

June 14, 2007

TO: Facility and Plan Review Subcommittee Members

FROM: Martin Aiyetiwa *MA*  
Staff

**FINDING OF CONFORMANCE  
SUNSHINE CANYON LANDFILL-COUNTY EXTENSION**

This report supplements the staff reports dated February 1, 2007, and March 8, 2007. On March 15, 2007, Subcommittee members raised several concerns regarding BFI's submittal and request for a Finding of Conformance. In response, the Subcommittee requested Browning-Ferris Industries, Inc., to submit additional information to the Subcommittee. BFI's submittal is included in Attachments R through T. The following is a status of each item requested by the Subcommittee:

1. Replacement Conditional Use Permit No. 00-194-(5)  
On May 24, 2007, BFI accepted the replacement Conditional Use Permit (RCUP). Thus, RCUP became effective on that date.
2. Evidence of Insurance Coverage (RCUP Condition 15)  
The evidence of insurance coverage has been deemed acceptable to the County. The Certificates of Insurance provided are for general liability and pollution legal liabilities, and are subject to annual review and approval by the County.
3. Secured Indemnification Agreement (RCUP, Implementation and Monitoring Program, Part V, Indemnification Agreement)  
BFI has submitted to the County, a standby Letter of Credit in the amount of \$10 million from Bank of America dated April 27, 2007, drawn in favor of the Department of Public Works. The Indemnification Agreement which secures the Letter of Credit is currently being reviewed and negotiated between the County and BFI.
4. Revegetation Cover Program (Attachment R)  
If the Task Force grants the FOC, staff recommends the Task Force add a condition of approval which requires BFI to:
  - Within 90 days of the date of the FOC, BFI shall submit to the Task Force a copy of an approved revegetation cover program for any slope and landfill area that is or will become inactive for more than 180 days. The revegetation cover program shall be developed in accordance with Condition 44 of the RCUP, and shall be approved by the County Forester and Fire Warden and the facility's Local Enforcement Agency. On a

quarterly basis, BFI shall submit to the Task Force, a progress report detailing its efforts towards implementation of the approved revegetation Cover Program.

5. Updated Site Plan and Landfill Phasing Plan

- o Attachment S is an updated Site Plan showing final contours and elevations of the landfill including a cross-sectional detail and profile of the disposal limit
- o Attachment T is an updated Landfill Phasing Plan showing phases of fill operation

Based on the above, staff recommends approval of the FOC for the Sunshine Canyon Landfill–County Extension subject to the specified conditions. The recommended conditions of approval are listed on page 8 of the staff report dated February 1, 2007.

If you have any questions, please contact me at (626) 458-3553.

Attach.

MA:my

P:\eppub\ENGLAN\MARTIN\FOC\SCL FOC- Supplement Report 06-13-2007.doc

# Attachment R

## Re-Vegetation Cover Program

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## Sunshine Canyon Re-vegetation Cover Program

### Quarterly Procedure:

On a quarterly basis, BFI will meet with its engineering and operations teams and outside environmental consultants to evaluate the current status of vegetative cover at the site. Based upon that evaluation, we will develop a Revegetation Plan that will be submitted to the County LEA for review and approval. The Re-vegetation Plan will identify what efforts are being made on site to meet County Condition No. 44 of the new Replacement CUP (00-194-(5)). Attached to the Revegetation Plan will be a Site Activity Map that shows the entire acreage within the footprint and what efforts will be undertaken to meet the conditions.

### Implementation Status:

The provisions for re-vegetation contained in the new CUP (00-194-(5)) are roughly the same as contained in the original CUP issued in 1993. In addition to growing roughly 8,000 trees planted in the areas surrounding the landfill, BFI has had a policy of continual re-vegetation of the landfill and other areas of the site consistent with these CUP provisions since the start of operation on the County and many years prior to that on the City-side. To enhance the success of this re-vegetation program, BFI is planning to purchase a truck for seed application and has a more focused approach which will include regular meetings with the LEA. BFI is currently scheduling a meeting with the LEA to finalize its 2<sup>nd</sup> quarter Re-vegetation Plan and will implement the plan following the appropriate approvals.

### County RCUP Conditions:

The following are the cover and re-vegetation requirements at the Landfill:

- A. The Permittee shall apply for a temporary hydroseed vegetation cover on any slope or other Landfill area that is projected to be inactive for a period greater than 180 days, as set forth in the IMP. The Permittee shall promptly notify the County LEA and the Department of Public Works of any such slope or area;
- B. Prior to disposing of any Solid Waste within 10 feet of the boundary of the Limits of Fill, the Permittee shall submit to the County LEA and the Director of the Department for review and approval an interim reclamation and re-vegetation plan, which plan shall include the timing of the proposed work;
- C. No final cut slopes shall be steeper than 1.5:1 (horizontal to vertical ratio, excluding benches), and all final cut slopes shall be approved by the Department of Public Works in accordance with said Department's grading requirements;
- D. Except as otherwise provided in this Condition No. 44, all final fill slopes shall be reclaimed and re-vegetated in lifts substantially in conformance with Figure 5, "Typical Cross-Section Final Landfill Cover and Revetation Plan", Page 39,

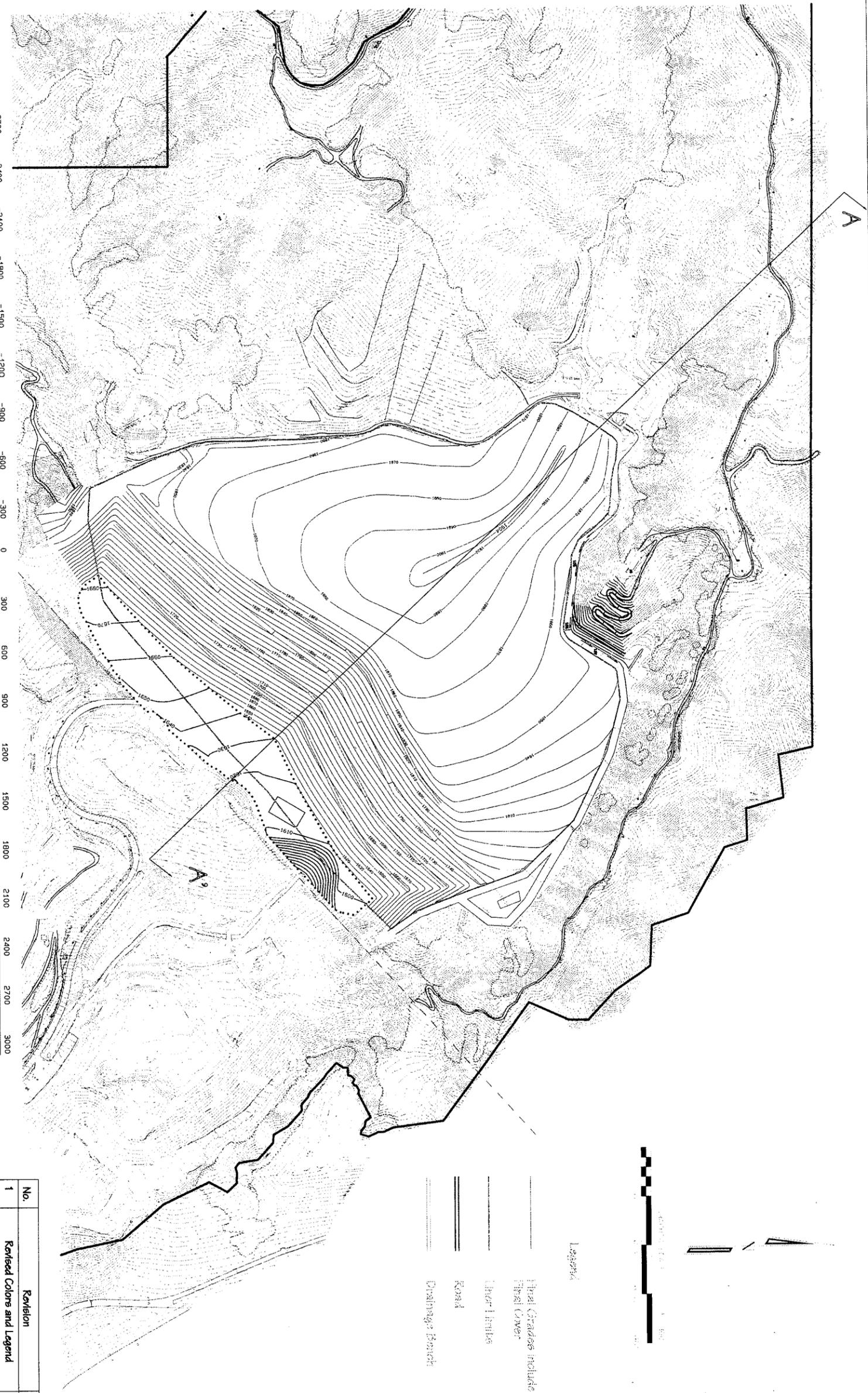
Final Environmental Impact Report ("FEIR"), Volume A, Responses to Comments (dated July 13, 1990), which figure is attached as Exhibit "B" to the Responses to Comments, and also as described in the "Sunshine Canyon Landfill Extension Revegetation/Closure Plan", FEIR, Volume A, Responses to Comments, Appendix 3, which figure and plan are attached as Exhibit "C";

- E. Notwithstanding the foregoing, the Permittee shall not be bound by the previous provisions of this Condition No. 44, but instead, by the requirements of the County LEA, so long as the Limits of Fill are not exceeded, if in consultation with the Department of Public Works, the County LEA determines that a different re-vegetation design or plan: (1) would better protect public health and safety; (2) would enable re-vegetation of the final slopes at least as well as shown in Exhibit "B" described in subsection D, above; and/or (3) would be required because the minimum standards adopted by the CIWMB have been amended.
- F. The Permittee shall employ an expert or experts, including an independent, qualified biologist, to satisfy this Condition No. 44. Soil sampling and laboratory analysis shall be conducted in all areas that are required to be re-vegetated before any re-vegetation occurs to identify chemical or physical soil properties that may adversely affect plant growth or establishment. Soil amendments and fertilizer recommendations shall be applied and plant materials selected, based on the above-referenced testing procedures and results. To the extent possible, plant types shall blend with species indigenous to the area, be drought tolerant, and be capable of rapid growth. The selected plants shall not include non-indigenous species that are likely to be invasive of adjacent natural areas.

# Attachment S

Site Plan/Final Grading Plan

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Cross-Section A-A'

Final Grades

Soil Berm

Liner Grades



- Legend
- Final Grades include 4 ft. of Final Cover
  - Liner Linings
  - Road
  - Drainage Ditch

No.	Revision	Date	By
1	Revised Colors and Legend	4/3/07	RM

**A-MEHR, INC.**

2006 US Civil Data, Update 1 to California States (04/07) 2006-0177

Sunshine Canyon County Extension Landfill

Finaling of Conformance Proposal

Final Grading Plan

Topography Grades as of 12/12/05

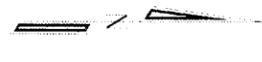
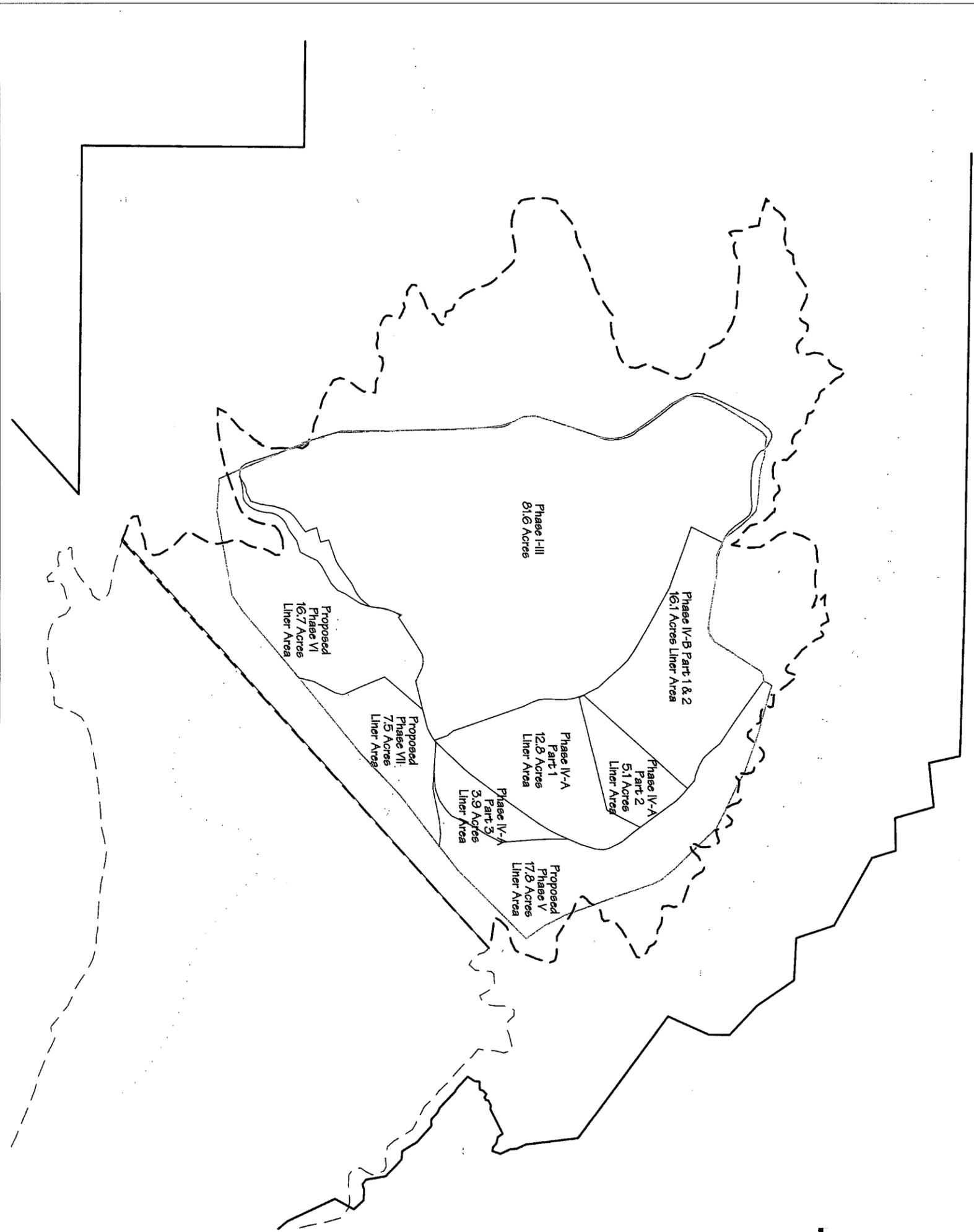
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# Attachment T

## Landfill Phasing Plan

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Legend

- Property Boundary
- - - Existing Topography  
As of 12/12/05
- - - Permitted Limits of Landfill per  
Exhibit "A" (Alternative ) of CUP  
EIR-Sequence 2, Drawing 3a  
Feb 1991
- - - Proposed Limits of Waste

No.	Revision	Date	By
1	Revised Colors and Legend	4/3/07	RM

<b>A-MEHR, INC.</b>	
25276 Hill Street, Laguna Hills, California 92653 (949) 266-0977	PRESENTATION BOOKING
Sunshine Canyon County Extension Landfill	RM
Finding of Conformance Proposal	CHECKED AM
Landfill Phasing Plan	DRAWN Jan 2006
Topography Grades as of 12/12/05	FIGURE

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