #16.

COMMENT 59:

RESPONSE 59: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 59.

Reference to Topical Responses #15 & #16 is not acceptable. They do not answer the question posed.

The question of "How long will it take for the replaced oaks to equal the TOTAL effect that the destroyed oaks would have had on the environment?" was NOT ANSWERED. At what point in time will a given number of replacement trees have an effect equal to the effect the mature oak trees would have had on the environment (air quality)? Given the fact that, if no trees were removed, what would their total effect be on the air quality (air quality)? At what point in time would the replacement trees produce an effect on the environment (air quality) equal to the mature trees cumulative effect to that point in time. See the NVC's rebuttal of Topical Responses #15 & #16.

COMMENT 60:

RESPONSE 60: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 60.

The statement "Reportedly, there have been no historic problems with vectors at the existing landfill due to the method of operations..." is NOT TRUE. There have been reports by the Department of Sanitation indicating that vectors have been found as recently as early 1990. Where did the preparer get their information from to back up their statement?

In regards to the condors it was so stated in the NVC's Comment #677 that the condors referred to were Andean condors and that they were a part of a re-establishment study. The point being made that THIS AREA IS THE ANCESTRAL HOME RANGE OF THE CALIFORNIA CONDOR and that recently re-established Andean condors were sighted quite close to this area. The implication is threefold. One, that the success of this program will be dependent upon the survival of the Andean condors, and what is the potential harm to them from any poisons, bait, or commercial products? Two, Andean condors are also afforded protection. Three, that when the California condors are eventually re-established they will once again return to this area, and what is the potential harm to them from any poisons, bait, or commercial products?

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 61:

RESPONSE 61: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 61.

The response that "The applicant indicates that the currently proposed County-only project would not require relocation of the transmission line; therefore, there would be no impact to the County landfill extension project" fails to address the entire project as required by CEQA. The applicant is once again seeking to gain incremental approval of the entire project by selectively addressing a portion of the project. Further, by deferring and linking the relocation of the power lines to the City portion of the expansion, it reinforces the NVC's statement of incremental approval. The linking of the City approval to the relocation of power lines currently located on County property, and which will be relocated on County property, makes no sense. What input or control would the City have over County property, and who would determine the impacts and the need for an environmental document? How can the potential impacts of this entire project be determined if they have not been included?

COMMENT 62:

RESPONSE 62: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 62.

Except for the question of "exactly what sections will be resurveyed", the balance of the other questions asked HAVE NOT BEEN ADDRESSED by reference to the Response to Comment #820.

COMMENT 63:

RESPONSE 63: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 63.

The reference to Topical Response #17 is unacceptable. First, see NVC's rebuttal of Topical Response #17. Second, the topical response does not answer the specific question of "Will the applicant run water trucks at night when wind speeds exceed 15mph."



COMMENT 64:

RESPONSE 64: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 64.

The reference to Topical Response #17 is unacceptable. See NVC's rebuttal of Topical Response #17. Additionally, PM-10 size particulates are not addressed in this same response, and we find no information that specifically addresses the potential PM-10 generated by the landfill's dust and the proponents ability to meet state and local standards in that regard.

The response that "the reliability of the survey results (Councilman Hal Bernson's) has not been officially established", is noted. However, in the absence of corroborating evidence or evidence to the contrary, it is the second document which exist that has discovered an abnormal amount of upper respiratory distress in the area downwind of the existing landfill, and which will be downwind of any proposed expansion in the future. How can the impacts and cumulative impacts be properly assessed, and subsequently the EIR be approved, if questions of serious health problems exist in the downwind City neighborhoods when the County refuses to consider anything but the expansion on County property, and fails to request or perform studies to resolve the issue?

Numerous statements in your response are incorrect. Councilman Hal Bernson's survey was the "second" survey. The statement that "No information regarding a second survey has been provided the County", is FALSE. The survey referred to by the proponent as the "second" survey, is in fact the first survey done. It was performed by a local doctor and is part of the NVC's Briefing Document, Volume 2, submitted to the RWQCB, and hereafter made a part of the NVC's response by reference. Further, the proponent has copied this document in full, and has had the information in their possession for a number of years.

Still not addressed is why, after 1-1/2 years, the health study ordered by the City Zoning Administrator HAS NOT BEEN COMPLETED? In fact, the study's methology has only been debated. The actual gathering of data, its compilation, and the assessment had not yet started. How long will it be before a completed report will be available? How can the impacts and cumulative impacts be properly assessed and subsequently the EIR be approved if questions of serious health problems exist in the downwind neighborhoods and the requested studies have not been completed and the issue not resolved?

The preparer also states that "The applicant indicates that there is no other know evidence that adjacent residents are affected as noted in this comment". How was this conclusion arrived at? In the absence of the City Zoning Administrator's study how is the affect on adjacent residents know? Were any studies conducted which included the "adjacent residents"? Specifically, what areas were considered as being adjacent?

COMMENT 65:

RESPONSE 65: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 65.

Again we reiterate, the proponents statement that the "Project may reduce potential regional air emissions by reducing distance of trips which would otherwise be taken to landfills located further from waste material generators", IS NOT A MITIGATION FOR THE AIR QUALITY DAMAGE TO THE COMMUNITIES SURROUNDING THE PROPOSED LANDFILL. The argument that it is a mitigation because .."the Sunshine Canyon extension is the best alternative for waste hauling truck travel distances serving the regional disposal need", is self serving, represents an opinion of the document preparers, and has no supporting data. What data is available to support this contention? According to the County Planning Department, at a NVC meeting with Supervisor Antonovich on November 16, 1990, Sunshine Canyon is at the very edge of the County waste generation and recycling stream. In view of this fact other landfill sites may be more desirable because they are/would be in a more centralized location. Further, the County has stated and included conditions to deny the City access to the expansion, if the City does not approve the expansion project on City land. The waste trips generated by the City cannot enter into any equation to determine if the landfill best serves the need of the region.

COMMENT 66:

RESPONSE 66: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 66.

The Topical Response #18 referred to by the proponent does not answer the questions posed. See the NVC's rebuttal to Topical Response 18. The question of how "the potential sale of landfill gas" can be used as mitigation, when no viable customers have been found still remains? The statement that "currently, insufficient quantities of landfill gas are collected at the existing landfill for viability of commercial sales", is FALSE. The current rate of methane production is as great as it always was. The only reason that sales have stopped is that the one and only customer, the Newhall-Saugus Refinery, has stopped purchasing the gas. The new incinerator was sized to burn up to 6 million cubic feet of methane gas per day, which is greater than any sales ever were. Additionally, the new system is collecting more gas than before because the operator was required by law (1150.1) to reduce the levels of methane at the surface of the landfill from 500 ppm to 50 ppm. What evidence does BFI have that methane gas generation on the landfill has decreased? What interested customers do they have and what are the economics of delivering gas to them if a pipeline is involved? The proponents answer that "the currently proposed County-only portion of the landfill extension would produce and estimated 32 MMCFD of landfill gas", IS NOT ACCEPTABLE as a answer to a question that involved the entire project with a potential gas generation rate of 70-100 million cubic feet of methane gas per day. By addressing only the County landfill extension, the proponent has failed to address the entire project as required by CEQA. The applicant is once again seeking to gain incremental approval of the entire project by selectively addressing only a portion of the project.

COMMENT 67:

RESPONSE 67: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 67.

The questions of, "why hasn't air monitoring for dust been proposed?", and "how have these (meteorological and gas migration monitors) been used to modify the existing system?", remain unanswered. Have the new wind roses been incorporated in the EIR? What is the impact of these now DOUBLED wind velocities? The NVC protests the inclusion of summarizations of wind speed data such as "the overall wind speed was determined to be 9.9 miles per hour with a maximum one-hour measurement of 45 miles per hour", without the inclusion of the requested wind speed data readings from the on-site anemometer to substantiate this information. Why weren't the requested wind data readings from the anemometer included as requested? Reference to Topical Response #17 is not acceptable. See the NVC's rebuttal to Topical Response #17.

COMMENT 68:

RESPONSE 68: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 68.

The response offered and the reference to Topical Response #19 is not acceptable. Again we repeat the statement. "THE LANDFILL OPERATING IN ACCORDANCE WITH SCAQMD RULES AND REGULATIONS IS NOT A MITIGATION BUT A REQUIREMENT FOR OPERATION OF THE LANDFILL". While the proponent and the preparer attempt to paint a pretty picture of a corporation blithely complying with rules and regulations, the facts show otherwise. For instance Exhibit "BB90" was submitted by the NVC to the City Zoning Administrator and is a part of the ZA 17804 file. This ZA document is hereby incorporated by reference. Please confirm or deny that BFI sought on numerous occasions to be granted exemptions as indicated.

PAGE 83

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

EXHIBIT"BB90"

Correspondence NVC to City Zoning Administrator  
BFI seeks exemptions from local and State regulations  
Part of ZA Case Number 17804 et al

BFI HAS TRIED TO AVOID LAWS THAT PROTECT THE PUBLIC & ENVIRONMENT

Historically, BFI and their predecessors have ignored or tried to circumvent the laws that protect the environment and the public.

The NVC used the Minimum Regulations for Dumps in the City of Los Angeles to address violations in the Zoning Permit only because these were made part of the case through Condition 1 which states that they:

> "...shall have the same effect as if herein stated in detail as a condition of the permit."

BFI has introduced the broad spectrum of State and Federal regulations; therefore, we will respond briefly and we reserve the right to comment more fully if they become an issue in the case.

For many years, the community has been concerned about the water testing program at the landfill. Knowing that the major water treatment facilities of the City and County lay directly adjacent to the landfill, we assumed that a ground water monitoring program of some kind was in place. In 1986, when we learned that the landfill (by then the largest in the city), had never had any kind of ground water testing performed, we were appalled.

We found that Waste Discharge Requirements had been recommended for this landfill since 1966 (letter James J. Doody, District Director of Water Resources). We learned that a Waste Discharge Permit had been required by law (California Administrative Code) since 1984. We wrote to the Regional Water Board in 1986 and 1987 and made many phone calls expressing our deep concern and asking for corrective action.

In late November of 1987, the Regional Water Board established Waste Discharge Requirements and water testing is at last being conducted nearly thirty years after this facility opened. BFI asked to be exempted from vadose monitoring requirements (memo, Regional Water Board attached).

In the summer of 1986, when the odors were completely uncontrolled, it was the community and the Councilman's office who pushed for a gas collection system to be built. As a result of our complaints, BFI was issued a notice to comply. In the subsequent AQMD hearings, BFI, under testimony, misrepresented facts and lied about conditions in order to obtain a variance and to avoid being fined. (We do not make this accusation casually and can substantiate this with documentation.) During this process and subsequently, BFI attorneys met with AQMD trying, alas, not to see how they could alleviate the problem, but rather to see how they could be exempted from Air Quality Regulations and state laws.

This is the sorry record:

BFI's lawyers met with South Coast Air Quality Management District's legal staff in an attempt to get an amendment to rule 1150.1c6, a law that requires controls on gas emissions from landfills in order to reduce odors, gases and toxics that are being released into the air (hearing, AWMD, Dec. 10, 1986).

BFI requested that it be exempted from a State Law AB3374, which required a series of tests of landfills to determine what toxic gases were present and in what quantity and to see if gas was migrating off site (AQMD memo, July 21, 1987, Fred Lettice).

When it came time to notify the community about the proposed incinerator to process landfill gas, BFI tried to be exempted from the law requiring notification, District Rule 212 (letter to Curtis Coleman, District Counsel AQMD from Sharon Rubalcava), asked for a more limited notification area, and asked for substantive changes (memo to File, Fred Lettice, July 21).

In our opinion, BFI has tried consistently to avoid laws that protect the community and the environment.

PAGE 85

INVC EXHIBIT "BB90" PAGE 2 OF 2

COMMENT 69:

RESPONSE 69: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 69.

The NVC still insists that the Future Table is incorrect. "Parking of commercial vehicles WILL be prohibited", cannot be offered as mitigation because these restrictions ALREADY EXIST. Additionally, the applicant has no power to enforce these restrictions, and up to now, the City of Los Angeles has NOT diligently enforced this restriction. How many citations have been issued by the City since these restrictions were enforced? The preparer states that "...the landfill operator further discourages this by its existing practice of opening the main entrance gates earlier in the morning to allow queuing". While this is true for the landfill on City property, the expansion is on County property and the City (City Zoning Administrator) has been assured by BFI (ZA Case 17804 et al) that queuing (stacking) will NOT occur on City property. Where will the queuing (stacking) occur if not on City property and have the impacts been addressed in a County-only proposal? The reference to Topical Response #22 is not acceptable. See the NC's rebuttal of Topical Response #22.



COMMENT 70:

RESPONSE 70: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 70.

Again, the City (City Zoning Administrator) has been assured by BFI (ZA Case 17804 et al) that queuing (stacking) will NOT occur on City property. Where will the queuing (stacking) occur if not on City property and have the impacts been addressed in a County-only proposal? How will the 6 lanes referred to be built? Who will approve them? Doesn't this represent incremental approval of the entire project? How can traffic improvements be predicated on a daily waste intake of 9000 tons, if as the preparer states, that County Planning will exclude recycled material from a daily refuse burial limit? Why isn't the total tonnage received (buried + recycled) used to trigger improvements? How will the County guarantee the improvements located on City property? If they cannot be guaranteed by the County, this alleged mitigation is NOT A MITIGATION. The reference to Topical Response #22 is not acceptable. See the NVC's rebuttal of Topical Response #22.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 71:

RESPONSE 71: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 71.

The statement that "Traffic impact calculations indicate that the only roadway improvement that would be required prior to the proposed landfill extension operations is the restriping and signing at Balboa Road", is plainly insufficient. Traffic when the landfill was accepting 7500 tons per day was horrendous. Even the 6000 tpd contemplated by County Planners, along with the excluded recycled material, will easily surpass the 7500 tpd. The City has had no say in the approval or denial of this project. How is the City to maintain control over the roadways it administers if it cannot control the inflow or the landfill's permit conditions under which traffic improvements must be made?

The statement that "Improvements at the landfill entrance would be necessary once daily waste intake reaches 9000 tpd" is misleading. BFI has stated at recent City Zoning Administration Hearings, that the City would not be impacted by the improvements that they stated were required for utilization of the northern canyon. Among these improvements was the relocation and enlargement of the entrance. How was this "entrance improvement" not a part of the County expansion, and how is the City not impacted by the improvement? How can traffic improvements be predicated on a daily waste intake of 9000 tons, if as the preparer states, that County Planning will exclude recycled material from a daily refuse burial limit? Why isn't the total tonnage received (buried + recycled) used to trigger the improvements? How will the County GUARANTEE the improvements located on City property? If they cannot be guaranteed by the County, this alleged mitigation is NOT A MITIGATION. The reference to Topical Response #22 is not acceptable. See the NC's rebuttal of Topical Response #22.

COMMENT 72:

RESPONSE 72: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 72.

Why is a second northbound left-turn lane on Balboa considered to be mitigation for an over 100% increase in truck traffic? Also see prior NVC response to Comment #71.

COMMENT 73:

RESPONSE 73: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 73.

The statement that "...the limiting of the proposed landfill extension hours of operation does represent an effective mitigation measure which would result in the minimization of noise during nighttime hours", is NOT TRUE. BFI has LIED about the existing permitted hours of operation. The proposed expansion hours represents an extensive INCREASE IN HOURS OF OPERATION and therefore CANNOT BE CONSIDERED mitigation. See the NVC's response to BFI's Response to Comment #41.

COMMENT 75:

RESPONSE 75: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 75.

The investigation of options for other frequency backup alarms which meet JState and Federal OSHA requirements is not enough. As we have already testified, the high frequency sounds are the ones most distressing to residents in the area, not to mention animals. If no other backup alarms can be found how will this nuisance be mitigated? Is the tranquility of our parks forfeit and the residents of the surrounding areas expected to put up with it? Reference to Topical Response #21 is not acceptable. See the NVC's rebuttal of Topical Response #21.

COMMENT 76:

RESPONSE 76: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 76.

The preparer's statement that "The proposed landfill extension area would be in a deeper, more remote area of Sunshine Canyon, farther away from residences to the south and east than the existing landfill operations..", is DECEPTIVELY MISLEADING. The entire 215 million ton project must be addressed under CEQA. Only the County-only extension would be further away. This answer DOES NOT ADDRESS THE CITY PORTION. Additionally, the landfill will be built up until it once again is only 50-feet vertically and horizontally from the surrounding ridgelines both City and County. The statement that the landfill operator's compliance with requirements for ridgeline protection and fill height limitations rests with the County Department of Health Services (DOS) as the lead enforcement agency, is less than reassuring. In the past, the DOS has testified on BFI's behalf, that landfills have never caused any harm to the surrounding communities. Additionally, members of their upper management have displayed disdain for residents by participating in organizations which have printed and distributed material labelling complaining residents as NIMBYS.

Reference to Topical Response #15 is not acceptable. See the NVC's rebuttal of Topical Response #15.

COMMENT 77:

RESPONSE 77: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 77.

The proponent and the County have failed to come to grips with the fact, that the Newhall-Saugus Pass in which the landfill is located, is a windtunnel. It possesses a unique climatology found nowhere else in Los Angeles and Los Angeles County. Indeed no other landfills have been situated in such a windy location. No amount of mitigation short of No-Project will prevent dust and litter from going offsite. The existing landfill and the proposed extension will be detrimental to the health and welfare of the downwind residents. Reference to Topical Response #17 is not acceptable. See the NVC's rebuttal of Topical Response #17.

COMMENT 78:

RESPONSE 78: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 78.

The response does not address the point that was raised, and so we shall restate it for clarity. Given BFI's past poor record, and given the observations of the public and elected officials that the Waste Load Checking Program was not being done properly in the City, what sort of enforcement monitoring will be done by the County to insure that BFI performs properly, and what penalties will be assessed for failure to do so?

COMMENT 79:

RESPONSE 79: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 79.

The mitigation measure that "All liquids will be prohibited from entering the landfill", as previously stated is easy to say. BFI refuses to acknowledge City records which show that BFI accepted liquid waste (Hyperion digester cleanings that did not meet the solids content required). Given BFI's past poor record of complying with such requirements the question of how can we expect them to comply in the future remains? What sort of enforcement monitoring will be done by the County to insure that BFI performs properly, and what penalties will be assessed for failure to do so? The reference to Response to Comment #39 is not acceptable. See the NVC's response to Comment #39.

COMMENT 80:

RESPONSE 80: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 80.

The reference to Response to Comment #78 is not acceptable. See the NVC's response to BFI's Response to Comment #78.

PAGE 32

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 81:

RESPONSE 81: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 81.

The statement "The information provided in this comment is noted and will be forwarded to decision-makers for their consideration" is not acceptable. The proponent still has not corrected the EIR. Further, in what form were the decision-makers notified? How will they acknowledge receiving the information? How and when will they respond to the comment?

COMMENT 82:

RESPONSE 82: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 82.

The statements made here DO NOT ANSWER THE QUESTIONS ASKED. Additionally, Topical Response #24 does not answer the questions posed. Please respond to the original questions directly.

COMMENT 84:

RESPONSE 84: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 84.

The DEIR DOES NOT ADDRESS the "No-Project" Alternative in accordance with CEQA Guidelines Section 15126(d). There is no proof that the No-Project alternative would jeopardize the ability of the City and County to meet the immediate and long-term regional waste disposal needs in accordance with the SWMAP. Data supplied to time of crises in the SWMAP is erroneous. Since the County has threatened to stop the City dumping in the County extension if it does not approve the expansion on City property, realistically there can be no way to include the City and its ability to meet the immediate and long-term regional waste disposal needs. The No-Project Alternative also fails to take into account "rail haul" as a viable alternative in the next 5 years. Still not corrected or addressed is the fact that THERE ARE NO GUARANTEES OF ANY POSSIBLE PUBLIC USE OR THAT THE LANDFILL WOULD BE KEPT AS VISUAL OPEN SPACE. What guarantees are there that so long as this land remains in BFI control that they will not establish some other industry there or possible mine the landfill for recoverable metals? What guarantees the preservation of what has been planted there when the landfill is finally closed?

COMMENT 85:

RESPONSE 85: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 85.

The statement "The information provided in this comment is noted and will be forwarded to decision-makers for their consideration" is not acceptable. The proponent still has not corrected the EIR. Further, in what form were the decision-makers notified? How will they acknowledge receiving the information? How and when will they respond to the comment?

COMMENT 86:

RESPONSE 86: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 86.

Reference to Comment #84 is not acceptable. See NVC's response to BFI's Response to Comment #84.

COMMENT 87:

RESPONSE 87: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 87.

Identifying Sunshine Canyon as a "potential site" in the COSWMP or the SWMAP for Los Angeles, does not automatically make it a landfill site. It does not fit the General Plan. Reference to the fact, that in the late 1970's the City of Los Angeles had proposed using Sunshine Canyon as landfill still has no bearing on the statement that "the land purchase was speculative" and that BFI had no guaranteed available resource capacity, because the City's proposal had already been defeated. Reference to Topical Response #25 is not acceptable. See the NVC's rebuttal of Topical Response #25.

COMMENT 88:

RESPONSE 88: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 88.

The reference pages in the DEIR (267-281) DO NOT ANSWER THE NUMEROUS QUESTIONS POSED. Also the Topical Response #25 DOES NOT ADDRESS THE NUMEROUS QUESTIONS POSED IN #88. See the NVC's rebuttal of Topical Response #25. Topical Response #26 DOES NOT ADDRESS THE NUMEROUS QUESTIONS POSED IN #88. CEQA requires that you answer the questions. The public is tired of being put off, of being referred to Topical Responses which do not address the questions asked. Why won't the proponent answer the questions directly as required by law?



COMMENT 89:

RESPONSE 89: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 89.

Again we take issue with the proponent. The proponent does nothing to explore the alternatives as directed by CEQA. References to Response to comment #265 and #299 is not acceptable. The proponent HAS NOT diligently tried to assess if the alternatives would reduce environmental impacts to a level that would make them environmentally superior to the currently proposed project. Reference to Topical Response #25 is not acceptable. See the NVC's rebuttal of Topical Response #25.

COMMENT 90:

RESPONSE 90: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 90.

Reference to Topical Responses #15, #16, #17, #18 & #25 is not acceptable. See the NVC's rebuttal of Topical Responses #15, #16, #17, #18 & #25.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 91:

RESPONSE 91: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 91.

The referenced Response to Comments #90 and #915 and Topical Responses #25, #26, and #28 are noted. We continue to disagree with the proponent that recycling as an alternative cannot be reasonably ascertained and that its implementation is remote or speculative. The adoption and implementation of AB 939 with a 50% waste reduction will have a great impact on the waste stream. Large corporations have, and will continue to join the recycling effort. An example would be McDonalds plan to discontinue use of styrofoam packaging. Reference to Topical Response #25 is not acceptable. See the NVC's rebuttal to Topical Response #25.

COMMENT 92:

RESPONSE 92: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 92.

The proponents response to the smaller landfill alternative is unacceptable. The point being made that they have not considered a truly smaller alternative because they have sought to maximize their profit. The proponents and their consultants have not sat down and tried to make an innovative attempt to preserve the woodlands. An argument of economic infeasibility cannot be used here as no financial data has been submitted to support that contention for a smaller alternative or an alternative which significantly reduces the vegetation impacts. Indeed the whole of the EIR's Alternatives discussion and the County's purported analysis of Alternatives are both woefully inadequate. The proponents have expressly rejected identified alternatives that would plainly cause less harm to the environment, on the sole basis of their being economically infeasible. The record, however, offers no support for any such conditions. Without such specific comparative data, no meaningful conclusions regarding the feasibility of the alternatives can be reached. Reference to Topical Response #2 & #15 is not acceptable. See the NVC's rebuttal of Topical Responses #2 & #15.

COMMENT 93:

RESPONSE 93: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 93.

The proponent continues to refuse to answer the questions posed in the original comments. The referenced Response to Comments #92 and Topical Response #26, Response to Comment #84, Response to Comment #66 and Topical Response #18 does not answer the specific questions. References to Response to Comments #66, #84 & #92 are not acceptable. See the NVC's response to BFI's Response to Comments #66, #84 & #92. References to Topical Response #18 is not acceptable. See the NVC's rebuttal of Topical Response #18.

COMMENT 94:

RESPONSE 94: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 94.

The NVC disagrees with the proponent and states that the referenced Responses to Comments #89, #265, and #299 and Topical Responses #25 and #27 do not address the issues raised and fail to comply with CEQA. See the NVC's response to BFI's Response to Comment #89 and its rebuttal of Topical Responses #25 & #27.

COMMENT 95:

RESPONSE 95: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 95.

Reference to Topical Response #29 is not acceptable. See the NVC's rebuttal of Topical Response #29.

COMMENT 96:

RESPONSE 96: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 96.

Saying that "this comment is noted" is not acceptable. The damage done by distorting history, and misleading the reviewing agencies and the public, cannot be undone by "this comment is noted". We demand that the record be corrected. Reference to Response to Comments #39 is not acceptable. The proponent continues to lie about the solids content of the material. See the NVC's response to BFI's Response to Comment #39.

COMMENT 97:

RESPONSE 97: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 97.

The comment that it was digester grit is acknowledged. However, it has sludgelike qualities. This material was more liquid than solid, consisting of a mixture of inorganic and organic matter, and heavy metals. The dictionary defines sludge as:

"any heavy, slimey deposit, sediment or mass, as the waste resulting from oil refining, the mud brought up by a mining drill, the precipitate in a sewage tank."

Reference to Response to Comments #39 is not acceptable. See the NVC's response to BFI's Response to Comment #39. The proponent continues to lie about the solids content of the material.

COMMENT 98:

RESPONSE 98: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 98.

The preparer states that "The applicant indicates that if the need arises for ash to be accepted, all proper precautions would be taken to isolate the dumping area and contain the material on-site". What and who will determine the need? Will the requesting persons/agencies be informed of the wind hazards in this area? Precisely what are these precautions? Will the County monitor the dumping? Who will decide if the ash is not being properly contained? What actions will be taken if it is not properly contained? Will the public be notified of plans to dump ash and will the public be notified if the ash is not properly contained?

COMMENT 100:

RESPONSE 100: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTION/ISSUES POSED IN COMMENT 100.

The differences of opinion between the City and the applicant have serious bearing on the case. Seeking approval from the County for the County-only extension and later seeking access, and stacking area from the City, represents incremental approval of the entire project. BFI claims that the EIR addresses all impacts of the entire 215 million ton project on both County and City, yet they do not have approval to have the access or the stacking road located on City property. BFI has claimed in front of the Zoning Administration, City of Los Angeles, in ZA Case 17804 et al., that the County extension would have no impact on the City, yet the toll booths, stacking roadway and access into the County are on City land. The air impacts of idling truck traffic in the nearly proposed 1-mile stacking area in the City have not been addressed.

PAGE 100

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK

RESPONSE 116

Averaging is not a satisfactory way to assess non-methane organics. What were the highest amounts of the detected organics? Please also include other organics found on site by AQMD tests i.e.

Chloroform  
Methyl Chloroform  
Toluene  
Trichloroethylene  
Xylene

AQMD tests found Benzene at 7.1 ppmv, perchloroethylene at 13.1 ppmv and vinyl chloride at 12.7 ppmv.

Through averaging, test results can be diluted with samples taken at points least likely to conduct gases to produce misleading results.

If a health risks analysis is being prepared based on this a type of information it is totally inadequate.

PAGE 102

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK



## **ATTACHMENT B**

**Written Comments Received subsequent to the November 29, 1990  
Board of Supervisors Public Hearing, through December 15, 1990. (Section 5.0)**

\* DOCUMENTS ALSO SENT AS  
FAX 12/14/90



North Valley Coalition

L.A. COUNTY  
DEC 17 AM 9:51  
DEPARTMENT OF  
REGIONAL PLANNING

REC  
12/15  
TX  
DW

### Fax Transmittal Memo

No. of Pages	24	Today's Date	12/14/90	Time	
To	SUNSHINE CANYON LANDFILL EXPANSION				CASE # 86312
Company					
Location					
Fax #	(213) 620-0636		Telephone #		
Comments					
PAGES NUMBERED FROM PAGE					
103 TO PAGE 126 AND IS AN					
ADDENDUM TO OUR PREVIOUS SUBMISSION					
ENDING AT PAGE 102.					

From	NORTH VALLEY COALITION				
Location					
Fax #	1-818-360-0457 (OUR FAX PICKS UP AFTER 6 RINGS)				
Telephone #	1-818-360-7635				
Comments					

PAGE 103

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

SECTION 4 SECTION 4 SECTION 4

ADDITIONAL COMMENTS ON  
TOPICAL RESPONSES (SECTION 2) & RESPONSE TO COMMENTS  
(SECTION 3)  
SUBMITTED DURING EXTENDED COMMENT PERIOD  
11/29/90 AND 12/15/90

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 5:

REBUTTAL TO TOPICAL RESPONSE 5: While BFI's consultants were unable to find the fault indicated in the Alquist-Priolo Special Studies Zone it does not mean that it does not exist. The State maps still indicate that a Holocene fault is present in that area. It should be noted that majority of the geologic work has been conducted on County land, and that the faults located in the City property (north, east and south) have for the most part been ignored. The geologic structures beneath the existing landfill are particularly suspect since a number of fault traces pass directly through it. Since the proposed expansion covers both of these areas additional work needs to be done here. The DEIR states that the Santa Susana fault is inactive, however, the County's Solid Waste Integrated Waste Management Plan rejects Browns Canyon because the Santa Susana fault is considered ACTIVE. As stated before, the fact that the existing City landfill did not collapse during the 1971 San Fernando earthquake is not proof of inherent stability of a sanitary landfill. At the time the landfill was only 200 feet in depth, not the 400 feet that it is now. The cells were only 9-foot cells, not the 15-foot cells used by BFI after 1978. The cells proposed for the expansion are 20-foot cells so we believe that there is no comparison. An earthquake of similar magnitude to the 1971 San Fernando earthquake would bring totally different results, if not for the reasons above, then because of the failure to construct cells properly (they were cited) for this, or for the dangerously steep slopes that has resulted from poor engineering.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 19:

REBUTTAL TO TOPICAL RESPONSE 19: The opening statement that, "The air quality and public health analyses provided in the Draft EIR and technical support documentation indicate that emissions for the proposed flaring system would not significantly impact air quality or pose a risk to public health and safety", is not correct because the premise on which it is founded, is 40 MMCFD and not 70-100 MMCFD. See the NVC's rebuttal to Topical Response #18. The proponent goes on to state that "The proposed landfill extension would be equipped with... ..landfill gas flaring (incineration) system comprised of eight flares...". How can eight flares of a size comparable to the existing incinerator (6 million) incinerate 70-100 MMCFD? By my calculation there is only capacity to incinerate 48 MMCFD. The charade of gas sales should not be used to account for the difference because there are NO CUSTOMERS AVAILABLE. According to the proponent "Modeled worst-case air quality and public health impacts were projected to occur in the immediate vicinity of the landfill flares in areas that are unpopulated and are characterized by very rugged terrain". These incinerators are to be located on the very periphery of the landfill, in proximity to O'Melveney Park and the proposed Santa Clarita Woodlands Park. We believe that the impacts on these areas, to the hikers and horseback riders has not been properly addressed. Only eight combustors were used for a health risk assessment. This does not represent the potential 70-100 MMCFD for the entire project, therefore the cumulative health risk has been understated by a least a factor of 2 and exceeds the SCAMD Rule 1401 threshold criteria of 1:1,000,000. Additionally, the collection system does not collect all gases generated by the landfill. A substantial portion, up to 50% will outgas from the landfill, and these HAVE NOT BEEN INCLUDED in the modeling and risk assessment.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
REBUTTAL TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

TOPICAL RESPONSE 24:

REBUTTAL TO TOPICAL RESPONSE 24: The statement that "the State Water Resources Control Board and the State Department of Health Services, however, regard the hazards presented by disposal of residential refuse in sanitary landfills as insignificant (Mission Canyon Landfill Draft and Final Environmental Impact Report, The Sanitation Districts of Los Angeles County, 1980)", and "The County of Los Angeles Department of Health Services also indicated at the October 4, 1989 Planning Commission hearing for this project, that based on inspection programs carried out by the Department, which included Sunshine Canyon, there is little evidence that hazardous or unacceptable materials are entering landfills in any significant quantity", is not adequate evidence that a problem does not exist. First, Mission Canyon's disposal capacity (under 30 million tons) cannot be compared to Sunshine Canyon. The sheer volume of even a small percentage of toxics must be considered when dumped in one place. The County has failed to take into account that a 215 million ton landfill could pose a potential of 2,150,000 TONS OF TOXIC MATERIAL from HOUSEHOLD WASTE alone. Among these waste such things as household cleaners, pool cleaners, car batteries, general purpose batteries, nickel cadmium batteries, solvents, insecticides, oils, acids, paints, et cetera, find their way daily into any landfill. The mixing of these chemicals under heat and pressure along with the products of aerobic and anerobic decay combine to form other toxics, all of which can be transported by the methane outgassing, and in the production of leachate. The reviewers did not take into account that the 20 million ton City portion of Sunshine Canyon ALREADY HAS A POTENTIAL 20,000 TONS OF TOXICS IN PLACE, and that through outgassing at the surface and even after incineration toxics are being released into the atmosphere.

Mission Canyon has had significant problems with slumping, leachate formation, methane gas, et cetera, all of which have been quite swept under the carpet by the County. Even BFI's principal attorney in this action has testified as to how dangerous Mission Canyon was, and how it posed a threat to the children of the nearby school with its toxic gases.

Seventeen (17) out of twenty (20) municipal landfills (Class III) surveyed by the SCAQMD contain significant quantities of hydrocarbons and even Sunshine Canyon Landfill shows significant quantities too.

The applicant's six-point Waste Load Checking Program still does not stop household toxics. Unless every load is inspected there will always be toxics getting in. The question of landfill personnel stopping dumping operations if some toxic is detected is wishful thinking on the part of the proponent. Indeed the proponent's lack of proper inspections, as observed by the public and the Councilman's office, plus the number of times that responsible agencies have been called for illegal dumping of toxics demonstrates BFI's failure to prevent toxics from entering the landfill now or in the future. In the latest instance, during a BFI sponsored tour for CBE in 1990, in front of a number of witnesses, a vehicle was dumping material, when suddenly a large column of red dust rose in the air. It was easy to see that amongst the trash there was a great quantity of red powder that had apparently spilled from some container. With red dust swirling in the air, the landfill's dozer continued to move and crush the material without stopping to check the material or to seek help in determining the toxicity of the material (photographs and affidavits can be made available on request).

PAGE 108

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK



NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 101:

RESPONSE 101: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 101.

The preparers comments that "...these issues are not relevant to the analyses of the DEIR", and that "the 5-Year engineering review was completed prior to the preparation of the DEIR is incorrect. First, the questions are relevant because they attempt to bring into the record and into public and agency scrutiny, the applicant's LACK of timely compliance with 5-Year Permit Review process and to demonstrate the folly of trusting BFI. Second, the 5-Year engineering review WAS NOT COMPLETED prior to the DEIR.

COMMENT 102:

RESPONSE 102: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 102.

The proponent still has not removed the erroneous statement made as it relates to non-hazardous solid waste material and which in part states that "...but which neither include toxic substances not those capable of significantly impairing the quality of the environment." The reference to Topical Response #24 is not acceptable. See the NVC's rebuttal to Topical Response #24.

COMMENT 103:

RESPONSE 103: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 103.

Reference to Topical Response #24 does not answer the questions posed. See the NVC's rebuttal of Topical Response #24. Reference to BFI's Response to Comments #39 is not acceptable. See the NVC's response to BFI's Response Comments #39. The fact that "asbestos is not a permitted Class III waste and would not be accepted at the proposed landfill.", and "The applicant indicates that if asbestos materials or suspicious matter are detected entering the landfill through the Waste Load Checking Program...", will not prevent asbestos from entering the landfill. The proponent has missed the point. There are an estimated 300,000 buildings that contain asbestos and that numerous buildings are demolished/remodeled by individuals or companies not licensed to remove this material. Testimony and submissions of BFI's failure to load check properly, and the lack of training on the part of their employees at the City landfill cannot be dismissed and must be taken into account. Asbestos takes many forms from duct lining material, to sprayed on material, tiles both floor and ceiling, et cetera. Since this material normally comes as part of mixed demolition debris how has BFI's personnel recognized the many forms of this material in the past? Precisely what form of training has BFI done in the past to train these people? If asbestos is present in whatever amounts, how was it prevented from blowing offsite or contaminating surface waters? How will BFI handle the questions posed above in the future?

COMMENT 104:

RESPONSE 104: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 104.

Reference to Response to Comments #44 is not acceptable. See the NVC's response to BFI's Response to Comments #44.

COMMENT 105:

RESPONSE 105: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 105.

Whether or not the applicant would accept all public and private trash is not the point here. The EIR fails to address the issue of the County threatening to refuse to accept City trash, and the possibility of the City denying access to the County for the County portion of Sunshine in retaliation. The NVC believes these issues to be germane. Part of the justification and the acceptance of this project is based on Sunshine providing an answer to an impending trash crises, and that it must be approved for overriding considerations. How can this project be justified and approved for these reasons, if the City of Los Angeles, population 7,000,000 plus, can be excluded from use of this landfill?

COMMENT 108:

RESPONSE 108: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 108.

The rationale that 20-foot cell heights are more efficient because they "would minimize the disturbed area of the landfill site at any one time due to a longer period of operations on each cell", is not understood. The cell lengths and widths are the same. The only difference is in height. Each must be covered after 3 feet or at the end of each days filling. The only advantage is the fact that the thicker cell top cover need only be applied after 20-feet, and not after 15-feet. The same amount of cut and cover would be required, so just how is the disturbed area minimized? Reference to Topical Response #17 is not acceptable. See the NVC's rebuttal to Topical Response #17.

COMMENT 109:

RESPONSE 109: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 109.

The statement that "The landfill operator proposes to keep weekly records to track fill areas of the site which are transferred to an inactive status...", is not acceptable. Has this proposal been put forward to the County? Will it be included as a condition? Has a system to notify the responsible agencies (the appropriate checks and balances) been established to prevent cheating? Will the areas be staked out, roped off, or appropriately marked? Reference to Topical Responses #15 & #17 is not acceptable. See the NVC's rebuttal to Topical Response #15 & #17.

COMMENT 110:

RESPONSE 110: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 110.

The statements of plans to final cover the City extension are so much smoke. The applicant in their Closure and Post Closure Maintenance Plan submitted to the Bureau of Sanitation on page 7 states:

"Sideslopes

Closure of the existing landfill slopes using a conventional layered soil cover system would not be a cost effective approach due to the steepness of the slopes and dangerous construction conditions which would be presented. This system may also be cost prohibitive. It is therefore the operator's intent that closure of the slopes be accomplished by demonstrating that the existing cover provides an engineering equivalent to the required layered cover system."

The conditions relative to a proper liner have not been address by the statement, "...the existing landfill would have a final cover at its interface with the new landfill extension which would include a one foot minimum compacted soil liner...". Is this an additional layer? What about a synthetic liner? Will the interface between the two fill be the same as the sides of the proposed liner system for the County? The slope stability analysis contained within Appendix C of the Report of Waste Discharge do not address the effects of overlaying the sides of the landfill with another fill but only the potential to support the existing

landfill. What is the effect and the potential problems posed by the overlaying the sides of the existing landfill?

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 111:

RESPONSE 111: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 111.

The proponent variously addresses the County portion of the extension and sometime the City portion. The preparer states, "The applicant proposes to provide a liner system within the entire canyon extension...", For the record, is the City portion of the extension included? Will it be of the same design, and will the sides of the existing City landfill receive the same side treatment as the County portion?

COMMENT 112:

RESPONSE 112: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 112.

Reference to Response to Comment #34 is not acceptable. See the NVC's response to BFI's Response to Comment #34.

COMMENT 113:

RESPONSE 113: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 113.

Reference to Topical Response #15 is not acceptable. See the NVC's rebuttal of Topical Response #15. Reference to Response to Comments #53 is not acceptable. See the NVC's response to BFI's Response to Comments #53.

COMMENT 117:

RESPONSE 117: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 117.

Reference to Topical Response #18 is not acceptable. See the NVC's rebuttal of Topical Response #18. Reference to Response to Comments #66 is not acceptable. See the NVC's response to BFI's Response to Comments #66.

COMMENT 118:

RESPONSE 118: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 118.

Reference to Response to Comments #68 is not acceptable. See the NVC's response to BFI's Response to Comments #68.

COMMENT 119:

RESPONSE 119: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 119.

The statement that "Under normal circumstances, there would be no illuminescence from the flares. Under low cloud cover conditions, some illuminescence may occur", is not sufficient. Precisely who made this judgement and what information do they have to back up this conclusion? In reference to the landing approaches to Van Nuys and Burbank, were the proper aviation authorities contacted and what was their reponse? What effect will the illuminscence have on nocturnal animals and nearby residents? Reference to Topical Response #19 is not acceptable. See the NVC's rebuttal of Topical Response #19. Additionally, the full impact has not been addressed because the eight proposed flares have only capacity to burn 48 million, and not the 70-100 million cubic feet of methane gas per day. Obviously, more flares will be needed for the entire project and their effect must be taken into account. See the NVC's response to BFI's Response to Comments #120.

COMMENT 120:

RESPONSE 120: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 120.

Reference to Response to Comments #66 & #117 is not acceptable. See the NVC's response to BFI's Response to Comments #66 & #117. The preparer and the proponent continue their biased and self serving statements. As we stated before there is no market for the gas, and the "potential uses" are only included for window dressing to lend an air that this EIR has been properly prepared, and that somehow in the future, the public will be spared the potential health risk of incinerating 70-100 million cubic feet of methane gas per day. The question of what REALISTIC potential options for the use of landfill gas still need to be addressed. If there are none, and the only thing that can be done is incineration, then that should be stated.



PAGE 117

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 157:

RESPONSE 157: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 157.

The statement that, "the top plateau of the existing landfill would not be overlayed", is noted. However, the plan does involve additional work because the proposed expansion drainage plans show diversion, and perimeter ditches for the entire project being routed to the south over the existing landfill. Additionally, the expansion involves hills which are on the south side and are contiguous with the plateau of the existing landfill. Reference to Response #132 is not adequate because it in turn refers to Topical Response #15 & #17. See the NVC's rebuttal of Topical Response #15 & #17. Reference to Response #134 is also not adequate because it in turn refers to Topical Response #17. See the NVC's rebuttal of Topical Response #17. Reference to Response #135 is not adequate because it in turn refers to Topical Response #15 & #17. See the NVC's rebuttal of Topical Response #15 & #17.

COMMENT 158:

RESPONSE 158: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 158.

The proponent through its TOTAL OMISION OF THIS COMMENT has failed to address the question posed.

COMMENT 159:

RESPONSE 159: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 159.

The proponent has TOTALLY IGNORED CEQA REQUIREMENTS. This is a prime example of crossreferencing answers that do not answer the questions posed. Reference to Response to Comment #44 is not adequate. See the NVC's response to BFI's Respose to Comment #44. Reference to Response to Comment #1067 is not adequate. See the NVC's response to BFI's Respose to Comment #1067.

COMMENT 160:

RESPONSE 160: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 160.

The comments of the proponent are self serving. There is no way to limit incoming trash to existing urban development. If capacity exists at the landfill and new development occurs they will in fact use the landfill. If there is no landfill and no place to put the trash, the regulatory agencies will not permit future development. Therefore the landfill is GROWTH INDUCIVE.

COMMENT 161:

RESPONSE 161: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 161.

Please explain "Therefore, no elevation for solution cavities is needed".

COMMENT 163:

RESPONSE 163: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 163.

Please explain the numerous seeps on the southfacing wall of Bee Canyon in O'Melveny Park directly opposite the dump, if "the bedrock dip is south to north. How are these seeps fed if not from the hills on the Sunshine Canyon side? Reference to Topical Response #24 is not acceptable. See the NVC's rebuttal of Topical Response #24.

COMMENT 166:

RESPONSE 166: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 166.

We do not concur with the statement that, "There is no analytical value in detailing the amount of acreage involved in each individual landslide area". The acreage involved in any potential landslide will determine the proponents ability to excavate safely and their ability to handle the vast amounts of material which must be removed and properly stored (protected against erosion, blowing dust). BFI's incompetence in handling slides is obvious from the illegal removal of a hill in the City property which subsequently induced a landslide which threatened the entire landfill.

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO

BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

COMMENT 167:

RESPONSE 167: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 167.

Again the proponent has failed to explain the how the seeps in Bee Canyon are supported if not from the landfill side, from where? Also see the NVC's response to comment #163. Reference to Topical Response #8 is not acceptable. See the NVC's rebuttal to Topical Response #8.

COMMENT 168:

RESPONSE 168: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 168.

The preparers determination of what level of detailed technical project-related design and permitting detail that has been included is arbitrary and self-serving. We specifically complained of the lack of a detailed overview geologic map of the Sunshine Canyon site that should have been included as a part of this document to give the reader of the main body of the EIR an appreciation of the relationship of the project to the surrounding fault zones. The reference to this document (detailed overview geologic map) as a part of the Report of Waste Discharge has only been made in BFI's Response to Comments. Leaving out this very none technical piece of information can only be viewed as an attempt to present the project only in the very best light, and to hide information within other documents that were only made available at the libraries. Why did the preparers of this EIR feel that the overall geologic map was too technical for lay persons to understand? Reference to Topical Response #5 is not acceptable. See the NVC's rebuttal to Topical Response #5.

COMMENT 169:

RESPONSE 169: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 169.

The question as to why the proponent has not described or discussed ALL FAULTS IN THE SUNSHINE CANYON BOTH COUNTY AND CITY has not been answered. Reference to Response to Comments #168 & #238 as to the level of detail required under CEQA are not applicable here. The project for 215 million tons is the whole of the action and the City property is a part of it. Figure 16 clearly shows faults within the City property. Again, why didn't the proponent discuss ALL faults both County and City?

COMMENT 170:

RESPONSE 170: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 170.

The proponent has not answered the question posed. Reference to Response to Comment #169 is not acceptable. See the NVC's response to Response to Comment #169. Again the question is asked. Does the proponent feel that the same level of detailed fault investigation suggested for Elsmere, was carried out for the City portion of the proposed expansion?

COMMENT 171:

RESPONSE 171: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 171.

The question asked was "Has the same research been carried out to determine the locations of all past DRILLING OPERATIONS (emphasis added) and the full potential for seepage into Sunshine Canyon...?". The response you included was "No OIL PRODUCTION OPERATIONS (emphasis added) have been conducted in Sunshine Canyon". Since the "oil production operations" is one thing, and "drilling" is another, this answer is PURPOSELY MISLEADING and does not answer the question posed. While the reference to the incorporated Report of Waste Discharge is acknowledged, it is apparent that anything which could compromise this project has been screened out or left buried in the "incorporated by reference documents". I speak specifically of the fact that, buried within that report is the fact that, THERE ARE EIGHT ABANDONED OIL WELLS LOCATED WITHIN SUNSHINE CANYON, AND THAT THE LOCATION OF TWO OF THESE ARE UNKNOWN. What is the potential for groundwater contamination from these wells as conduits between the various geologic strata? What is the potential impact if the two whose location is unknown, cannot be found and are buried without the necessary abandonment procedures being accomplished?

COMMENT 173:

RESPONSE 173: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 173.

Reference to Topical Response #5 is not acceptable. See the NVC's rebuttal of Topical Response #5.

PAGE 124

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI'S "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK



COMMENT 1067:

RESPONSE 1067: THE PROPONENT HAS FAILED TO ANSWER/OR SATISFACTORILY ADDRESS THE SPECIFIC QUESTIONS/ISSUES POSED IN COMMENT 1067.

The proponent has TOTALLY IGNORED CEQA REQUIREMENTS. This is a prime example of crossreferencing answers that do not answer the questions posed. Reference to Response to Comment #44 is not adequate. See the NVC's response to BFI's Response to Comment #44. Reference to Response to Comment #104 is not adequate. See the NVC's response to BFI's Response to Comment #104.

PAGE 126

NORTH VALLEY COALITION'S  
NOVEMBER 1990  
RESPONSE TO  
BFI's "RESPONSE TO COMMENTS VOLUME A, DATED JULY 13, 1990"

THIS PAGE INTENTIONALLY BLANK