

Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes of July 16, 2008

County of Los Angeles Department of Public Works
Traffic Management Center Conference Room (1st Floor-Annex Building)
900 South Fremont Avenue
Alhambra, California

SUBCOMMITTEE MEMBERS PRESENT:

Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Carlos Ruiz, County of Los Angeles Department of Public Works
Christopher Salomon, County Sanitation Districts of Los Angeles County
Gerardo Villalobos, County of Los Angeles Department of Public Health

SUBCOMMITTEE MEMBERS NOT PRESENT:

Michael Miller, League of California Cities
Charles Modica, City of Los Angeles
John McTaggart, General Public Representative

OTHERS PRESENT:

Martin Aiyetiwa, County of Los Angeles Department of Public Works
Joe Mike Bartolata, County of Los Angeles Department of Public Works
Owen Blakely, County of Los Angeles Department of Public Works
Tom Bruen, Esq., representing Browning-Ferris Industries of California, Inc.
Rafael Garcia, Browning-Ferris Industries of California, Inc.
Dave Hauser, Browning-Ferris Industries of California, Inc.
Wayde Hunter, North Valley Coalition/Granada Hills North Neighborhood Council
Linda Lee, County of Los Angeles Department of Public Works
Greg Loughane, Browning-Ferris Industries of California, Inc.
Carl Pederson III, County of Los Angeles Department of Public Works

I. CALL TO ORDER

The meeting was called to order at 10:13 a.m.

II. CONSIDERATION OF FINDING OF CONFORMANCE FOR SUNSHINE CANYON LANDFILL (CITY/COUNTY LANDFILL)

Mr. Martin Aiyetiwa presented Staff's Report (see [Attachment I](#)) on the Finding of Conformance (FOC) application submitted by Browning-Ferris Industries of California, Inc. (BFI) for the combined operation of the "Sunshine Canyon Landfill (SCL) – City/County Project."

The SCL is located within both the City of Los Angeles (City) and unincorporated areas of Los Angeles County (County). The proposed Project would combine the existing but separate City and County portions of the Landfills into one joint landfill with a stipulated closure date of February 6, 2037. The combined City/County Landfill would provide additional disposal capacity of approximately 90.5 million cubic yards or 58.8 million tons and encompasses Phase II of the City Landfill. The total remaining capacity of the site as of October 31, 2007, was 115 million cubic yards or 74 million tons.

The Subcommittee members and BFI representatives were provided with a copy of Chapter 6 (Facility Siting Criteria) and Chapter 10 (Finding of Conformance) of the CSE (see [Attachment II](#) and [Attachment III](#), respectively).

The CSE is a component of the Los Angeles County Countywide Integrated Waste Management Plan (CoIWMP) that addresses a 15-year disposal need of the 88 cities and unincorporated communities in the County and the siting of landfills and transformation facilities. The CSE was approved by a majority of the cities within the County (that contain a majority of the population of the incorporated area of the County), the County Board of Supervisors, and the California Integrated Waste Management Board (CIWMB).

Mr. Aiyetiwa stated that Staff reviewed the application for consistency with the CSE and the Task Force guidelines, and determined, as indicated in the Staff Report, that the application was incomplete because BFI has not satisfactorily met all the FOC requirements stipulated in Chapter 10 of the CSE. This includes the following land use permit prerequisites for operating the City/County Project:

- The FOC application did not include any evidence that BFI has obtained approval from the County Department of Public Works for the Project's Fill Sequencing Plan for the portion within the County's jurisdiction.
- The FOC application did not include any evidence that BFI has obtained the City's approval/determination to proceed to Phase II of the City Landfill.

Furthermore, Mr. Aiyetiwa noted that in a July 3, 2008 letter, BFI indicated to Staff that the City's approval is not needed to commence the Project, and requested for the application to be considered by the Task Force.

Mr. Aiyetiwa reiterated Staff's recommendation that in accordance with the CSE, the Subcommittee has the option to (1) not grant the FOC until such time that BFI satisfactorily addresses the two comments above which are the same as comments Nos. 1 and 2 in the Task Force letter to BFI dated June 30, 2008 (see **Attachment A of the July 10, 2008 Staff Report**), and any and all Subcommittee's requests/comments made at its July 16, 2008, and subsequent meetings (if necessary); and furthermore to instruct Staff to bring the item back for consideration at a later date; (2) grant the FOC, but with changes/modifications; or (3) deny the FOC and state reasons for the denial.

Mr. Dave Hauser of BFI presented the Subcommittee with a copy of an internal CIWMB memorandum dated October 29, 2007, regarding Sunshine Canyon Landfill FOC (see **Attachment IV**) and a copy of CIWMB's May 22, 2008, response (see **Attachment V**) to the May 16, 2008, Task Force letter regarding the proposed Solid Waste Facility Permit No. 19-AA-2000 for the Combined City/County Sunshine Canyon Landfill, to support BFI's position on the following:

- BFI disagrees with Staff's position that BFI must obtain a determination from the Task Force on the Landfill's consistency with the CSE and compliance with the pre-requisite conditions of the County's replacement Conditional Use Permit (RCUP).

- BFI maintains that the Project is consistent with Section 50001 of the California Public Resource Code, and therefore meets the requirements of the CSE.

Mr. Mike Mohajer responded that the Project must obtain an FOC from the Task Force and elaborated on the specific FOC application requirements as described in Section 6.2 of Chapter 6 and Table 10-1 (Finding of Conformance Submittal Requirements) of Chapter 10 of the CSE, and also Section 18756 of Title 14 of the California Code of Regulations .

Mr. Mohajer emphasized, among other things, that the CSE's FOC process is (1) very specific and applies to projects in the County of Los Angeles, (2) consistent with CIWMB regulations, and (3) a local requirement. Mr. Mohajer also stressed that the RCUP which BFI accepted, specifically requires that prior to the operation of the City/County Project, BFI has to obtain an FOC from the Task Force. Additionally, the RCUP requires BFI to obtain City approval to proceed with Phase II of the City Landfill prior to operating the combined City/County Landfill. Mr. Mohajer concluded that BFI has not satisfied the stated RCUP condition and FOC requirements, and that the FOC application is incomplete.

The Subcommittee examined each of the FOC Submittal Requirements in Table 10-1 of the CSE Chapter 10 (see Pages 10-3 and 10-4 of Attachment III). The Subcommittee concluded that the following FOC Requirement information were missing in BFI's FOC application and the Staff Report, and should be provided by BFI.

- Requirement No. 2. The Project location map should be two-foot by three-foot in size, stamped and signed by a Registered Civil Engineer.
- Requirement No. 3. A project implementation schedule including planned dates for construction start, construction completion, start-up, planned expansion, and closure.
- Requirement No. 6. A condition to be added to the FOC to ensure consistency with the RCUP condition prohibiting acceptance of out-of-County waste at the Landfill.
- Requirement No. 7. A table showing the projections of waste quantity to be handled at start-up and at five-year intervals in project's life, and

to forward a copy of the Table to the City of Los Angeles for comments.

- Requirement No. 9. A description of the proposal for recovering methane gas for the gas-to-energy facility proposed at the Landfill.
- Requirement No. 11. A description of the planned end uses for both the County and City-sides of the Landfill.
- Requirement No. 13. A description of the proposal for using the recovered landfill gas.
- Requirement No. 14. A description of the proposal for using green waste as alternative daily cover, and diversion of waste tires and other recovered materials.
- Requirement No. 15. City approval for Phase II of the City Landfill, since City approval is needed in order to obtain County approval for the Project.
- Requirement No. 16. A copy of (1) the liner system design detail and details of liner interface and overlap with the closed Unit 1 of the City Landfill, and (2) the leachate collection, gas recovery/collection, and perimeter gas monitoring systems.
- Requirement No. 20. A set of plans as described on Page 10-4 of the CSE Chapter 10.
- Requirement Nos. 2a, 2b, and 2c (see Page 10-4 of the CSE Chapter 10). A description of the programs that will be implemented to address each of these requirements.
- Requirement Nos. 3a, 3b, and 3c (see Page 10-4 of the CSE Chapter 10). A description of the programs that will be implemented to address each of these requirements.

In addition, Mr. Wayde Hunter of the North Valley Coalition/Granada Hills North Neighborhood Council requested that the FOC application be made available to the public at the library located at 10640 Petit Avenue, Granada Hills, CA 91344.

Furthermore, the Subcommittee instructed Staff to:

- Prepare a letter for the Task Force to send to the City of Los Angeles Mayor and the City Council requesting (1) City's comments on the FOC application for the Project, and (2) clarification on whether the City has granted approval to BFI to commence development and operation of Phase II of the City Landfill.
- Obtain and provide one copy of the Joint Technical Document (JTD) and associated preliminary closure/post closure reports from BFI to the Subcommittee.
- Obtain and provide copies of the Project's FOC application package from BFI to each Subcommittee member.
- Make a copy of the FOC application available to the public at the City of Los Angeles library located at 10640 Petit Avenue, Granada Hills, California 91344.
- Provide a copy of the Staff Report on the FOC application to the City and County Sunshine Canyon Landfill Community Advisory Committees.

Additionally, as previously required in the FOC for the Sunshine Canyon Landfill County Project, the Subcommittee reiterated for BFI to submit a Status Report on a quarterly basis to the Task Force, on the issues listed below. The first Quarterly Status Report shall be for the period of April through June 2008, and each Report shall be submitted within 30 days after the end of each quarter.

- Progress of the County Extension Project, specifically with respect to the requirement that during the City Project, at least 50 percent of the cumulative total waste accepted by both the City Landfill and the County Project measured on an annual basis shall be deposited on the City side.
- Progress of Phases I and II of the City Landfill.
- Progress of the combined City/County Project

- Progress of the landscaping activities and revegetation of the permanent slope areas for the first half of 2008.

In conclusion, the Subcommittee concurred with Staff's finding that the FOC application is incomplete. Mr. Mohajer made a motion for (1) the Subcommittee to adopt Option No. 1 (as stated above and in the Staff Report), (2) Staff and BFI to obtain and provide Subcommittee with all the information requested above, and (3) Staff to bring the item back to the Subcommittee for consideration after BFI's FOC application package is deemed complete.

The motion was unanimously approved.

III. OPEN DISCUSSION/PUBLIC COMMENT

None

IV. NEXT MEETING DATE

To be announced at a later date.

V. ADJOURNMENT

The meeting adjourned at 12:01 p.m.

**ATTACHMENTS TO THE
JULY 16, 2008 FACILITY AND PLAN REVIEW SUBCOMMITTEE
MEETING MINUTES**

1. Attachment I – Staff Report on the Sunshine Canyon Landfill Combined City/County Landfill Finding of Conformance Proposal submitted at the July 16, 2008 Facility and Plan Review Subcommittee Meeting
 - o [Attachment A](#) - Staff's Letter of June 30, 2008
 - o [Attachment B](#) - Browning-Ferris Industries of California, Inc.'s Letter of July 3, 2008
 - o [Attachment C](#) - County of Los Angeles' Letter of June 24, 2008
 - o [Attachment D](#) - Site Location Map
 - o [Attachment E](#) - Existing Site Plan
 - o [Attachment F](#) - Landfill Phasing Plan
 - o [Attachment G](#) - Replacement Conditional Use Permit 00-194-(5)
 - o [Attachment H](#) - City Zoning Ordinance No. 172933
 - o [Attachment I](#) - Siting Criteria Checklist
 - o [Attachment J](#) - Final Grading Plan
 - o [Attachment K](#) - Litter Control and Tarping Program
 - o [Attachment L](#) - Monitoring and Reporting Form
 - o [Attachment M](#) - Solid Waste Information Management System Form 13
2. [Attachment II](#) – Chapter 6 of the Los Angeles County Countywide Siting Element, dated June 1997
3. [Attachment III](#) – Chapter 10 of the Los Angeles County Countywide Siting Element , dated June 1997
4. [Attachment IV](#) – California Integrated Waste Management Board Memorandum
5. [Attachment V](#) – California Integrated Waste Management Board's May 22, 2008, response to Task Force

The above documents were provided at the July 16, 2008, Facility and Plan Review Subcommittee meeting, and can be accessed at <http://www.ladpw.org/epd/tf/meetings.cfm>, or a hard copy can be obtained by contacting Chuk Agu at (626) 458-3556.