



LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
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DEAN D. EFSTATHIOU  
CHAIRMAN

May 16, 2008

Ms. Margo Reid Brown, Chair  
California Integrated Waste Management Board  
1001 I Street  
Sacramento, CA 95812-2815

Dear Ms. Brown:

**PROPOSED SOLID WASTE FACILITY PERMIT NO. 19-AA-2000  
COMBINED CITY/COUNTY SUNSHINE CANYON LANDFILL**

On March 25, 2008, the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) provided testimony at the California Integrated Waste Management Board's (Waste Board)'s public information meeting in Granada Hills, California, a copy enclosed. The purpose of the meeting was to receive public comments regarding the Waste Board's processing of Browning-Ferris Industries, Inc.'s application for a Solid Waste Facility Permit for the combined City/County Sunshine Canyon Landfill.

As of date, the Waste Board has not responded to the Task Force's concerns expressed at the March 25, 2008 public information meeting. Instead, the Waste Board has developed and released a copy of the proposed Solid Waste Facility Permit to BFI on May 6, 2008. Thus, due to the significant implications of the Waste Board's potential issuance of the Solid Waste Facilities Permit on June 17, 2008, we respectfully request that the Waste Board respond to the Task Force's comments in writing as soon as possible and prior to consideration of the said Permit.

At the March 25, 2008 meeting, we indicated that "the proposed action by the Waste Board in re[gards] to issuance of the new Solid Waste Facility Permit is in violation of the California Code of Regulations, Title 14, Section 18756, Subdivisions (a), (b) and (d)." Specifically, Section 18756 specifies the following:

**Section 18756. Criteria for Establishing New or for Expanding Existing Solid Waste Disposal Facilities.**

*(a) To establish a new solid waste disposal facility or to expand an existing solid waste disposal facility, the county and regional agency shall describe the criteria to be used in the siting process for each facility. The criteria shall include, but not be limited to, a description of the major categories of Environmental Considerations, Environmental Impacts, Socioeconomic Considerations, Legal Considerations, and additional criteria as developed by the county, cities, regional agency and member agencies. The following are examples of criteria that may be considered within those major categories:*

*(1) Environmental Considerations (for example: geology and soils including faulting and seismicity, ground settlement, surface hydrology and ground water, quantity and quality of ground water, surface water, surface water contamination, drainage patterns, etc.);*

*(2) Environmental Impacts (for example: air quality including climatic and meteorological conditions and emissions, visibility, cultural resources including regional setting, inventory and significance, paleontological resources including inventory and significance, vegetation, and wildlife, etc.);*

*(3) Socioeconomic considerations (for example: transportation including local and regional transportation systems, highways and major roadway corridors, rail transportation and corridors, land use including regional and local land uses such as military use, mineral extraction, agriculture, recreation/tourism, compatibility with existing and future land uses, consistency with county general plan(s) and future post-closure uses, economic factors including estimates of development costs and operational costs, etc.);*

*(4) Legal considerations (for example: federal, state, and local minimum standards and permits, liabilities, and monitoring, etc.);*

*(5) Additional criteria as may be included by the county, cities, regional agency and member agencies approving the Siting Element.*

*(b) The Siting Element shall describe the process instituted countywide or regionwide to confirm that the criteria set forth in (a)(1-5) of this section are included as part of the solid waste disposal facility siting process.*

*(c) The countywide Siting Element shall be approved by the county and the cities as described in Public Resources Code section 41721. The regionwide Siting Element shall be approved by the regional agency as described in section 18783(c) of this chapter. The Siting Element shall include: a resolution from each jurisdiction and member agency approving or disapproving of the Siting Element or any proposed amendment to the element; and a record of any jurisdiction or member agency failing to act upon the Siting Element.*

***(d) No solid waste disposal facility in the Siting Element shall be established that does not satisfy the minimum criteria that are adopted in the Siting Element pursuant to section 18756(a) of this article.***

*(e) A solid waste disposal facility not described within the Siting Element shall not be established unless an amendment to the Siting Element has been approved identifying and describing the facility, and the date of its inclusion in the element pursuant to PRC section 41721.5.”*

As of date, neither the Waste Board, acting as the Enforcement Agency, nor the applicant, BFI, has provided any documentation to substantiate its compliance with the said Subdivision 18756(d), which requires that “No facility in the Siting Element shall be established that does not satisfy the minimum criteria that are adopted in the Siting Element pursuant to section 18756(a) of this article.” Therefore, issuing the proposed Solid Waste Facility Permit will be a direct violation of the said regulation.

The Task Force respectfully request that the proposed permit be denied until the applicant, BFI, submit evidence of compliance with the requirements of CCR Title 14, Section 18756, Subdivisions (a), (b), and (d).

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and its 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities, and to ensure a coordinated and cost-effective and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

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We look forward to your written response. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair  
Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force and  
Council Member, City of Rosemead

Enc.

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cc: Each Member of the California Integrated Waste Management Board  
California Integrated Waste Management Board (Susan Markie, Ted Rauh, Mark Leary)  
Each Member of the Los Angeles County Board of Supervisors  
Mayor of the City of Los Angeles  
Each Council Member of the City of Los Angeles  
County of Los Angeles Department of Public Health (Ken Murray)  
City of Los Angeles Department of Environmental Affairs (Wayne Tsuda)  
Each Member of the Los Angeles County Integrated Waste Management Task Force

**Mike Mohajer**  
**Testimony on Combined City/County Sunshine Cyn Landfill**  
**CIWMB**  
**March 25, 2008**

**My name is Mike Mohajer, and I am a member of the Los Angeles County Integrated Waste Management Task Force (Task Force). On behalf of the Task Force, I want to thank the California Integrated Waste Management Board (Waste Board) for the opportunity to comment on its proposed action in re to the application by BFI/Allied for a New Solid Waste Facility Permit for the combined City/County Sunshine Canyon Landfill. The Task Force is opposed to the proposed action by the Waste Board.**

**Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and its 88 cities in Los Angeles County with a combined population in excess of 10 million. Consistent with these responsibilities, and to ensure a coordinated and cost-effective and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a Countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.**

**On March 20, 2008, the Task Force unanimously voted to oppose the proposed permit application by the Landfill Owner/Operator and the action of the Waste Board in accepting the permit application complete because of the following:**

- I. The proposal is not consistent with the requirements of the land use permits issued by the City and the County of Los Angeles as well as those specified in the Los Angeles County Countywide Siting Element. The requirements stipulated in the land use permits and those included in the Countywide Siting Element are formulated to protect the health and safety of our citizens as well as the environment and must not be ignored by the Waste Board; and**

- II. The proposed action by the Waste Board in re to issuance of the New Solid Waste Facility Permit is in violation of the California Code of Regulations, Title 14, Section 18756, Subdivisions (a), (b) and (d).**

**Additionally, on February 28, 2008, the Task Force also voted to support Assembly Bill 2415 (introduced on Feb 21, 2008) which would require the Waste Board to obtain the approval of each relevant designated and certified local enforcement agency prior to approving a solid waste facility permit for any facility which occupies two or more jurisdictions.**

**Thank you for the consideration of our comments and the Task Force request that these comments be incorporated into the records for formal response by the Waste Board prior to further consideration and potential issuance of the New Solid Waste Facility Permit for the combined City/County Sunshine Cyn Landfill.**

**Mike Mohajer, Member  
Los Angeles County IWM Task Fore  
P.O. Box 3334, San Dimas, CA 91773-7334**