

December 11, 2008

TO: Facility and Plan Review Subcommittee Members

FROM: Martin Aiyetiwa
Staff

**FINDING OF CONFORMANCE
SUNSHINE CANYON LANDFILL–CITY/COUNTY PROJECT**

Pursuant to your direction of August 21, 2008, the following provides an update for your consideration in regards to granting a Finding of Conformance (FOC) for the Sunshine Canyon Landfill–City/County Project, as requested by Browning-Ferris Industries of California, Inc. (BFI), the facility owner and operator. The application was submitted by BFI to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force on May 21, 2008. The request is in accordance with the requirements of the approved Los Angeles County Countywide Siting Element (CSE), dated June 1997.

This updated staff report is brought before you at the Task Force’s request during its August 21, 2008, meeting. At the meeting, the Subcommittee concluded that the submittals did not satisfy the following FOC requirements as described in Table 10-1 of the CSE: (1) Requirement No. 5, regarding description of waste material to be handled, including a clarification on whether liquid waste is allowed, (2) Requirement No. 15, regarding information and operations plan for meeting applicable permit/regulatory requirement, since the evidence of the City of Los Angeles’ approval determination for operation in Phase II has not been provided, and (3) Requirement No. 16, regarding demonstration of compliance with siting criteria requirements as established in Chapter 6 of the CSE, including a more thorough description of all the waste diversion and salvage programs that BFI is currently implementing. The Subcommittee also directed staff (a) to continue to work with BFI to verify and obtain the remaining information mentioned above, including evidence that BFI has obtained the City of Los Angeles’ approval/determination to proceed to Phase II of the City Landfill and (b) once the listed deficiencies have been eliminated and the requirements have been complied with, staff is to bring the matter back to the Subcommittee for its consideration.

The following provides an update on listed deficiencies:

1. Response to Requirement No. 16–BFI has provided a more detailed description of programs currently in place (Attachment A-I).
2. Response to Requirement No. 5–BFI has provided a revised submittal showing that the types of waste to be handled will be in compliance with the State Regulations as well as the requirements of the City and County

(Attachment A-II). According to California Code of Regulations, “liquids or semi solid waste (i.e., waste containing less than 50 percent solids, by weight), other than dewatered sewage or water treatment sludge as described in section 20220(c), shall not be discharged to Class III landfills (Section 20200(d)(3) of Title 27).” Furthermore, the CUP and Zoning Ordinance prohibit sludge and liquid waste, including slurries and septic tank pumping, from the facility.

3. Response to Requirement 15—on September 5, 2008, the City of Los Angeles responded to the Task Force’s letter of August 4, 2008 (Attachment B). The City’s letter stated that BFI did not have the City’s approval to proceed to Phase II as of that date. However, as discussed below, on November 25, 2008, the Los Angeles City Council adopted a resolution authorizing Phase II.

During the last three months, there has been an ongoing negotiation between the City and the County, which resulted in the formulation of memoranda of understanding (MOU) between the two jurisdictions that directly impact the City/County Project and its operation. Specifically, in November 2008, the City and the County agreed on two MOUs that are required by the County Conditional Use Permit 00-194-(5) (CUP) for the operation of the City/County Project and will allow BFI to proceed to Phase II:

1. Revenue Allocation MOU: An MOU between the County, the City, and BFI to provide for the equitable allocation of all revenues generated from tonnage-related fees and charges. The allocation is split 70-30 based upon the remaining City/County Project capacity, which is estimated to be 70 percent on the City side and 30 percent on the County side.
2. Planning Issues MOU: An MOU between the County and the City to provide for the combined/unified enforcement of land use regulations.

BFI signed the Revenue Allocation MOU on November 4, 2008. The County Board of Supervisors approved both MOUs on November 12, 2008. On November 25, 2008, the Los Angeles City Council approved both MOUs as well as adopting a resolution authorizing development of Phase II of the City Landfill (Attachment C). However, the approval of the said resolution was made contingent on the adoption of (a) the Alternatives to Landfilling Fee (ATL) ordinance, (b) the expanded City Local Enforcement Agency authorities ordinance, and (c) publication of the said two ordinances.

On December 9, 2008, the City Council approved the ordinances. Upon approval of the said two ordinances by the City of Los Angeles Mayor and their publication, BFI would be able to operate within the Phase II of the City Landfill.

I. Background

The Sunshine Canyon Landfill City/County Project combines the Sunshine Canyon City Landfill (Unit 2) and the Limit of Fill identified in Exhibit “A-2”

of the Sunshine Canyon County Landfill Conditional Use Permit 00-194-(5). The City Landfill is located within the limits of the City of Los Angeles, and the County Landfill is located in unincorporated Los Angeles County. Attachment D is the site location map.

Presently, the City Landfill is operating under the City's Zoning Ordinance No. 172933 (Attachment H) approved by the City Council on December 8, 1999, and approved by the City Mayor on December 9, 1999. The County Project is operating under Conditional Use Permit 00-194-(5) (CUP) approved by the Los Angeles County Board of Supervisors on February 6, 2007. The CUP became effective on May 24, 2007, upon its acceptance by BFI. Attachment E is an existing site plan.

BFI is proposing to combine the two landfills into one, the City/County Project, and operate the landfill under both the City's and County's land use permits, namely, CUP and Zoning Ordinance. The City/County Project will have a total landfill area of 363 acres and disposal capacity estimated at 91.1 million tons. The complete 363-acre footprint is estimated to have a net remaining disposal capacity of about 118.3 million cubic yards (or 76.3 million tons) as of October 19, 2006. The remaining capacity as of January 1, 2008 is 110.7 million cubic yards (or 71.4 million tons). Attachment F is a proposed landfill phasing plan showing the phases of operation.

II. **Item History**

- On August 15, 1991, the Task Force issued an FOC with the Los Angeles County Solid Waste Management Plan for the facility operation in the unincorporated County area.
- On April 17, 2003, the Task Force issued an FOC with the Los Angeles County Countywide Siting Element for the portion of Sunshine Canyon Landfill (Unit 2) in the City of Los Angeles.
- On May 19, 2008, the Task Force issued an FOC with the Los Angeles County Countywide Siting Element for the Sunshine Canyon Landfill, Phase V and the top deck of the Exhibit "A-1" Fill Design—County Project as defined by the County of Los Angeles Conditional Use Permit No.00-194(5).

III. **Request Before the Task Force**

- Pursuant to Section 10.1 of the Los Angeles County Countywide Siting Element dated June 1997, BFI has requested the Task Force to consider issuance of a Finding of Conformance (FOC) for the Sunshine Canyon Landfill City/County Project.

- The City/County Project, as defined, includes the City Landfill (Unit 2) identified in the City’s land use zoning ordinance as Phases I, II, and III and the areas identified in the County CUP as Exhibit “A-2” fill design. It does not include the closed portion of the City Landfill identified as Unit 1.
- This FOC will supersede the April 17, 2003, FOC granted to Sunshine Canyon City Landfill Unit 2 and the May 19, 2008 FOC granted to Sunshine Canyon Landfill County Project.

IV. Options for the Task Force

The Task Force may decide to:

1. Grant the FOC as drafted by staff;
2. Grant the FOC as drafted by staff; but with changes/modifications;
3. Request additional information and/or analysis, and instruct staff to bring the item back for consideration at a later date; or
4. Deny the FOC and state reasons for the denial.

V. Staff’s Conclusion and Recommendation

Staff reviewed BFI’s submittal for compliance with the requirements for granting of an FOC stipulated in the Countywide Siting Element as well as those comments previously brought up by members at the Subcommittee meetings of July 16, 2008 and August 21, 2008. It is staff’s opinion that the application has met all the stipulated requirements. Therefore, staff recommends adoption of Option 1.

VI. Project Summary and Findings

Name: Sunshine Canyon Landfill–City/County Project

Facility Type: Class III Landfill (Municipal Solid Waste)

Location: 14747 San Fernando Road, Sylmar 91342

Setting: The Sunshine Canyon Landfill City/County Project is located in the City of Los Angeles and unincorporated Los Angeles County.

Operational Status: Permitted and active

Waste Type: Non-hazardous municipal solid waste

Currently Permitted Limits of Fill: County Project (Exhibit “A-1” of the County CUP and 20 acres of the “bridge area”) and City Landfill (Phase I of Unit 2)

Proposed Limits: Exhibit "A-2" of the County CUP and Phases I, II and III of the City Landfill (Unit 2) of the City Zoning Ordinance.

Acreage:

	Total Permitted	Currently Permitted Disposal	Proposed Additional Disposal	Total Permitted Disposal
County Project	542 acres	162 acres	18 acres	180 acres
City Landfill	494 acres	84 acres	99 acres	183 acres
City/County Project	1,036 acres	N/A	121 acres	363 acres

Capacity:

	Currently Permitted	Used as of 10/19/2006	Proposed Additional	Total
County Project	37.3 mcy	20.3 mcy	17.6 mcy	54.9 mcy
City Landfill	13.4 mcy	2.6 mcy	72.9 mcy	86.3 mcy
City/County Project	50.7 mcy	N/A	90.5 mcy	141.2 mcy or 91.1 mt

Note: mcy is million cubic yards and mt is million tons.

Daily Capacity:

		Municipal Solid Waste (MSW)	Nonhazardous Inert Exempt Material (Inert)	<u>Total Intake</u>
Currently Permitted	County Project	6,600 tpd or 36,000 tpw	3,600 tpw	7,200 tpd (MSW + Inert) or 39,600 tpw (MSW + Inert)
	City Landfill	5,500 tpd or 30,000 tpw	3,000 tpw	33,000 tpw (MSW + Inert)
Proposed	City/County Project	66,000 tpw	6,600 tpw	12,100 tpd (MSW) or 72,600 tpw (MSW + Inert)

Note: tpd is tons per day and tpw is tons per week.

Permitted Hours: 6:00 am to 6:00 pm Monday through Friday
7:00 am to 2:00 pm Saturday

Proposed Hours: No change in permitted hours of operation

Owner/Operator: Browning-Ferris Industries of California, Inc., a subsidiary of Allied Waste Services, Inc.

LEA: Sunshine County Landfill-Local Enforcement Agency, which was certified by the California Integrated Waste Management Board on July 22, 2008.

Project Schedule: Development is expected to begin in January 2009.

VII. Staff Analysis

Staff has reviewed the proposal and offers the following:

1. Compliance with the California Environmental Quality Act

A Final Environmental Impact Report (FEIR) was filed with the State Clearinghouse (SCH #89071210) and certified by the County of Los Angeles, Board of Supervisors on November 30, 1993. A Final Subsequent Environmental Impact Report (FSEIR) was also filed (SCH #92041053) and certified by the City of Los Angeles Planning Commission and City Council on December 10, 1999.

An addendum to the FEIR and FSEIR (SCH #1989071210) was also prepared for the project by the County of Los Angeles, Department of Regional Planning in October 2004. The FEIR, FSEIR and addendum describe and support the design and operation of the proposed project.

2. General Plan Consistency and Land Use

County Project:

- A. The subject site is zoned A-2-2 (Heavy Industrial – two-acre minimum lot sizes). Solid waste landfills require a Conditional Use Permit (CUP) to operate in this zone. The Los Angeles County Board of Supervisors granted CUP 00-194-(5) on February 6, 2007 (see Attachment G).
- B. General Plan consistency determination was approved for the project by the Board of Supervisors on February 19, 1991 (Sub-Plan Amendment 86-312-(5) and Compound Plan Amendment

90-2-(5)). This determination is consistent with Section 50000.5 of the California Public Resources Code.

City Landfill Unit 2:

- C. The land use permit necessary for the development of the City Landfill (Unit 2) was approved by the City Council on December 8 1999, and approved by the City Mayor on December 9, 1999 (See Attachment H, City Zoning Ordinance No. 172933).
- D. The City of Los Angeles amended the Los Angeles General Plan to designate the Sunshine Canyon City Landfill site as "Heavy Industrial" and change its zone to "M3-1" on December 9, 1998. General Plan consistency as mandated by PRC 50000 was established by the City of Los Angeles by approval of the General Plan Amendment and zone change.

City/County Project:

- E. The combined landfill will be subject to CUP 00-194-(5) and Zoning Ordinance No. 172933.
- F. The combined landfill will not change the General Plan consistency determination previously approved for the County Project and the City Landfill.

3. Solid Waste Facility Permit (SWFP)

County Project:

- A. The facility was operating under SWFP No. 19-AA-0853, revised on February 21, 2007, by the Los Angeles County Department of Public Health, acting as the Local Enforcement Agency for the County side of Sunshine Canyon Landfill.

City Landfill Unit 2:

- B. The facility was operating under SWFP No. 19-AR-0002, issued on May 21, 2003 by the Los Angeles City Environmental Affairs Department, acting as the Local Enforcement Agency for the City side of the Landfill.

City/County Project:

- C. The facility is currently operating under SWFP No. 19-AA-2000, issued by the California Integrated Waste Management Board on July 7, 2008. The Local Enforcement Agency for the facility is Sunshine Canyon Landfill LEA.

4. Waste Discharge Requirements (WDR)

County Project:

- A. The facility was granted WDR Order No. R4-2007-0023 by the California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) on April 5, 2007. The WDR expired on October 1, 2008.

City Landfill Unit 2:

- B. The facility was granted WDR Order No. R4-2003-0155 by the Waste Board on December, 4, 2003. The WDR expired on October 1, 2008.

City/County Project:

- C. The facility is currently operating under WDR Order No. R4-2008-0088 granted by the Regional Water Board on October 2, 2008.

5. Consistency with Los Angeles County Countywide Siting Element/Countywide Integrated Waste Management Plan

The proposed City/County Project in both the City and County unincorporated portions of the property was identified in the 1997 Countywide Siting Element (Table 7-1 and pages 7-9, 7-26, and 7-27).

The CSE identified potential new landfills and potential expansions of existing landfill areas where the siting criteria may be applicable for the development of additional Class III landfill disposal capacity. Prior to development of any of these facilities, the facility proponent is required to demonstrate that the project is in conformance with the CSE. As a part of the determination of conformance with the CSE and its Siting Criteria, the project proponent must obtain an FOC from the Task Force.

A. Goals and Policies

Staff has reviewed materials provided by BFI and finds that subject to the conditions stipulated herein, development of the proposed City/County Project is in accordance with the provisions of the County CUP, City Zoning Ordinance, and the goals and policies of the Siting Element/CoIWMP. Specifically:

- i) Promotion of policies to enhance in-County landfill disposal capacity including the expansion of the Sunshine Canyon

Landfill located in the northern San Fernando Valley within the City of Los Angeles and the County unincorporated area.

The proposed project would provide additional in-County disposal capacity (approximately 90.5 million cubic yards or 58.8 million tons) to meet the disposal needs of jurisdictions in Los Angeles County.

- ii) Promotion of land use policies to discourage incompatible land uses between existing, expansion of existing, and new solid waste management facilities identified in the Siting Element and adjacent areas.

The facility will be developed in accordance with these required conditions of its land use approvals. BFI dedicated surrounding properties of East Canyon (426 acres to the west) and Upper Bee Canyon (490 acres to the south) for parkland to the County and Santa Monica Mountains Conservancy as required in the previous permit, Conditional Use Permit 86-312-(5), Condition 15 (and Finding No. 22). The dedication of these properties was intended to ensure compatibility with surrounding land uses and serve as additional buffer around the landfill Facility.

Additionally, in amending the General Plan to permit the Sunshine Canyon City Landfill (Unit 2), the City required maintenance of a 100-acre open space buffer zone in the southern part of the landfill property to provide additional visual and noise buffer for the residential community to the south and the recreational area to the west.

- iii) Promotion of policies that would foster the development of transformation and other waste disposal technologies as alternatives to land disposal.

For County's requirement pertaining to this item, see County CUP Conditions 69 and 73, and Section VIII of this staff report, Recommended Conditions of Approval, Item 10. In addition, BFI is working with the City in promoting conversion technologies.

- iv) Promotion of policies which would ensure that all new or expansions of existing solid waste disposal facilities conform to the siting criteria and obtain a revised FOC whenever a revised/modified solid waste facility permit is required.

See below Section VII.5.B: Evaluation of Siting Criteria and Attachment I.

- v) Implementation of salvage/diversion operations to recover those waste materials that can be feasibly and economically reused, recycled, or composted.

The facility's previous County CUP and the Waste Plan Conformance Agreement approved by the Board of Supervisors on June 26, 1996 require BFI to implement waste diversion measures and to maintain on-site waste diversion and recycling facilities. See County CUP Conditions 24 and 25 (Attachment G) and City Zoning Ordinance Condition B.6 (Attachment H).

B. Evaluation of Siting Criteria

Staff has reviewed the information provided by the project proponent and finds that the proposal, in concert with the owner/operator's compliance with the requirements of County CUP, City Zoning Ordinance, and its Implementation and Monitoring Program and Mitigation Monitoring and Reporting Summary, adequately satisfies the CSE's Siting Criteria. Attachment I is the Siting Criteria Checklist.

VIII. Recommended Conditions of Approval

Staff recommends that an FOC be granted for the proposed project subject to the following conditions:

1. Effective Date-This FOC shall become effective concurrent with 1) the effective date of the City's resolution authorizing development of Phase II of the City Landfill or 2) the date the County's Technical Advisory Committee certifies the facility's compliance with all prerequisites for commencement of the City/County Project, whichever occurs later.
2. Permitted Operations/Activities-This FOC is limited to landfilling activities and other waste management operations for the City/County Project, in accordance with the County CUP No. 00-194-(5) approved by the Los Angeles County Board of Supervisors on February 6, 2007 and the City Zoning Ordinance No. 172933 approved by the City Council on December 8, 1999 and approved by the City Mayor on December 9, 1999.
3. Types of Waste Materials-The waste materials to be landfilled at the subject site shall be limited to solid waste and inert debris as defined in the County CUP No. 00-194-(5) and the City Zoning Ordinance No. 172933, and as specified in the WDR Order No. R4-2008-0088 issued by the Regional Water Board, on October 2, 2008. Hazardous waste, radioactive waste, liquid waste (including slurries and septic tank pumping), designated waste, incinerator ash, sludge, and dead

animals (except for non-incidentally dead animals), other wastes requiring special treatment or handling, and untreated medical waste, as defined by State and Federal laws are prohibited. The type of beneficial use materials shall include, but not be limited to, green waste, wood waste, asphalt, concrete, and dirt.

4. Waste Quantities—The materials received at the facility shall be subject to the following:
 - a. Maximum daily tonnage of solid waste disposed at the site shall be limited to 12,100 tons on any given day, six working days per week, with a maximum weekly capacity of 66,000 tons of non-hazardous solid waste.
 - b. The amount of materials received as inert debris and for beneficial use shall not exceed 6,600 tons per week, based upon six working days per week.
4. Hours of Operation—The hours of operation for solid waste disposal at the site shall be 6 a.m. to 6 p.m. Monday through Friday and 7 a.m. to 2 p.m. on Saturday. The Landfill shall be closed on Sundays. Saturday hours may be extended from 2 p.m. to 6 p.m. if necessary to accommodate post-holiday disposal requirements, where there was limited or no trash pick-up on the holiday.
5. Limits of Fill—Total disposal quantity, excavations, horizontal boundaries, and minimum and maximum elevations (contours) shall be limited to those established in Exhibit “A-2” fill design and defined as the City/County Project of the County CUP No. 00-194-(5) and the Phases I and II fill design identified in the City Zoning Ordinance No. 172933. The maximum vertical height of the City/County Project, including final cover, shall not exceed a final fill elevation of 2,004 feet above mean sea level for the disposal area within the City of Los Angeles and 1,904 for the disposal area within the County of Los Angeles. Attachment J shows the proposed Final Grading Plan.
6. Term—This FOC shall terminate upon one of these conditions: 1) The facility reaching the disposal capacity, boundary limits, and/or maximum fill elevation of Exhibit “A-2” fill design of the County CUP No. 00-194-(5) and the fill design of Phases I and II of Unit 2 of the City Zoning Ordinance No. 172933, 2) failure of the City of Los Angeles to grant the facility owner/operator to continue to operate the facility upon the City’s Phase III compliance review, or (3) the operation reaching the date of February 6, 2037. This FOC will terminate if there is any Significant Change in operation of the facility as defined in Chapter 10.4 of the CSE or if the operation of the facility is prohibited by any regulatory agency, judicial court, the County of Los Angeles, or City of Los Angeles.

This FOC is subject to reconsideration concurrent with the SWFP five-year review process, the City's Phase III compliance review of the City Landfill, or at an earlier date as may be determined by the Task Force. No less than 90 days before the five-year anniversary of the FOC the owner/operator shall submit a request for review of its FOC to the Task Force. The request shall indicate any changes in the operation that may necessitate a revision in the provisions/conditions of this FOC.

7. Regulatory Compliance—The facility owner/operator must comply with all laws, requirements and regulations of the Federal, State, County, and local regulatory agencies.
8. Waste Load-Checking—The facility owner/operator shall implement a Waste Load Checking Program as approved by the Sunshine County Landfill-Local Enforcement Agency, and submit a copy of the approved program to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California, 91802-1460.
9. Litter Control—The facility owner/operator shall implement the Litter Control and Tarping Program as stipulated in Attachment K.
10. Conversion Technologies—The facility owner/operator shall actively work with the Task Force in promoting conversion technologies as alternatives to landfilling and incineration. This shall include, but not be limited to, (a) supporting and promoting legislation and regulations which would provide economic incentives for the development of conversion technologies, and (b) supporting and promoting legislation and regulations which would remove conversion technologies from the definition of transformation and give them full diversion credit towards the State waste reduction mandates.
11. Seismic Monitoring—The facility owner/operator shall implement and comply with the following seismic monitoring requirements:
 - a. Complete installation of an accelerometer onsite to measure earthquake/seismic ground motions within 60 days of approval of this FOC. A set of as-built plans signed and sealed by a California Registered Civil Engineer shall be provided to the Sunshine Canyon Landfill-Local Enforcement Agency and the County of Los Angeles Department of Public Works, Environmental Programs Division.
 - b. Following a major earthquake/seismic ground motion of magnitude 5.0 or greater, as recorded by the closest ground-motion monitoring device as maintained by the California Division of Mines and Geology, thoroughly survey the landfill for primary and secondary

surface expressions of seismic activity (such as surface ruptures, landslides, change in spring flows, liquefaction, etc.). Submit a damage assessment report on the results of the survey to the County of Los Angeles Department of Public Works, Environmental Programs Division and the Sunshine Canyon Landfill-Local Enforcement Agency for review. The assessment report needs to describe and discuss all features, including damage to the site and infrastructure caused by the earthquake and measures that will be taken to mitigate the impact.

12. Waste Characterizations—On a semi-annual basis, the facility owner/operator shall conduct waste characterizations of the incoming waste stream destined for disposal over a one-week period during the months of March and September. The results shall be submitted in the attached Monitoring and Reporting Form (Attachment L) with the reports due April 30 and October 31 of each year (see Condition 13 below).
13. Reports—The facility owner/operator shall submit monthly reports on a quarterly basis within 30 days of the end of the quarter to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460. The report shall contain the following information for each month of the reporting period:
 - a. Type and quantity of waste (weight) received at the facility for processing, recycling, and disposal.
 - b. Waste source and quantity identified by weight and/or volume for each jurisdiction of origin, including each city within the County of Los Angeles, unincorporated area of the County, and any jurisdiction outside the County of Los Angeles, if any.
 - c. Quantity of recovered recyclable materials, including tires and green waste, if any, by weight and/or volume, and final destination of recovered materials.
 - d. Quantity of household hazardous waste and electronic waste, if any, recovered from the waste stream, and final destination of recorded materials.
 - e. The frequency of the submittal shall be on a quarterly basis consistent with the requirements of the State's Disposal Reporting System (Section 18812.9 of the California Code of Regulations, as may be amended).
 - f. Remaining landfill disposal capacity by weight (tons) and volume (cubic yards).

- g. The information shall be provided in the format approved by the Task Force through the Los Angeles County Solid Waste Information Management System, and/or as may be updated by the Task Force (Attachment M).

Failure to comply with these reporting requirements shall be considered as a cause for revocation of this FOC.

14. Change in Ownership—In the event of any change in operator or control of ownership of the facility by BFI and/or Allied Waste, the applicant must:

- a. Notify the Task Force, in writing, of such change within ten calendar days;
- b. Notify the succeeding owner and operator by letter, a copy of which shall be filed with the Task Force, of the existence of this FOC; and
- c. The new owner and operator shall jointly submit a written report to the Task Force within 30 days of the change of ownership detailing measures that will be implemented to insure compliance with requirements of this FOC.

15. Mitigation Measures—The owner/operator must obtain and fully comply with all the permits and approvals (including but not limited to drainage, grading, stormwater, building, and industrial waste), as well as comply with all other mitigation measures, which are listed in Attachment I to comply with the Siting Criteria. Documentation substantiating that the owner/operator has obtained all necessary permits and approvals, as well as compliance with all other mitigation measures, which are required prior to operating the City/County Project, shall be submitted to the County of Los Angeles Department of Public Works at least 30 days prior to commencement of operation in the City/County Project.

16. Subsurface Gas Migration—The owner/operator must protect all on-site buildings and enclosed structures within 1,000 feet of the disposal area against intrusion of migrating landfill gas in accordance with the requirements of Chapter 15 of the City of Los Angeles Building Code and Section 110 of the Los Angeles County Building Code, as applicable.

17. Status Report—The owner/operator shall submit a status report on the following:

- a. Progress of the City/County Project.

- b. Progress of the site's landscaping activities and revegetation of the permanent slope areas.

The status report shall be submitted on a quarterly basis within 30 days of the end of the quarter to the Los Angeles County Integrated Waste Management Task Force, P.O. Box 1460, Alhambra, California 91802-1460.

IX. ATTACHMENTS

- A-I Revised Page 5 for Finding of Conformance Proposal, Amended August 2008
- A-II Revised Page 2 for Finding of Conformance Proposal, Amended August 2008
- B Letter from the City of Los Angeles, dated September 5, 2008
- C The Planning MOU and Resolution approving Phase II of City Landfill

The following attachments are the same as those for the July 10, 2008, staff report and will not be attached with this staff report:

- D Site Location Map
- E Existing Site Plan
- F Landfill Phasing Plan
- G County Conditional Use Permit 00-194-(5), Exhibit "A-1" & Exhibit "A-2"
- H City Zoning Ordinance No. 172933
- I Siting Criteria Evaluation Checklist
- J Final Grading Plan
- K Litter Control and Tarping program
- L Monitoring and Reporting Form (Waste Characterization)
- M SWIMS Form 13