



1 topography for the proposed operation, and has adequate parking,  
2 loading facilities, and drainage; and

3           WHEREAS, Waste Management has stated that the Proposed  
4 Project will occur in two phases - Phase 1 will include the initial  
5 preparation of the Proposed Site for the autoclave facility and Phase 2  
6 will include the installation of the second autoclave when waste volumes  
7 warrant the use of the second autoclave in order to accommodate the  
8 growth of the business at maximum capacity; and

9           WHEREAS, the proposed autoclaves will be designed to handle  
10 approximately 5,000 pounds per load with 20 to 23 cycles a day; and

11           WHEREAS, the autoclaves will have a combined capacity to  
12 process 100 tons a day of waste; and

13           WHEREAS, the Proposed Site is surrounded by industrial and  
14 warehousing uses compatible with the proposed use and adverse effects  
15 from traffic, parking, noise, odors, dust, smoke, light or glare, or  
16 risk of fire, infection or explosion is not anticipated from the  
17 proposed operation; and

18           WHEREAS, the Proposed Site has access to Bandini Boulevard,  
19 an arterial roadway with a right-of-way of 100 feet; and

20           WHEREAS, the streets and highways surrounding the proposed  
21 use are adequate in width and are improved so as to carry the traffic  
22 expected by the proposed operation; and

23           WHEREAS, the Community Services & Water Department has  
24 performed an Initial Study, to determine whether the Proposed Project  
25 will have adverse impacts on the environment and has determined that  
26 the Proposed Project will not have a significant adverse effect on the  
27 environment, and the Director of Community Services & Water has  
28 recommended that a Negative Declaration be adopted in compliance with

1 the California Environmental Quality Act ("CEQA"); and

2 WHEREAS, the City of Vernon has provided notice of its  
3 intent to adopt a Negative Declaration for the Proposed Project and  
4 has provided a public review period of not less than 30 days, as  
5 required by CEQA and the State CEQA Guidelines; and

6 WHEREAS, the conditions imposed on the conditional use  
7 permit will adequately protect the public health, safety and general  
8 welfare and the operation is consistent with all applicable rules and  
9 laws of the City of Vernon; and

10 WHEREAS, the proposed use, as to location, operation and  
11 design is consistent with the General Plan and Zoning Ordinance of the  
12 City of Vernon with approval of a conditional use permit; and

13 WHEREAS, the City Council has received a Staff Report dated  
14 February 25, 2009, upon which it has relied on making the foregoing  
15 recitals.

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
17 CITY OF VERNON AS FOLLOWS:

18 SECTION 1: The City Council of the City of Vernon  
19 hereby finds and determines that the recitals contained hereinabove  
20 are true and correct.

21 SECTION 2: The City Council of the City of Vernon further  
22 finds that all persons have had the opportunity to be heard or to file  
23 written comments to the Proposed Project and after due consideration of  
24 all the evidence submitted at the public hearing determines that there  
25 are compelling reasons to justify granting a conditional use permit.

26 SECTION 3: The City Council of the City of Vernon further  
27 finds on the basis of the whole record before it (including the Initial  
28 Study) that there is no substantial evidence that the Proposed Project

1 could have a significant effect on the environment, and that the  
2 Negative Declaration reflects the City's independent judgment and  
3 analysis, and on the basis of said findings the City Council hereby  
4 approves and adopts the Negative Declaration for the Proposed Project.

5           SECTION 4: Pursuant to Section 711.4(c) of the Fish and  
6 Game Code, the City has found no evidence that the Proposed Project  
7 will have the potential for adverse effects on wildlife resources.

8           SECTION 5: The City Council of the City of Vernon hereby  
9 approves the Final Initial Study/Negative Declaration dated February  
10 2009, that incorporates the draft Initial Study/Negative Declaration  
11 dated November 24, 2008, a copy of which has been submitted to the  
12 City Council concurrently herewith, and the City Clerk is directed to  
13 receive and file them. Such documents and other materials which  
14 constitute the record of proceedings in this matter shall be  
15 maintained in the office of the City Clerk who is and shall be the  
16 custodian of thereof.

17           SECTION 6: The City Council of the City of Vernon hereby  
18 directs the City Clerk, or her designee, to file a Notice of  
19 Determination in regard to the environmental impact of said  
20 conditional use permit.

21           SECTION 7: Subject to the conditions set forth below, the  
22 conditional use permit is hereby granted to Waste Management for the  
23 operation of a medical waste transfer station and treatment facility  
24 located at 4280 Bandini Boulevard.

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1           SECTION 8: In order to adequately protect the public health  
2 and general welfare the following conditions are required:

- 3           a. The facility shall be operated in accordance with, and  
4           made to conform with all current codes, rules, and  
5           regulations including any required fees as adopted by  
6           the City of Vernon not otherwise addressed by this  
7           grant of a conditional use permit.
- 8           b. All required federal, state, local and regulatory  
9           agency permits shall be obtained prior to operation and  
10          shall be operated in compliance with all federal, state  
11          and local regulations. Prior to occupancy a business  
12          license and occupancy permit shall be obtained.
- 13          c. Any hazardous substances used, handled and/or stored  
14          shall have prior approval from the Vernon Fire and  
15          Health Departments. A Health Permit shall be obtained  
16          if there are reportable quantities of hazardous  
17          materials on the site. Only medical waste, APHIS waste,  
18          pharmaceutical wastes and medical and dental universal  
19          wastes shall be treated and/or transferred at the  
20          facility.
- 21          d. Servicing or repairing of vehicles shall not be  
22          permitted on the premises. No inoperative vehicles  
23          shall be stored on-site. All vehicles operated at the  
24          facility shall be tuned and maintained in accordance  
25          with applicable emission standards.
- 26          e. The facility shall be operated in a manner, which will  
27          not impede traffic on Bandini Boulevard. All vehicles  
28          shall enter and exit the site in a front forward

1 manner. No vehicle parking or staging associated with  
2 the facility shall take place on any public street  
3 within Vernon. Trucks shall not be permitted to idle  
4 when parked on the subject site.

5 f. The facility's building shall be structurally  
6 maintained to exclude rodents and the property shall be  
7 maintained rodent free. The site shall maintain  
8 adequate drainage to eliminate potential mosquito  
9 harborage.

10 g. Adequate written plans and materials must be available  
11 for cleaning up of leaks or spills of substances  
12 associated with Waste Management's operation.

13 h. Waste Management shall implement a personnel safety-  
14 training program to include personal safety, handling  
15 hazardous waste, and fire protection procedures and  
16 shall be made available for review upon the City's  
17 request.

18 i. The project site shall be constructed and maintained  
19 substantially in compliance with the site plans  
20 submitted as part of this conditional use permit  
21 application.

22 j. All parking and loading areas shall be striped in a  
23 manner acceptable to the Director of Community Services  
24 & Water and shall be paved with a hard durable surface  
25 material and shall be adequately drained, and kept free  
26 of dust, mud, trash and weeds. Where parking or  
27 maneuvering areas adjoin the public street, a barrier  
28 wall or landscaping shall be installed and maintained

1 to meet City standards.

2 k. All on-site construction or improvements shall be in  
3 compliance with the most current Building Codes  
4 (Building, Fire, Mechanical, Plumbing and Electrical)  
5 and current Health and Safety Codes and Regulations.  
6 Waste Management shall obtain all necessary building,  
7 fire, mechanical, plumbing, and electrical permits from  
8 the City of Vernon Community Services & Water  
9 Department in addition to any required Vernon  
10 Environmental Health Department clearance prior to  
11 commencement of construction.

12 l. The facility shall be operated in such a manner that  
13 noise and vibration shall not be a nuisance to  
14 neighborhood properties. At no time shall noise exceed  
15 or vibrations exceed the standards set forth in the  
16 City Zoning Ordinance. The facility shall comply with  
17 all CalOSHA noise requirements at all times. If the  
18 City in its sole discretion determines that a noise  
19 nuisance is caused by the operation, a noise study  
20 shall be prepared to the satisfaction of the City at  
21 Waste Management's cost to determine if the facility is  
22 in compliance with the City's Zoning Regulations.

23 m. The facility shall be operated in such a manner that  
24 odors shall not be a nuisance to neighborhood  
25 properties. If the City in its sole discretion  
26 determines that an odor nuisance is caused by the  
27 operation, additional odor controls shall be installed  
28 to the satisfaction of the City or the facility shall

1           cease all operations until the odor problem is  
2           resolved.

3           n. The facility shall be limited to a maximum of 100 tons  
4           per day of incoming material (APHIS, medical, universal  
5           and pharmaceutical waste only), which includes  
6           materials processed onsite and materials that will be  
7           transferred to another location for treatment and  
8           disposal. All waste material shall be stored within a  
9           building or truck trailer.

10           SECTION 9: Noncompliance with any condition set forth in  
11 the conditional use permit shall be grounds for voiding the permit  
12 pursuant to Section 26.6.3-9 of the Comprehensive Zoning Ordinance.

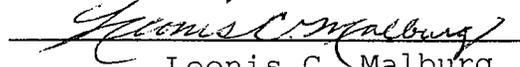
13           SECTION 10: Waste Management and any successors in interest  
14 shall indemnify, hold harmless, and defend the City of Vernon, its  
15 officers, agents, and employees from and against any and all claims,  
16 complaints, or petitions for: (1) damages, losses, expenses resulting  
17 from bodily injury, sickness, disease, disability or death arising  
18 from the operation of the facility excluding therefrom any such claim  
19 resulting from the gross negligence or intentional wrong doing of the  
20 City of Vernon, its officers, agents or employees; (2) a peremptory  
21 writ or other relief by way of injunction, mandamus, or administrative  
22 mandamus; or (3) legal expenses and attorney's fees incurred by the  
23 City of Vernon on behalf of any party in such actions or proceedings.  
24 The City of Vernon does not waive its right to participate in the  
25 defense of any such action.

26           SECTION 11: Not later than sixty (60) days from the date of  
27 this Resolution, Waste Management shall indicate, in writing, its  
28 acceptance of and agreement with the conditions contained in Section 8

1 of this Resolution and the indemnification provision contained in  
2 Section 10 of the Resolution.

3 SECTION 12: The City Clerk of the City of Vernon shall  
4 certify to the passage of this resolution and thereupon and thereafter  
5 the same shall be in full force and effect.

6 APPROVED AND ADOPTED this 9<sup>th</sup> day of March, 2009.

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8   
9 Name: Leonis C. Malburg

10 Title: Mayor / ~~Mayor Pro-Tem~~

11 ATTEST:

12   
13 MANUELA GIRON, City Clerk

1 STATE OF CALIFORNIA )  
2 ) SS  
3 COUNTY OF LOS ANGELES )

4 I, MANUELA GIRON, City Clerk of the City of Vernon, do hereby  
5 certify that the foregoing Resolution, being Resolution No. 9873, was  
6 duly adopted by the City Council of the City of Vernon at a regular  
7 meeting of the City Council duly held on Monday, March 9, 2009, and  
8 thereafter was duly signed by the Mayor or Mayor Pro-Tem of the City of  
9 Vernon.

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12 MANUELA GIRON, City Clerk

13 (SEAL)

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