

BEFORE THE
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
FOR THE STATE OF CALIFORNIA

IN THE MATTER OF THE:)
)
PERMITTING AND ENFORCEMENT)
)
COMMITTEE MEETING)
_____)

DATE AND TIME: TUESDAY, FEBRUARY 18, 1992, 9:30 A.M.

PLACE: VAN NUYS STATE BUILDING AUDITORIUM
6150 VAN NUYS BOULEVARD
VAN NUYS, CALIFORNIA

REPORTER: BETH C. DRAIN, RPR, CSR
CERTIFICATE NO. 7152

BRS FILE NO.: 10793

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APPEARANCES

MR. JESSE HUFF, CHAIRMAN
MR. PAUL RELIS
MR. SAM EGIGIAN

STAFF PRESENT

MR. ROBERT F. CONHEIM, GENERAL COUNSEL



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I N D E X

	<u>PAGE NO.</u>
ROLL CALL	6
ITEM 1: CONSIDERATION OF CONTRACTS AND INTERAGENCY AGREEMENTS.	
WITHDRAWN	
ITEM 2: UPDATE ON POLICY DEVELOPMENT REGARDING DISPOSAL OF ASBESTOS CONTAINING WASTE.	
PRESENTATION	7
QUESTIONS AND COMMENTS	10
ITEM 3: CONSIDERATION OF FACILITIES EVALUATION REPORT FOR COUNTY OF YOLO LOCAL ENFORCEMENT AGENCY JURISDICTION.	
PRESENTATION	12
QUESTIONS AND COMMENTS	16
BOARD ACTION	19
ITEM 4: CONSIDERATION OF FACILITIES EVALUATION REPORT FOR THE COUNTY OF SAN DIEGO LOCAL ENFORCEMENT AGENCY JURISDICTION.	
PRESENTATION	19
QUESTIONS AND COMMENTS	28
BOARD ACTION	33
ITEM 5: CONSIDERATION OF FACILITIES EVALUATION REPORT FOR COUNTY OF SAN LUIS OBISPO LOCAL ENFORCEMENT AGENCY JURISDICTION.	
PRESENTATION	34
QUESTIONS AND COMMENTS	37
COMMITTEE ACTION	45

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ITEM 6: CONSIDERATION OF FACILITIES EVALUATION REPORT FOR COUNTY OF SANTA CRUZ LOCAL ENFORCEMENT AGENCY JURISDICTION.

PRESENTATION	46
QUESTIONS AND COMMENTS	50
COMMITTEE ACTION	51

ITEM 7: CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR CALIFORNIA WASTE REMOVAL SYSTEM, INC., TRANSFER STATION, SAN JOAQUIN.

PRESENTATION	54
QUESTIONS AND COMMENTS	58
COMMITTEE ACTION	65

ITEM 8: CONSIDERATION OF CONCURRENCE IN ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR SOUTHERN CALIFORNIA DISPOSAL COMPANY RECYCLING AND TRANSFER STATION, LOS ANGELES COUNTY.

PRESENTATION	66
QUESTIONS AND COMMENTS	68
COMMITTEE ACTION	108

ITEM 9: CONSIDERATION OF CONCURRENCE IN ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR SAN DIEGO RESOURCE RECOVERY TRANSFER STATION, SAN DIEGO COUNTY.

WITHDRAWN

ITEM 10: CONSIDERATION OF CONCURRENCE IN ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR GENERAL RECYCLING SERVICES, INC. TRANSFER/RECYCLING FACILITY, LOS ANGELES COUNTY.

PRESENTATION	111
QUESTIONS AND COMMENTS	---
COMMITTEE ACTION	115

ITEM 11: CONSIDERATION OF CONCURRENCE IN ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR NORTH BELTRIDGE SOLID WASTE DISPOSAL SITE, KERN COUNTY.

PRESENTATION	115
QUESTIONS AND COMMENTS	118
COMMITTEE ACTION	120

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ITEM 12: CONSIDERATION OF CONCURRENCE IN
ISSUANCE OF A REVISED SOLID WASTE FACILITIES PERMIT FOR
CITY OF SANTA MONICA REFUSE TRANSFER STATION, LOS ANGELES
COUNTY.

PRESENTATION	120
QUESTIONS AND COMMENTS	123
COMMITTEE ACTION	130

ITEM 13: CONSIDERATION OF CONCURRENCE IN
ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR
SUNSHINE CANYON SANITARY LANDFILL EXTENSION, LOS ANGELES
COUNTY.

PRESENTATION	133
QUESTIONS AND COMMENTS	139
COMMITTEE ACTION	288

ITEM 14: OPEN DISCUSSION ---

ADJOURNMENT 288

REPORTER'S CERTIFICATE 289



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1 CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
2 PERMITTING AND ENFORCEMENT COMMITTEE

3 TUESDAY, FEBRUARY 18, 1992

4 9:30 A.M.

5
6 CHAIRMAN HUFF: I CALL THIS MEETING TO ORDER.
7 IS THE MICROPHONE WORKING? IT IS WORKING, AT LEAST, FOR
8 THE STENO. THAT'S GOOD.

9 THIS IS THE PERMITTING AND ENFORCEMENT
10 COMMITTEE OF THE CALIFORNIA INTEGRATED WASTE MANAGEMENT
11 BOARD. WE'LL HAVE A ROLL CALL TO ESTABLISH A QUORUM,
12 PLEASE.

13 COMMITTEE SECRETARY: BOARD MEMBER EGIGIAN?

14 BOARD MEMBER EGIGIAN: HERE.

15 COMMITTEE SECRETARY: RELIS?

16 BOARD MEMBER RELIS: HERE.

17 COMMITTEE SECRETARY: CHAIRMAN HUFF?

18 CHAIRMAN HUFF: HERE.

19 QUORUM IS PRESENT.

20 IT'S THE INTENT OF THE CHAIR TO TAKE THE
21 ITEMS IN ORDER ON THE SAME ORDER THAT THEY APPEAR ON THE
22 COMMITTEE'S AGENDA. SO I THINK ANYONE WHO'S HERE FOR ANY
23 ITEM THAT'S TOWARD THE END OF THE AGENDA, AND IF THERE
24 ARE PEOPLE HERE CONCERNED ABOUT THE SUNSHINE CANYON,
25 WE'RE GOING TO TAKE UP OTHER ITEMS FIRST. WE'LL JUST

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1 PROCEED THROUGH THE AGENDA IN ORDER. IT MAY BE A LITTLE
2 WHILE BEFORE WE GET TO THE END OF THE AGENDA.

3 SO WITH THAT, WHY DON'T WE MOVE TO ITEM NO.
4 1.

5 MR. WALLACE: MR. CHAIRMAN, I DO NOT BELIEVE WE
6 HAVE ANY CONTRACTS ON TODAY'S AGENDA.

7 CHAIRMAN HUFF: OKAY.

8 ITEM NO. 2, WE DON'T HAVE ANYTHING ON ITEM
9 NO. 2.

10 ATTORNEY CONHEIM: MR. CHAIRMAN, WE DO HAVE A
11 REPORT. MS. VASQUEZ IS GOING TO BEGIN THE BRIEFING, AND
12 I MAY HAVE SOME COMMENTS WHEN SHE'S DONE.

13 CHAIRMAN HUFF: OKAY, GOOD.

14 MS. VASQUEZ: GOOD MORNING, MR. CHAIRMAN AND
15 BOARD MEMBERS. MY NAME IS MARTHA VASQUEZ, AND I AM THE
16 MANAGER OF THE BOARD'S PERMITTING BRANCH. I'M HERE TO
17 GIVE AN UPDATE ON POLICY DEVELOPMENT REGARDING THE
18 DISPOSAL OF ASBESTOS-CONTAINING WASTE, OTHERWISE KNOWN AS
19 ACW.

20 AS YOU KNOW, STATUTE IDENTIFIES ASBESTOS
21 AND ASBESTOS-CONTAINING WASTE AS A HAZARDOUS WASTE, AND
22 THIS BOARD HAS THE AUTHORITY TO REGULATE ONLY
23 NONHAZARDOUS WASTE.

24 HISTORICALLY, THE BOARD DID PERMIT
25 FACILITIES TO RECEIVE AND DISPOSE OF ACW. IN NOVEMBER OF

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1 1991, THAT CHANGED IN THAT THE BOARD CONSIDERED A SOLID
2 WASTE FACILITY PERMIT FOR THE ANDERSON LANDFILL IN SHASTA
3 COUNTY.

4 AT THAT TIME THE BOARD DETERMINED THAT
5 SOLID WASTE FACILITY PERMITS SHOULD NOT REGULATE ASBESTOS
6 OR ACW. AND THAT PERMIT WAS PROPOSED AND CONCURRED IN BY
7 THE BOARD IN REQUIRING ACW TO BE MONOFILLED AND PLACED IN
8 DISCRETE UNITS THAT ARE OUTSIDE OF THE SOLID WASTE
9 FACILITY PERMIT.

10 WHAT THIS DOES IS THAT IT CREATES BLACK
11 HOLES OR SWISS CHEESE PERMITS, AS WE'VE COME TO CALL
12 THEM, WHERE THE ACW AREAS ARE NOT REGULATED BY THIS
13 BOARD.

14 AT THAT SAME MEETING THE BOARD ACKNOWLEDGED
15 THAT SOME FOLLOW-UP WORK NEEDED TO BE DONE REGARDING
16 REGULATION OF ACW, AND THE EXECUTIVE DIRECTOR WAS
17 DIRECTED TO ENTER INTO DISCUSSIONS WITH DEPARTMENT OF
18 TOXIC SUBSTANCE CONTROL TO PURSUE REGULATION OF ACW.

19 ATTORNEY CONHEIM: MARTHA, I HOPE THAT PAT'S
20 GONE TO SEE IF WE CAN'T GET THIS THING KICKED UP, BUT
21 MAYBE YOU WANT TO KIND OF SWALLOW THE MIKE OR GET CLOSER
22 TO IT, YEAH.

23 MS. VASQUEZ: OKAY. IN JANUARY OF THIS YEAR,
24 BOARD STAFF BEGAN MEETINGS WITH THE DEPARTMENT OF TOXICS
25 REGULATIONS AND OTHER AGENCIES IN WORKING OUT AN MOU AND



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1 OTHER POLICY DEVELOPMENT IN REGULATING ACW.

2 THE PARTICIPANTS HAVE BEEN THE AIR BOARD,
3 THE STATE WATER BOARD, THE REGIONAL WATER QUALITY CONTROL
4 BOARD, AND TOXIC SUBSTANCE CONTROL. THERE HAVE BEEN TWO
5 TEAMS DEVELOPED. FIRST IS A TECHNICAL GROUP FROM THE
6 BOARD AND THE SECOND IS A LEGAL GROUP.

7 THE TECHNICAL GROUP HAS BEGUN TO IDENTIFY
8 THE UNIVERSAL SITES THAT HAVE HISTORICALLY RECEIVED
9 ASBESTOS AND ARE CURRENTLY RECEIVING ASBESTOS.

10 EVERYONE AGREES IN CONCEPT THAT ACW SHOULD
11 BE MONOFILLED AND NOT CO-DISPOSED AND THAT THE BOARD
12 SHOULD HAVE JURISDICTION OVER ON-SITE DISPOSAL OR ON-SITE
13 REGULATION OF ACW NONHAZARDOUS WASTE LANDFILLS.

14 IT IS ALSO AGREED THAT SOLID WASTE
15 FACILITIES PERMITS SHOULD SPECIFY DISPOSAL PRACTICES AS
16 WELL AS DEPARTMENT OF TOXICS MANIFESTING REQUIREMENTS.

17 WE HAVE BEGUN TO IDENTIFY STATUTORY AND
18 REGULATORY CHANGES THAT WILL BE REQUIRED IN ORDER FOR THE
19 BOARD TO PICK UP THAT RESPONSIBILITY. THERE WILL BE,
20 HOPEFULLY, SOME EMERGENCY REGULATIONS COMING OUT OF THIS
21 WORK GROUP AND SOMEWHAT SPECIFIED IN THE MOU.

22 UNTIL THE MOU IS DEVELOPED AND AGREED ON,
23 WHAT WILL HAPPEN IS THAT SOLID WASTE FACILITY PERMITS
24 THAT COME BEFORE THE BOARD WILL CONTINUE TO BE WRITTEN SO
25 THAT THE ACW DISCRETE UNITS ARE OUTSIDE OF THIS BOARD'S



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1 REGULATION.

2 AND THERE IS ONE SUCH PERMIT LIKE THAT
3 BEFORE YOU THIS MORNING. AND THAT IS THE NORTH BELBRIDGE
4 LANDFILL IN KERN COUNTY.

5 WHAT WOULD HAPPEN, WE BELIEVE, IS THAT AS
6 EMERGENCY REGS ARE DEVELOPED AND AFTER THE MOU IS
7 FINALIZED, THESE PERMITS THAT ALLOW THE SWISS CHEESE IDEA
8 WOULD COME BACK FOR A REVISION.

9 CHAIRMAN HUFF: OKAY. ARE THERE ANY QUESTIONS?

10 BOARD MEMBER EGIGIAN: MARTHA, WHAT DOES THAT DO
11 TO US NOW AT SOME CLASS III LANDFILLS ACCEPTING THIS
12 MATERIAL, I UNDERSTAND? AND THEY'RE DIRECTED BY ANOTHER
13 AGENCY ON HOW TO HANDLE IT? IS THAT WHAT WE'RE SAYING?

14 MS. VASQUEZ: THAT'S CORRECT.

15 BOARD MEMBER EGIGIAN: UNTIL SUCH TIME AS THE
16 REGULATIONS ARE BROUGHT UP-TO-DATE, WE STAY OUT OF THE
17 PICTURE?

18 MS. VASQUEZ: YES. ALTHOUGH IT IS KNOWN THAT
19 DEPARTMENT OF TOXICS DOESN'T HAVE A VERY ACTIVE PROGRAM
20 IN REGULATING DISPOSAL OF ACW AT NONHAZARDOUS WASTE
21 FACILITIES.

22 CHAIRMAN HUFF: THE BOTTOM LINE IS WE'VE MADE
23 PROGRESS WITH THE DEPARTMENT OF TOXIC SUBSTANCE CONTROL.

24 MS. VASQUEZ: SIGNIFICANT PROGRESS.

25 CHAIRMAN HUFF: SIGNIFICANT PROGRESS. PROGRESS



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1 WHICH HAD ELUDED US HISTORICALLY IS NOW BEING MADE,
2 CORRECT?

3 MS. VASQUEZ: THAT'S CORRECT.

4 ATTORNEY CONHEIM: MR. CHAIRMAN, THE PROGRESS IS
5 SO SIGNIFICANT THAT, IN FACT, IT APPEARED, WHEN WE FIRST
6 MET WITH TOXICS, THAT THIS WOULD BE A SLAM DUNK AND A
7 ONE- OR TWO-MEETING AFFAIR BECAUSE THEY WERE IN TOTAL
8 AGREEMENT.

9 NOT ONLY TO THAT WE SHOULD BE REGULATING
10 ACTIVITIES AT SOLID WASTE LANDFILLS INCLUDING ASBESTOS
11 DISPOSAL, BUT THEY WERE PERFECTLY WILLING TO GIVE US SOME
12 OF THE MONEY THAT THEY'RE COLLECTING ON THE -- FROM THE
13 MANIFESTED WASTE FROM THE HAZARDOUS WASTE TAX.

14 THEY DIDN'T UNDERSTAND OUR RELATIONSHIP TO
15 LEA'S AND THE FACT THAT MOST OF THIS WORK WILL BE DONE BY
16 LEA'S. IT'S BUREAUCRATICALLY CUMBERSOME. AND SO WE'RE
17 TAKING THE TIME TO DO IT RIGHT, BUT THERE IS REALLY NO
18 DISAGREEMENT ON THE PRINCIPLES HERE.

19 AND THIS PROBLEM WILL BE SOLVED. IT'S JUST
20 THAT YOU WILL SEE THIS PERMIT TODAY, THE ITEM ON NORTH
21 BELRIDGE, AND YOU MAY SEE ONE OR TWO MORE BEFORE IT IS
22 FIXED, BUT IT WILL BE FIXED.

23 CHAIRMAN HUFF: THAT'S GREAT. OKAY.

24 WITH THAT, ARE THERE ANY OTHER QUESTIONS?

25 OKAY. WE'LL TAKE ITEM 1 -- 3, PAGE 1.



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1 MR. BELL: MR. CHAIRMAN, MEMBERS OF THE
2 COMMITTEE, GOOD MORNING. I'M JOHN BELL, MANAGER OF THE
3 COMPLIANCE BRANCH NORTH.

4 ITEM 3 INVOLVES CONSIDERATION OF A FACILITY
5 EVALUATION REPORT FOR THE LEA JURISDICTION OF YOLO COUNTY
6 PUBLIC HEALTH ENVIRONMENTAL HEALTH SERVICES. THEY ARE
7 THE SOLE LEA FOR YOLO COUNTY.

8 THIS FER PROCESS WITH THE INSPECTIONS AND
9 FACILITY EVALUATIONS WAS CONDUCTED BETWEEN APRIL AND
10 AUGUST OF 1991, LAST YEAR.

11 AT THIS TIME, I WILL TURN IT OVER TO SHARON
12 ANDERSON, THE SUPERVISOR IN CHARGE OF THIS FER.

13 MS. ANDERSON: AS JOHN BELL, MY SUPERVISOR
14 CLAIMS, I'M SHARON ANDERSON, AND I'M SENIOR SUPERVISOR
15 FOR COMPLIANCE NORTH SECTION A. WE HAVE 25 JURISDICTIONS
16 THAT WE'LL BE EVALUATING OVER A COURSE OF TIME. I THINK
17 WE'VE ALREADY BROUGHT SIX BEFORE YOU. THIS WILL BE THE
18 SEVENTH FOR MY SECTION.

19 YOLO COUNTY IS LOCATED NEXT TO SACRAMENTO
20 COUNTY. IT'S MOSTLY AG. THERE'S A SMALL POPULATION
21 THERE AND THREE INCORPORATED CITIES.

22 CHAIRMAN HUFF: SOME MINOR SCHOOL THERE, TOO.

23 MS. ANDERSON: MAJOR SCHOOL THERE. THANKS FOR
24 REMINDING ME BECAUSE THEY DO HAVE A FACILITY, SOLID WASTE
25 FACILITY.

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1 THE DIRECTOR OF ENVIRONMENTAL HEALTH FOR
2 THE LEA IS TOM TO. HE HAS A COUPLE OF STAFF THAT HE'S
3 HAD WORKING WITH HIM. WE NOTICED AN IMPROVEMENT IN THEIR
4 PROGRAM WHEN HE BROUGHT ON A NEW STAFF PERSON, PAULA, WHO
5 KIND OF BREATHED A BREATH OF LIFE INTO THEIR PROGRAM.
6 THEY HAD A STAFF PERSON THAT WASN'T DOING THEIR JOB, AND
7 SO IT KIND OF REFLECTS IN THIS FER.

8 THIS IS IMPORTANT INFORMATION BECAUSE UP
9 UNTIL AUGUST IT APPEARED AS THOUGH THEY WOULDN'T MAKE
10 CERTIFICATION. BUT THEN THIS PERSON CAME ON BOARD AND
11 JUST CHANGED THE WAY THAT THEY DID BUSINESS. SHE WAS
12 DOING HER MONTHLY INSPECTIONS AND SHE GOT NOTICES AND
13 ORDERS WRITTEN, AND SHE TOOK CARE OF BUSINESS.

14 THEY HAVE TWO MAJOR LANDFILLS IN THE
15 COUNTY, YOLO COUNTY CENTRAL LANDFILL AND THE U.C. DAVIS
16 LANDFILL. THE U.C. DAVIS LANDFILL, I NEED TO STATE FOR
17 THE RECORD, IS NOT ASSOCIATED WITH THE RADIOACTIVE WASTE.
18 THERE IS NO RADIOACTIVE WASTE TO THIS DATE KNOWN TO BE
19 BURIED AT THE U.C.D. LANDFILL. THAT BEAGLE WASTE IS
20 SOMETHING OUTSIDE OF THAT AREA.

21 THEY ALSO HAVE A COUPLE OF TRANSFER
22 STATIONS. ONE TEENY-TINY TRANSFER STATION THAT'S
23 INCLUDED ON THE TOUR THAT JOHN BELL GIVES OF LANDFILLS
24 AND TRANSFER STATIONS. AND THEY ALSO HAVE A VERY MODERN
25 STATE-OF-THE-ART RECYCLING TRANSFER STATION.



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1 IF ANYBODY LIVES IN DAVIS, THEY KNOW THAT
2 THEY HAVE CURBSIDE THROUGHOUT THE CITY, THAT DAVIS WASTE
3 REMOVAL TRANSFER STATION WAS AHEAD OF THEIR TIME. THEY
4 ACTUALLY HAD THIS ON BOARD MANY YEARS AGO. THEY ALSO HAD
5 A COUPLE OF INACTIVE FACILITIES THAT WERE INSPECTED BY
6 OUR STAFF. AND THEY HAVE A COMPOSTING FACILITY AT THE
7 OLD TRIPLE X-RATED DRIVE-IN THAT IS NO LONGER IN
8 BUSINESS. THEY USE THE ASPHALT PAD AS --

9 CHAIRMAN HUFF: THEY STILL DEAL IN DIRT.

10 MS. ANDERSON: I DON'T KNOW WHAT THEY DID WITH
11 THOSE SPEAKER BOXES, YOU KNOW, THAT THEY HAVE AT DRIVE-IN
12 MOVIES. BUT THEY SAVED THE ASPHALT PAD, AND THAT'S WHERE
13 THEY CONDUCT THEIR COMPOSTING OPERATION. THE SITE IS
14 PRESENTLY INACTIVE, THE COMPOSTING FACILITY, BECAUSE THEY
15 AWAIT SOME PERMIT ACTION FROM THE LEA.

16 THE LEA HAS WRITTEN THREE NOTICE AND ORDERS
17 BECAUSE THEY HAD TWO FACILITIES THAT WERE OPERATING
18 OUTSIDE TERMS AND CONDITIONS. SO THEY TOOK THE
19 APPROPRIATE ACTION, WROTE THE NOTICES AND ORDERS,
20 ALTHOUGH IT WAS VERY HARD FOR THEM TO DO THAT AT U.C.
21 DAVIS., U.C. DAVIS BEING KIND OF POWERFUL AND NOT WANTING
22 TO HAVE AN ORDER WRITTEN, BUT THEY AGREED TO CERTAIN
23 TERMS.

24 THEY WROTE A STIPULATED ORDER OF COMPLIANCE
25 THAT BOTH PARTIES SIGNED. AND AT THE COMPOSTING



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1 FACILITY, THE LEA -- ALTHOUGH WE HAD TO PROVE THAT THEY
2 NEEDED TO WRITE A NOTICE AND ORDER WHEN WE DID OUR
3 INSPECTION. THEY DID. SO THEY WROTE A NOTICE AND ORDER
4 BECAUSE THE SITE WAS NOT PERMITTED AND THE SITE STOPPED
5 ACTIVITIES.

6 THEY HAD NO OTHER FACILITIES THAT NEEDED
7 ANY SORT OF ENFORCEMENT ACTION ALONG THOSE LINES,
8 ALTHOUGH WE ARE WORKING WITH THEM TO CLOSE DELTA SUGAR.
9 WHEN WE WENT OUT AND INSPECTED IT, WE FOUND THE SITE TO
10 BE INACTIVE BUT NOT PROPERLY CLOSED. AND WE'RE WORKING
11 WITH THE LEA REAL CLOSELY ON THAT ONE BECAUSE THEY DIDN'T
12 HAVE PROPER GUIDANCE ON WHAT ACTIONS THEY NEEDED TO TAKE.

13 NOW, AS FAR AS FACILITIES -- I'M KIND OF
14 WINDING UP NOW -- AS FAR AS FACILITIES THAT VIOLATE STATE
15 MINIMUM STANDARDS AND THOSE THAT NEED TO BE INCLUDED ON
16 THE INVENTORY, WE FOUND THAT NONE OF THE FACILITIES HAD
17 ANY REMAINING OPERATIONAL VIOLATIONS AT THE EXIT
18 INTERVIEW WITH THE LEA.

19 HOWEVER, THE U.C. DAVIS -- U.C. DAVIS HAD A
20 PERIODIC SITE REVIEW VIOLATION, WHICH IS A MINIMUM
21 STANDARD VIOLATION; HOWEVER, THE LEA'S COMPLIANCE DUE
22 DATE IS AUGUST 1, 1992. AND WE CHOSE NOT TO PUT THE
23 FACILITY ON THE INVENTORY FOR THIS MINIMUM STANDARD
24 VIOLATION BECAUSE THEY ARE WORKING CLOSELY UNDER THE
25 STIPULATED ORDER WITH THE LEA.

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1 AND WE CAN AT THAT TIME, AUGUST 1ST, IF
2 THEY REFUSE TO TURN IN THEIR PERIODIC SITE REVIEW, AT
3 THAT POINT IN TIME, WE WOULD COME BACK AND ASK THAT THE
4 SITE BE LISTED OR PLACED ON THE INVENTORY. BUT AT THIS
5 POINT, NO NOTICE IS GIVEN FOR THAT FACILITY.

6 SO THERE ARE NO FACILITIES PROPOSED FOR THE
7 INVENTORY. AND THE LEA, WE JUST HAD A COUPLE OF SHORT
8 RECOMMENDATIONS THAT THEY NEEDED TO KIND OF TIGHTEN THEIR
9 BOOT STRAPS, AND THAT IS TO CONTINUE DOING THEIR MONTHLY
10 INSPECTIONS, YOU KNOW, BECAUSE OF THE NEW STAFFING. THEY
11 ARE MEETING THAT REQUIREMENT. AND TO CONTINUE ENFORCING
12 THEIR NOTICES AND ORDERS AND ANY COMPLIANCE SCHEDULES
13 THAT THEY HAVE.

14 I THINK THAT IS THE BULK OF THE
15 PRESENTATION. AND THE RECOMMENDATION IS NOT TO PROPOSE
16 FOR THE LISTING AND NOT TO PROPOSE FOR THE INVENTORY ANY
17 FACILITIES AND ALSO NOT TO RECOMMEND THE LEA FOR ANY TYPE
18 OF REVIEW AND TO ADOPT THE FINDINGS IN THE FACILITY
19 EVALUATION REPORT.

20 CHAIRMAN HUFF: OKAY. ANY QUESTIONS?

21 BOARD MEMBER EGIGIAN: YES. I'D LIKE TO FIND
22 OUT ABOUT UNIVERSITY OF CALIFORNIA, DAVIS. THEY'RE
23 PERMITTED TO ACCEPT 32 TONS, AND THEY'RE -- THEY RECEIVE
24 UP TO 172 TONS PER DAY. HOW ARE THEY GETTING AWAY WITH
25 IT? WHY ARE WE PERMITTING IT?



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1 MS. ANDERSON: THEY HAVE A STIPULATED ORDER OF
2 COMPLIANCE RIGHT NOW THAT THE LEA HAS WRITTEN TO ALLOW --
3 IT'S KIND OF LIKE ALLOWING THEM TO CONTINUE RECEIVING
4 WHAT THEY GOT BUSTED AT.

5 ON THE DATE OF THE INSPECTION, WHEN IT WAS
6 FOUND THAT THEY WERE IN VIOLATION OF THEIR PERMIT, THE
7 COUNTY'S WASTE AND THE UCD'S WASTE HAS TO GO SOMEWHERE.
8 AND WE REALIZE THAT, AND THAT WAS THE BEAUTY OF WRITING
9 THIS NOTICE AND ORDER, TO ALLOW UP TO DATE CERTAIN THAT
10 THEY WILL BE ABLE TO RECEIVE THIS WASTE. AT THAT POINT
11 IN TIME, THEY HAVE TO HAVE SOME SORT OF PERMIT ACTION.

12 AND THE LEA IS WORKING CLOSELY TO GET THE
13 REQUIRED DOCUMENTS IN FROM U.C. DAVIS PERIODIC SITE
14 REVIEW AND THE REPORT OF DISPOSAL SITE INFORMATION, THOSE
15 SORTS OF THINGS, TO DRIVE THE PERMIT PROCESS. YOU CAN'T
16 HAVE ONE BEFORE THE OTHER. THOSE THINGS HAVE TO COME
17 FIRST, SO THAT'S WHAT THE STIPULATED ORDER IS REQUIRING.

18 BOARD MEMBER EGIGIAN: SO WE DO HAVE FLEXIBLE
19 TONNAGE REQUIREMENTS ALREADY IN PLACE; IS THAT CORRECT?

20 MS. ANDERSON: RIGHT. WITH THE PERMIT
21 ENFORCEMENT POLICY, AS YOU RECALL, A COUPLE YEARS AGO,
22 THAT WAS THE PURPOSE OF THAT POLICY THAT THE BOARD AGREED
23 TO INITIATE.

24 CHAIRMAN HUFF: BUT THEY WILL COME BACK TO THE
25 BOARD WHEN THEY GET THE FINAL PERMIT -- TO GET THE FINAL



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1 PERMIT ACTION. GET THE PERMIT TO REFLECT WHAT'S GOING
2 ON, THEY'LL BE BACK TO THE STATE?

3 MS. ANDERSON: CORRECT. AND I WON'T BE MAKING
4 THAT PRESENTATION. MY COHORT, MARTHA VASQUEZ, WILL BE
5 MAKING THAT PRESENTATION.

6 CHAIRMAN HUFF: YEAH. SO WE'LL SEE U.C. DAVIS.
7 WE'LL SEE GOD'S OWN UNIVERSITY AGAIN.

8 MS. ANDERSON: YES. AND YOU WILL SEE -- I'M
9 SURE THAT THEY WILL HAVE A TREMENDOUS SLIDE SHOW FOR YOU,
10 ALTHOUGH IT'S NOT MUCH TO BE SEEN. I DON'T KNOW IF
11 YOU'VE EVER DRIVEN PAST IT ON THE ROAD. YOU CAN'T SEE
12 MUCH. THEY COVER EVERY DAY. IT JUST LOOKS LIKE DIRT.

13 CHAIRMAN HUFF: OKAY. THANK YOU.

14 ARE THERE ANY OTHER QUESTIONS? IS THE YOLO
15 COUNTY LEA HERE?

16 MR. BELL: YES, SIR. I'D LIKE TO STATE THAT
17 THERE'S NO ONE HERE FROM THE YOLO COUNTY TO SPEAK ON THIS
18 ISSUE.

19 CHAIRMAN HUFF: YOLO ISN'T HERE, AND WE DIDN'T
20 EXPECT THEM TO BE HERE?

21 MS. ANDERSON: NO, BUT THEY DID APPROVE OF THE
22 PROCESS.

23 CHAIRMAN HUFF: OKAY. THEY'RE HAPPY?

24 MS. ANDERSON: THEY'RE HAPPY.

25 CHAIRMAN HUFF: DAVIS IS ACCEPTING LIFE, AND WE



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1 NEED A MOTION.

2 BOARD MEMBER RELIS: SO MOVE THE STAFF
3 RECOMMENDATION.

4 CHAIRMAN HUFF: STAFF RECOMMENDATION HAS BEEN
5 MOVED.

6 BOARD MEMBER EGIGIAN: SECOND.

7 CHAIRMAN HUFF: WE'LL HAVE A ROLL CALL.

8 COMMITTEE SECRETARY: BOARD MEMBER EGIGIAN?

9 BOARD MEMBER EGIGIAN: YES.

10 COMMITTEE SECRETARY: RELIS?

11 BOARD MEMBER RELIS: AYE.

12 COMMITTEE SECRETARY: CHAIRMAN HUFF?

13 CHAIRMAN HUFF: AYE.

14 THE AYES HAVE IT, THREE TO ZERO.

15 WE'LL GO TO ITEM NO. 2 -- ITEM NO. 4, I'M
16 SORRY, PAGE 27.

17 MR. VLACH: GOOD MORNING, MR. CHAIRMAN, MEMBERS.
18 I'D JUST LIKE TO MAKE A SHORT INTRODUCTORY STATEMENT THIS
19 MORNING. MY NAME IS BERNIE VLACH. I'M THE SUPERVISOR
20 FOR OUR COMPLIANCE BRANCH IN SOUTHERN CALIFORNIA.

21 THE BOARD HAS SPENT QUITE A FEW RESOURCES
22 IN ESTABLISHING THREE BRANCH OFFICES IN SOUTHERN
23 CALIFORNIA. WE HAVE, OF COURSE, THE LONG-STANDING OFFICE
24 IN FULLERTON AND NEWLY OPENED OFFICES IN REDLANDS AND
25 VALENCIA.



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1 AND THE STAFF IN THOSE OFFICES HAVE BEEN
2 WORKING TIRELESSLY FOR THE LAST SEVERAL MONTHS AND TODAY
3 WILL BE A DAY WHEN THEY WILL BE MAKING PRESENTATIONS TO
4 YOU CONCERNING ACTIVITIES IN SOUTHERN CALIFORNIA. THIS
5 WILL BE THE FIRST FACILITIES EVALUATION COMING OUT OF OUR
6 SOUTHERN CALIFORNIA OFFICES.

7 I WANTED TO JUST TAKE A FEW MINUTES TO --
8 OR A FEW SECONDS TO SAY THAT I THINK THAT THE STAFF HAVE
9 BEEN DOING A TREMENDOUS JOB, PARTICULARLY DURING THIS
10 MOST RECENT CRISIS WITH THE HEAVY RAINS HERE. THEY'VE
11 REALLY PROVEN THAT IT'S VALUABLE TO HAVE STAFF HERE
12 LOCALLY. AND I THINK THAT THE WORK THAT YOU ARE GOING TO
13 SEE TODAY WILL ALSO SHOW THAT OVER THE PAST SIX MONTHS
14 THEY HAVE BEEN WORKING TO PROVIDE YOU WITH A TOPNOTCH
15 PRODUCT.

16 SO I WOULD LIKE NOW TO INTRODUCE PAUL
17 WILLMAN AND CHRISTINE MCCRACKEN. PAUL IS THE
18 SUPERVISOR -- OR BEEN ACTING SUPERVISOR FOR OUR VALENCIA
19 OFFICE -- I'M SORRY -- FOR OUR REDLANDS OFFICE. AND
20 CHRISTINE WILL BE MAKING THE PRESENTATION THIS MORNING ON
21 THE COUNTY OF SAN DIEGO FACILITIES EVALUATION.

22 MR. WILLMAN: CHAIRMAN HUFF, BOARD MEMBERS
23 EGIGIAN AND RELIS, I'M PAUL WILLMAN, AS BERNIE SAID, THE
24 ACTING SUPERVISOR OVER AT THE REDLANDS OFFICE.

25 AND WE ENCOMPASS A FOUR-COUNTY REGION,



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1 INCLUDING SAN DIEGO COUNTY, WHICH WE'LL BE TALKING ABOUT
2 TODAY. WE ALSO HAVE SAN BERNARDINO, RIVERSIDE, AND
3 IMPERIAL COUNTIES.

4 BEFORE INTRODUCING A STAFF MEMBER WHO WILL
5 BE PRESENTING THE SAN DIEGO FER, I'D LIKE TO JUST COMMENT
6 VERY BRIEFLY ON THE SCOPE OF THE FACILITIES EVALUATION
7 PROGRAM.

8 THE PROGRAM, OF COURSE, IS PRIMARILY BASED
9 ON JOINT BOARD AND LEA STAFF INSPECTIONS OF ALL THE SOLID
10 WASTE FACILITIES IN AN LEA'S JURISDICTION. AFTER
11 COMPLETING THE JOINT INSPECTIONS AND PREPARING THE BULK
12 OF THE FACILITIES EVALUATION REPORT, TWO BASIC TYPES OF
13 RECOMMENDATIONS ARE FORMULATED BY BOARD STAFF.

14 THE FIRST RECOMMENDATION IDENTIFIES SITES
15 THAT ARE PROPOSED FOR INCLUSION IN THE INVENTORY OF
16 FACILITIES WHICH VIOLATE MINIMUM STANDARDS, AND THE
17 SECOND TYPE OF RECOMMENDATION RELATES TO THE LEA'S
18 EFFECTIVENESS IN IMPLEMENTING THEIR INSPECTION AND
19 ENFORCEMENT PROGRAM.

20 THE ASSESSMENT OF THEIR PROGRAM IS
21 PRIMARILY BASED ON THE COMPLIANCE STATUS OF THE
22 FACILITIES IN THEIR JURISDICTION AND THE ABILITY OF THE
23 LEA TO IDENTIFY AND RESOLVE VIOLATIONS OF SOLID WASTE
24 LAWS AND REGULATIONS AT THOSE SITES.

25 I'D LIKE TO NOW INTRODUCE CHRISTINE



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1 MCCRACKEN. THIS IS THE STAFF MEMBER THAT HAS COMPLETED
2 THE SAN DIEGO FER. AND I'D JUST LIKE TO MENTION THAT WE
3 HAD A STAFF MEMBER, WHO WAS THE SAN DIEGO COUNTY LIAISON,
4 LEAVE US, AND SO SHE HAD TO STEP IN THREE-QUARTERS OF THE
5 WAY THROUGH THE FER. AND I THINK SHE'S DONE A PRETTY
6 GOOD JOB STEPPING IN UNDER FIRE LIKE THAT.

7 MS. MCCRACKEN: CHAIRMAN HUFF, BOARD MEMBERS
8 EGIGIAN AND RELIS, WELCOME TO SOUTHERN CALIFORNIA.

9 AS PAUL SAID, I'M CHRISTINE MCCRACKEN,
10 WASTE MANAGEMENT SPECIALIST WORKING OUT OF THE REDLANDS
11 BRANCH OFFICE. AND MY COUNTY ASSIGNMENTS ARE SAN DIEGO
12 AND IMPERIAL. I'M HERE TO PRESENT THE RESULTS OF OUR
13 ANNUAL FACILITY EVALUATION REPORT PROGRAM FOR THE COUNTY
14 OF SAN DIEGO LOCAL ENFORCEMENT AGENCY JURISDICTION.

15 THE SAN DIEGO COUNTY LEA IS WITHIN THE
16 COUNTY DEPARTMENT OF HEALTH SERVICES, HAZARDOUS MATERIALS
17 DIVISION, SOLID WASTE MANAGEMENT SECTION.

18 THE SUPERVISOR FOR THE HAZARDOUS MATERIALS
19 DIVISION, AS WELL AS THE SOLID WASTE MANAGEMENT SECTION,
20 ARE BOTH HERE TODAY IF YOU HAVE ANY QUESTIONS FOR THEM.

21 TOM PITTMAN, THE SUPERVISOR OF THE SOLID
22 WASTE MANAGEMENT SECTION, AND HIS STAFF, SUE PEASE,
23 MICHELLE STRESS, MIKE FILECCIA, AND KEVIN HEATON, OVERSEE
24 THE COUNTY'S SOLID WASTE FACILITIES BY PERFORMING THE
25 PERMITTING, INSPECTION, ENFORCEMENT, AND

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1 CLOSURE/POSTCLOSURE FUNCTION.

2 AS PAUL OUTLINED EARLIER, THE MAJOR AREAS
3 OF FOCUS IN THE FER PROGRAM ARE THE LEA'S INSPECTION AND
4 ENFORCEMENT RESPONSIBILITIES.

5 SAN DIEGO COUNTY'S 72 SOLID WASTE
6 FACILITIES INCLUDE 8 ACTIVE LANDFILLS, 12 ACTIVE TRANSFER
7 STATIONS, AND 52 CLOSED, INACTIVE, OR ABANDONED SITES,
8 WHICH WE REFER TO AS CIA SITES. BOARD STAFF ASSESSED ALL
9 20 ACTIVE FACILITIES AND 30 CIA SITES BETWEEN MARCH AND
10 SEPTEMBER 1991.

11 AT THIS TIME WE DOCUMENTED 74 MINIMUM
12 STANDARD VIOLATIONS AND 15 PUBLIC RESOURCES CODE
13 VIOLATIONS OF THE 20 ACTIVE FACILITIES.

14 I REFER YOU NOW TO PAGE 44 OF OUR
15 RECOMMENDATIONS. AT THIS TIME WE RECOMMEND THREE
16 FACILITIES FOR LISTING. HOWEVER, LAST WEEK, ACCORDING TO
17 NEW INFORMATION FROM THE LEA, THE BORREGO SPRINGS
18 LANDFILL HAS ACHIEVED COMPLIANCE WITH STATE MINIMUM
19 STANDARDS; THEREFORE, WE'RE ONLY RECOMMENDING FOR LISTING
20 AT THIS TIME TWO LANDFILLS WHICH REMAIN IN VIOLATION OF
21 ONE OR MORE STATE MINIMUM STANDARDS. THESE ARE THE SAN
22 ONOFRE AND LAS PULGAS LANDFILL.

23 BOTH OF THESE FACILITIES ARE OWNED BY THE
24 U.S. MARINES AND LOCATED ON CAMP PENDLETON MARINE CORPS
25 BASE.



1 BOARD STAFF RECOMMENDS THE BOARD GIVE THE
2 OPERATOR OF THE FACILITIES NOTICE OF THE BOARD'S INTENT
3 TO PLACE THE SITES ON THE INVENTORY OF SOLID WASTE
4 FACILITIES WHICH VIOLATE STATE MINIMUM STANDARDS UNLESS
5 ALL VIOLATIONS ARE CORRECTED WITHIN 90 DAYS OF RECEIPT OF
6 THE NOTICE.

7 WE HAVE SLIDES OF SOME OF THE OPERATIONAL
8 VIOLATIONS AS WE DOCUMENTED THEM ON OUR JOINT
9 INSPECTIONS, IF YOU WOULD CARE TO SEE THEM, OF THESE TWO
10 FACILITIES.

11 CHAIRMAN HUFF: ARE THESE VIOLATIONS THAT ARE
12 CONTINUING OR WERE THEY CORRECTED?

13 MS. MCCRACKEN: CORRECT. CORRECT. THEY'RE
14 STILL CONTINUING.

15 CHAIRMAN HUFF: SO THESE ARE PICTURES OF
16 CONTINUING VIOLATIONS?

17 MS. MCCRACKEN: YEAH. MOSTLY GRADING AND
18 DRAINAGE PROBLEMS.

19 CHAIRMAN HUFF: WE MIGHT SEE THEM, YEAH. DIM
20 THE LIGHTS, EXCEPT THEY'RE ALREADY PRETTY DIM.

21 MS. MCCRACKEN: THIS IS SAN ONOFRE LANDFILL AND
22 THIS IS THE UPPER DECK. THIS SLIDE IS SHOWING BOTH
23 DRAINAGE AND EROSION PROBLEMS. THE GRADING, YOU CAN
24 TELL, IS NOT SLOPED TO OFFER RUNOFF.

25 AND YOU WILL NOTICE THE LIGHTER COLORED



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1 SECTION IN THE BACKGROUND, THE OPERATOR WAS ATTEMPTING TO
2 CORRECT THE TWO DRAINAGE PERIMETER DRAINS ALONG THE
3 HILLSIDE, BUT IN THIS ATTEMPT THE -- HE GRADED MORE OF A
4 BERM OR A DAM. THE AREA BEHIND THIS LIGHTER COLORED SOIL
5 IS LOWER THAN THE REST OF THE PERIMETER DRAIN.

6 THIS IS THE INTERMEDIATE COVER VIOLATION.
7 THE WASTE EXPOSED. THE EROSION HAS GONE THROUGH THE
8 COVER AND DOWN TO WASTE.

9 THIS IS LOOKING UPHILL TOWARDS THE ACTIVE
10 AREA WHERE THE FIRST SLIDE WAS UP ON THAT UPPER AREA.
11 THIS IS ALSO A PERIMETER DRAIN ALONG THE SIDE. THE
12 OPERATOR HAD FILLED THIS DRAIN WITH SOIL AND DEBRIS
13 CLOGGING IT UP.

14 THIS IS THE SAME PLACE LOOKING DOWNHILL
15 WITH MORE DEBRIS BLOCKING THE CHANNEL. THIS IS
16 INTERMEDIATE COVER, I BELIEVE. THIS IS EXPOSED WASTE ON
17 THE TOP DECK. AND THIS IS THE ACTIVE FACE.

18 THIS SITE HADN'T BEEN OPERATING DUE TO
19 EQUIPMENT FAILURE. THE OPERATOR HAD ALLOWED CONDITIONS
20 TO DETERIORATE, AND SOME ANIMAL HAD BURROWED INTO THE
21 ACTIVE FACE AND SCATTERED THE LITTER. AND THE OPERATOR
22 FAILED TO REPAIR IT.

23 THIS IS LAS PULGAS LANDFILL. THIS IS A
24 SORT OF OVERVIEW. AT THE BASE OF THAT HILL IN THE
25 BACKGROUND, THE OPERATOR HAD UNCOVERED WASTE THAT HE

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1 DIDN'T KNOW WAS THERE AND NEVER REBURIED IT OR COVERED IT
2 IN THE ACTIVE FACE. AND THIS IS A CLOSE-UP OF THAT WASTE
3 THAT WAS EXPOSED.

4 BOARD MEMBER RELIS: WHEN WERE THESE PICTURES
5 TAKEN, BEFORE THE RAIN?

6 MS. MCCrackEN: CORRECT. THESE WERE LAST
7 SUMMER, I BELIEVE.

8 THIS IS SHOWING THE DRAINAGE PROBLEM. THE
9 VIRGIN AREA HILLS IN THE BACKGROUND ALLOW RUNOFF TO RUN
10 DIRECTLY ONTO THE ACTIVE DECK. THERE'S NO PERIMETER
11 DRAIN.

12 AND THIS IS SORT OF THE SAME THING, THAT
13 THE WATER IS ALLOWED TO RUN FROM UPPER DECKS TO LOWER
14 DECKS, KIND OF A WATERFALL EFFECT, EVENTUALLY DOWN INTO
15 THE ACTIVE FACE.

16 THIS IS POOR GRADING. IT'S ROUGH AND
17 THERE'S NO SLOPE TO ALLOW FOR DRAINAGE.

18 AND THESE NEXT TWO SLIDES DEMONSTRATE THE
19 POOR OPERATING SITE MAINTENANCE. THESE ARE USED OIL
20 CONTAINERS. NO BERM. THEY HAD SPILLED AND CONTAMINATED
21 THE SOIL. AND THE NEXT ONE, ALSO THE LAST SLIDE, IS A
22 FUEL STORAGE TANK WHICH HAD ALSO CONTAMINATED THE SOIL
23 BENEATH WITH NO PROTECTIVE BERM OR CONTAINMENT AREA.

24 AND THAT'S ALL.

25 CHAIRMAN HUFF: OKAY. LIGHTS AGAIN, PLEASE.



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1 MS. MCCRACKEN: AND THOSE CONTINUING VIOLATIONS
2 ARE -- AND LEA HAS AGREED WITH US -- ARE WHY WE'RE
3 RECOMMENDING THESE TWO FACILITIES FOR LISTING. THE
4 OPERATOR HAS BEEN UNCOOPERATIVE AND --

5 CHAIRMAN HUFF: SAY AGAIN ABOUT THE OPERATOR.

6 MS. MCCRACKEN: THEY'VE BEEN FAIRLY
7 UNCOOPERATIVE. IT'S THE GOVERNMENT. I GUESS THEY
8 DON'T -- THEY'RE BIGGER THAN WE ARE. FEDERAL GOVERNMENT.

9 CHAIRMAN HUFF: OKAY. THE FEDS. MARINE CORPS.

10 MS. MCCRACKEN: THE MARINE CORPS. BOTH OF THOSE
11 SITES ARE ON THE MARINE CORPS BASE.

12 BOARD MEMBER EGIGIAN: YOU DON'T WANT TO GET TOO
13 TOUGH WITH THE MARINES.

14 CHAIRMAN HUFF: WE WANT HER TO GET TOUGH WITH
15 THE MARINES.

16 MS. MCCRACKEN: OVERALL, BOARD STAFF HAS FOUND
17 THE LEA HAS GENERALLY IMPLEMENTED THEIR PROGRAM --
18 INSPECTION AND ENFORCEMENT PROGRAM AT AN ACCEPTABLE
19 LEVEL. AND FOR THIS REASON, WE ARE NOT RECOMMENDING
20 FURTHER REVIEW OF THEIR PROGRAM.

21 HOWEVER, TWO SPECIFIC PROBLEMS WERE
22 IDENTIFIED. THE FIRST WAS A FAILURE ON THE PART OF THE
23 LEA TO ACT IN A TIMELY MANNER ON PERMIT VIOLATIONS AT SIX
24 LANDFILLS. THEY DID EVENTUALLY ISSUE STIPULATED ORDERS
25 OF COMPLIANCE FOR ALL SIX SITES.

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THE SECOND PROBLEM INVOLVED LIMITED CASES WHERE THE LEA DID NOT IDENTIFY AND RESOLVE ALL MINIMUM STANDARD VIOLATIONS PRIOR TO OUR JOINT INSPECTIONS.

SINCE THIS TIME THEY HAVE IMPLEMENTED THE NECESSARY MONITORING AND ENFORCEMENT ACTIVITY TO RESOLVE THE VIOLATION.

THESE PROBLEM AREAS HAVE PROMPTED BOARD STAFF TO REQUEST THE BOARD TO RECOMMEND THE LEA'S TO CONTINUE TO INCREASE ITS LEVEL OF PERFORMANCE IN THESE PROGRAM AREAS IN ORDER TO OBTAIN THEIR CERTIFICATION.

IN CONCLUSION, I'D LIKE TO SAY BOARD STAFF HANDLED ITS FIRST ROUND OF THE FACILITY EVALUATION PROGRAM WITH SUCCESS. THIS IS MOSTLY DUE TO THE COOPERATIVE AND POSITIVE ATTITUDE OF THE SAN DIEGO COUNTY LEA. THIS ATTITUDE IS REFLECTED IN THE LEVEL OF IMPROVEMENT IN PROGRAMS NOTED OVER THE LAST SEVERAL MONTHS.

ANY QUESTIONS?

CHAIRMAN HUFF: ANY QUESTIONS OF STAFF?

BOARD MEMBER RELIS: I HAVE A QUESTION.

ON PAGE 61, RELATED TO THE BOX CANYON LANDFILL AND THE CITY OF OCEANSIDE LANDFILL, THE FIRST REFERS TO THE POTENTIAL -- OR THE -- WHAT IS ALLEGED TO BE THE CONTAMINATION BY THE LANDFILL OF THE GROUNDWATER OR THE -- THAT'S THE UPPER PART OF 61 AND THE SECOND



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1 PART --

2 MR. WILLMAN: PAGE 28 ON OURS.

3 MS. MCCRACKEN: OKAY.

4 BOARD MEMBER RELIS: WELL, YEAH, I GUESS.

5 MS. MCCRACKEN: BOX CANYON?

6 BOARD MEMBER RELIS: YES. COULD YOU JUST GIVE
7 ME AN UPDATE ON WHAT THE STATUS OF THE WORK BETWEEN THE
8 REGIONAL WATER BOARD AND THE CITY IS REGARDING THE
9 CONTAMINATION SITUATION?

10 MS. MCCRACKEN: THE LEA PROBABLY HAS A MORE
11 ACCURATE UPDATE.

12 BOARD MEMBER RELIS: OKAY. WE CAN ADDRESS THESE
13 QUESTIONS TO THE LEA?

14 MS. MCCRACKEN: CORRECT.

15 BOARD MEMBER RELIS: OKAY. THEN I'LL HOLD.

16 CHAIRMAN HUFF: ANY QUESTIONS DIRECTLY OF STAFF?
17 OKAY. IS THE LEA PRESENT?

18 MS. MCCRACKEN: UH-HUH. TOM PITTMAN AND KEN
19 CALVERT, HIS SUPERVISOR, ARE BOTH HERE.

20 CHAIRMAN HUFF: VERY GOOD.

21 MR. PITTMAN: YOUR QUESTION BASICALLY IS WHAT
22 THE CURRENT STATUS IS OF THE GROUNDWATER AND REGIONAL
23 WATER QUALITY CONTROL BOARD IN BOX CANYON?

24 BOARD MEMBER RELIS: BOX CANYON. AND THEN I'LL
25 HAVE ANOTHER QUESTION ON THE OCEANSIDE.

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1 MR. PITTMAN: I DON'T KNOW. TOM PITTMAN, WITH
2 SAN DIEGO COUNTY.

3 THE BOX CANYON LANDFILL IS ON THE MARINE
4 BASE. IT IS AN INACTIVE FACILITY. IT'S BEEN CLOSED FOR
5 SOME TIME. AND I KNOW THEY HAVE BEEN DOING SOME WORK UP
6 THERE, BUT THE LATEST ON THE WATER SITUATION WITH THE
7 REGIONAL BOARD, I'M NOT AWARE OF.

8 BOARD MEMBER RELIS: OKAY. I'LL JUST ASK STAFF
9 LATER TO FOLLOW THAT.

10 CHAIRMAN HUFF: I'LL ASK THAT WHEN THIS ITEM
11 COMES TO THE BOARD IN MONTEREY, YEAH, THAT --

12 MR. PITTMAN: WE FIND OUT.

13 CHAIRMAN HUFF: -- YOU FIND OUT.

14 MR. VLACH: MR. CHAIRMAN, MR. RELIS, THESE
15 CLOSED, ILLEGAL, AND ABANDONED SITES ARE NORMALLY
16 REFERRED TO OUR SPECIAL INVESTIGATING UNIT, AND THEY WILL
17 FOLLOW UP. AND I'M SURE YOU WILL BE SEEING THIS ONE
18 AGAIN.

19 WE WOULD NOT NORMALLY RECOMMEND THAT THEY
20 BE INCLUDED ON ANY INVENTORY BECAUSE THE REMEDY AT THE
21 END IS THE REVOCATION OF THE PERMIT, IF IT EVER COMES TO
22 THAT; AND THEN SINCE THIS IS AN ABANDONED SITE, THERE IS
23 NO PERMIT.

24 BUT WE WILL GET BETTER INFORMATION FOR YOU
25 ABOUT THAT FOR THE BOARD MEETING IN MONTEREY. AND THEN

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1 YOU -- I'M SURE YOU'LL BE SEEING THIS ONE AGAIN AT SOME
2 LATER DATE WHEN IT COMES UP BY OUR CLOSED, ILLEGAL, AND
3 ABANDONED SITE GROUP.

4 BOARD MEMBER RELIS: NOW, THE SECOND ONE
5 CONCERNS THE CITY OF OCEANSIDE LANDFILL AND THE REFERENCE
6 TO THE MIGRATION OF THE GAS, METHANE LEVELS THERE, AND
7 THE PROXIMITY TO THE SCHOOL, AND THE EFFORTS TO WORK
8 CLOSELY WITH THE APCD TO CONTROL THE LANDFILL GAS
9 EMISSIONS. CAN WE GET AN UPDATE ON THAT?

10 MR. PITTMAN: YES, TO SOME DEGREE.

11 THE -- CURRENTLY, WE'VE BEEN CO-LEA WITH
12 THE CITY OF OCEANSIDE. THEY'RE THE PRIMARY LEA. THERE
13 HAD BEEN GAS MIGRATION PROBLEMS AT THE MISSION AVENUE
14 LANDFILL. IN FACT, A NUMBER OF YEARS AGO THEY ACTUALLY
15 HAD TO CLOSE THE SCHOOL DOWN.

16 THEY HAVE SINCE INSTALLED A FLARE SYSTEM.
17 THEY'VE BEEN WORKING CLOSELY WITH APCD. THEY'RE
18 EXPANDING THAT FLARE SYSTEM AND THEY'RE MONITORING VERY
19 CLOSELY. IT'S MY UNDERSTANDING AT THIS POINT THAT THE
20 APCD IS NOT HAVING ANY MAJOR PROBLEMS WITH IT, BUT THEY
21 ARE WATCHING THAT CLOSELY.

22 BOARD MEMBER RELIS: THEN THE SAME COMMENT WOULD
23 APPLY AT THE MONTEREY MEETING.

24 MS. MCCrackEN: I CAN ADD TO THAT, TOO.

25 I WAS IN CONTACT WITH THE APCD. AND THE

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1 STAFF PERSON I SPOKE WITH IS GOING TO DO AN INSPECTION. I
2 BELIEVE, THE WEEK BEFORE LAST AND GET BACK IN CONTACT
3 WITH ME. SHE HASN'T DONE THAT. AND WITH OUR DEADLINES
4 AND EVERYTHING, I DID NOT GET BACK IN CONTACT WITH HER,
5 BUT I CAN DO THAT ALSO AS A FOLLOW-UP.

6 CHAIRMAN HUFF: OKAY. ANY OTHER QUESTIONS OF
7 THE LEA?

8 BOARD MEMBER RELIS: JUST THE GENERAL
9 OBSERVATION THAT WE THINK, THEN, IN YOUR SUMMARY THAT THE
10 SLOW RESPONSE ISSUE IS BEING DEALT WITH SATISFACTORILY.

11 MR. WILLMAN: YEAH.

12 BOARD MEMBER RELIS: CAN WE HEAR ABOUT THAT A
13 BIT MORE?

14 MR. WILLMAN: YEAH. STAFF FEELS -- I'VE BEEN IN
15 THIS AREA FOR ABOUT THREE YEARS. AND THE IMPROVEMENT
16 THAT I'VE SEEN -- IT USED TO BE A ONE-MAN BAND DOWN IN
17 SAN DIEGO. THERE WAS ONE GUY FOR THE WHOLE LEA. AND AS
18 YOU CAN SEE, THERE'S FOUR OR FIVE PEOPLE NOW. THE
19 IMPROVEMENT IN THE LAST YEAR IS DUE, NOT ONLY TO INCREASE
20 IN STAFFING, BUT I FEEL TOM PITTMAN'S LEADERSHIP AND HIS
21 ABILITY TO GO AHEAD AND DEAL WITH THE ISSUES OUT THERE.
22 AND THUS, THEY DID ISSUE SIX STIPULATED ORDERS OF
23 COMPLIANCE FOR THOSE SIX LANDFILLS. SO --

24 BOARD MEMBER RELIS: THAT'S GOOD TO HEAR.

25 MR. WILLMAN: YEAH.

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1 MR. PITTMAN: I'D LIKE TO ADD TO THAT. I THINK
2 THAT WE'VE ACTUALLY ENJOYED A PRETTY GOOD WORKING
3 RELATIONSHIP WITH CHRISTINE AND PAUL. AND WE'RE TRYING.
4 WE'VE COME A LONG WAY AND, I THINK, CONTINUE TO IMPROVE.

5 CHAIRMAN HUFF: VERY GOOD.

6 IN THE ABSENCE OF ANY OTHER QUESTIONS, IS
7 THERE A MOTION?

8 BOARD MEMBER RELIS: SO MOVED.

9 CHAIRMAN HUFF: STAFF RECOMMENDATION HAS BEEN
10 MOVED. WITHOUT OBJECTION, WE'LL SUBSTITUTE THE PRIOR
11 ROLL CALL. THE AYES ARE THREE; THE NOES ARE NONE; THE
12 MOTION CARRIES.

13 ITEM 5, SAN LUIS OBISPO.

14 CONSENT ON THE LAST ONE. I SEE NO REASON
15 NOT TO. BOTH THREE AND FOUR ARE CONSENT.

16 OKAY. ITEM 5, SAN LUIS OBISPO.

17 MR. VLACH: MR. CHAIRMAN, WE HAVE RON
18 MCLAUGHLIN, THE OFFICE SUPERVISOR FOR OUR VALENCIA
19 OFFICE, AND JACK HARRAH, THE STAFF PERSON, THAT WILL BE
20 MAKING THE PRESENTATION THIS MORNING.

21 MR. MCLAUGHLIN: MR. CHAIRMAN, COMMITTEE
22 MEMBERS, SINCE YOU HAVE HAD A FAIRLY EXTENSIVE RUNDOWN ON
23 THE PURPOSE OF THESE FER'S IN THE PREVIOUS PRESENTATION,
24 WE WILL NOT GO THROUGH THAT PART.

25 THE VALENCIA OFFICE COVERS THE CENTRAL

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1 COAST AND KERN COUNTY. AND ONE OF THOSE COUNTIES IN OUR
2 AREA IS SAN LUIS OBISPO. WE WILL GET RIGHT TO THE
3 PRESENTATION OF THE FER BY MR. JACK HARRAH, WHO IS THE
4 ACTIVE PERSON WHO HAS THAT AS HIS JURISDICTION AND THE
5 PRIMARY AUTHOR OF THE REPORT. JACK.

6 MR. HARRAH: CHAIRMAN HUFF AND MEMBERS OF THE
7 COMMITTEE, MY COUNTY ASSIGNMENT -- BY THE WAY, MY NAME IS
8 JACK HARRAH.

9 MY COUNTY ASSIGNMENT IS SAN LUIS OBISPO
10 COUNTY AND PART OF KERN. THE SAN LUIS OBISPO COUNTY
11 FACILITY EVALUATION REPORT DID -- TOOK UP QUITE A LOT OF
12 OUR TIME LAST SUMMER. AND IT IS THE ITEM THAT I'M
13 PRESENTING TODAY, THE RESULTS OF OUR ANNUAL FACILITIES
14 EVALUATION FOR THIS COUNTY.

15 THE LOCAL ENFORCEMENT AGENCY FOR SAN LUIS
16 OBISPO COUNTY IS THE COUNTY DEPARTMENT OF ENVIRONMENTAL
17 HEALTH. THE DIRECTOR OF THIS PROGRAM IS MR. TIM
18 MAZZACANO. THE STAFF PERSONNEL ARE MR. JOHN SCHOLTES AND
19 MS. DEBBIE SMITH COOK.

20 MR. SCHOLTES IS PRESENT TODAY TO ANSWER ANY
21 QUESTIONS THAT YOU MIGHT HAVE.

22 THE COUNTY HAS SEVEN ACTIVE SOLID WASTE
23 FACILITIES. SIX ARE PERMITTED AND ONE IS UNPERMITTED AT
24 PRESENT. THERE ARE 12 CLOSED, ILLEGAL, AND ABANDONED
25 SITES THAT HAVE BEEN IDENTIFIED, AND THE LEA'S OFFICE IS

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1 CURRENTLY PURSUING INVESTIGATION OF ANOTHER ROUGHLY A
2 DOZEN SITES THAT THEY HAVE NOT BEEN ABLE TO LOCATE OR
3 WHATEVER.

4 WE INSPECTED EACH OF THESE ACTIVE SITES
5 OVER THE PAST SUMMER AND FOUND VIOLATIONS OF THE STATE
6 MINIMUM STANDARDS AT EACH ONE OF THESE SITES.

7 SINCE THE END OF THE INSPECTIONS, WE HELD
8 AN EXIT INTERVIEW IN NOVEMBER, AND TWO OF THE SITES THAT
9 WE INSPECTED OVER THE SUMMER HAVE ABATED ALL THE
10 VIOLATIONS THAT WERE GIVEN DURING THE STATE ANNUAL
11 INSPECTIONS.

12 THE OTHER FIVE SITES WILL BE RECOMMENDED
13 FOR LISTING ON THE STATE INVENTORY OF SOLID WASTE
14 FACILITIES THAT VIOLATE STATE MINIMUM STANDARDS.

15 WE MADE THE FOLLOWING RECOMMENDATIONS AS ON
16 PAGE 80 OF YOUR AGENDA PACKET.

17 PURSUANT TO PRC 44104, BOARD STAFF
18 RECOMMENDS THAT THE BOARD NOTIFY THE OWNER AND OPERATOR
19 OF EACH OF THE FOLLOWING SOLID WASTE FACILITIES OF THE
20 BOARD'S INTENT TO INCLUDE EACH SITE ON THE INVENTORY OF
21 SOLID WASTE FACILITIES THAT VIOLATE STATE MINIMUM
22 STANDARDS UNLESS ALL VIOLATIONS OF THESE STATE MINIMUM
23 STANDARDS ARE CORRECTED WITHIN 90 DAYS OF BOARD NOTICE.

24 THEY ARE THE CITY OF PASO ROBLES LANDFILL,
25 THE CAMP ROBERTS LANDFILL, COLD CANYON LANDFILL, CHICAGO



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1 GRADE LANDFILL, AND THE CALIFORNIA VALLEY COMMUNITY
2 SERVICES DISTRICT LANDFILL.

3 CHAIRMAN HUFF: IS CAMP ROBERTS THE ONLY FEDERAL
4 MILITARY?

5 MR. HARRAH: IT'S STATE, I BELIEVE.

6 CHAIRMAN HUFF: IS THAT PURE NATIONAL GUARD?

7 MR. HARRAH: YES, IT'S A STATE FACILITY.

8 WE REALLY DIDN'T HAVE A PROBLEM WITH THE
9 LEA'S PROGRAM, SO OUR RECOMMENDATION IS THAT THE BOARD
10 NOT INITIATE FORMAL PERFORMANCE REVIEW OF THE LEA
11 PURSUANT TO 43219.

12 AND WE FIND THAT THE LEA DID IDENTIFY AND
13 RESOLVE SIGNIFICANT VIOLATIONS OF STATE MINIMUM
14 REQUIREMENTS AND IMPLEMENTED A SATISFACTORY ENFORCEMENT
15 PROGRAM.

16 WE, THEREFORE, DO NOT RECOMMEND THAT THE
17 BOARD INITIATE FURTHER REVIEW OF THIS LEA PURSUANT TO
18 43219 OR 43214.

19 BOARD MAY ELECT TO RECOMMEND THAT THE SAN
20 LUIS OBISPO COUNTY LEA CORRECT ALL DEFICIENCIES
21 REFLECTING ON THEIR ENFORCEMENT PROGRAM BY AUGUST 1,
22 1992, IN ORDER TO MEET PROPOSED STANDARDS FOR LEA
23 REDESIGNATION OR CERTIFICATION.

24 BOARD STAFF FINDS THAT THE BOARD SHOULD
25 RECOMMEND THAT THE LEA SHOULD PAY PARTICULAR ATTENTION TO



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1 THE FOLLOWING STATUTORY AND REGULATORY REQUIREMENTS:

2 A, TO PERFORM MONTHLY INSPECTIONS ON ALL
3 ACTIVE SOLID WASTE FACILITIES WITHIN ITS JURISDICTION;
4 AND,

5 B, TO TAKE APPROPRIATE ENFORCEMENT ACTION
6 AGAINST THE OPERATORS OF THE VALENTA ILLEGAL DISPOSAL
7 SITE, THE CHICAGO GRADE LANDFILL, AND OTHER FACILITIES
8 WHICH VIOLATE STATE MINIMUM STANDARDS.

9 AND AS AN ASIDE, THE LEA HAS TAKEN
10 ENFORCEMENT ACTION AGAINST THE CHICAGO GRADE FACILITY
11 AFTER OUR EXIT INTERVIEW IN NOVEMBER.

12 CHAIRMAN HUFF: OKAY.

13 MR. MCLAUGHLIN: THANK YOU, JACK. THAT
14 CONCLUDES OUR RECOMMENDATIONS. IF THERE ARE ANY
15 QUESTIONS, WE'RE HAPPY TO ANSWER THEM.

16 WE HAVE SOME SLIDES, IF YOU CARE TO SEE
17 THEM. FRANKLY, HOWEVER, SINCE THIS IS A SITUATION IN
18 WHICH THERE IS NEITHER PERFECTION NOR GLARING OMISSION,
19 THE SLIDES WILL NOT BE OF GREAT ENTERTAINMENT VALUE.

20 ALSO, THE LEA IS HERE TO ANSWER ANY
21 QUESTIONS THAT YOU MAY HAVE BY HIM.

22 CHAIRMAN HUFF: ANY QUESTIONS OF STAFF?

23 BOARD MEMBER EGIGIAN: JUST ONE QUESTION.

24 ON THE CLOSED, ILLEGAL, AND ABANDONED
25 SITES, WHEN YOU DISCOVER THAT THERE'S AN ABANDONED SITE,



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1 WHAT DO YOU DO IT ABOUT IT IF IT HASN'T BEEN PROPERLY
2 COVERED?

3 MR. VLACH: MR. EGIGIAN, THE -- THERE IS A
4 SECTION -- A SPECIAL SECTION OF THE BOARD, I BELIEVE IT'S
5 UNDER MR. DIER'S SUPERVISION, THAT IS -- WHOSE PRIMARY
6 FUNCTION IS TO INVESTIGATE CLOSED, ILLEGAL, AND ABANDONED
7 SITES. OF COURSE, THE LOCAL ENFORCEMENT AGENCY HAS THE
8 PRIMARY RESPONSIBILITY FOR ENSURING THAT THE SITES MEET
9 THE STATE STANDARDS.

10 IF THE SITE WAS -- WAS PROPERLY CLOSED
11 UNDER CLOSURE REQUIREMENTS AT THE TIME, IN OTHER WORDS,
12 IT WAS A VERY OLD SITE AND THEY MET THE STANDARDS AT THAT
13 TIME, THEN THERE WOULD BE SOME LIMITED OPTIONS FOR OUR
14 STAFF AND THE BOARD.

15 HOWEVER, IF THEY DID NOT CLOSE PROPERLY
16 ACCORDING TO THE REGULATIONS THAT WERE IN EFFECT AT THAT
17 TIME, THEN THEY WOULD HAVE TO COMPLY WITH OUR CURRENT
18 CLOSURE REQUIREMENTS, INCLUDING ALL OF OUR MINIMUM
19 STANDARDS FOR CLOSURE AND POSTCLOSURE.

20 SO ANY FACILITY THAT WE'VE IDENTIFIED IN
21 THIS FACILITY EVALUATION PROCESS DURING OUR ANNUAL
22 INSPECTIONS, WE REFER -- THAT'S A CLOSED, ILLEGAL, AND
23 ABANDONED SITE, IT'S REFERRED TO OUR CLOSED, ILLEGAL, AND
24 ABANDONED SITE SECTION AS WELL AS THE LOCAL ENFORCEMENT
25 AGENCY FOR FOLLOW-UP WORK.

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1 BOARD MEMBER EGIGIAN: REALLY WHAT I'M GETTING
 2 AT IS A COUPLE OF MONTHS AGO WE RECEIVED A LIST OF ALL
 3 THE LANDFILLS AND OPPOSITE THAT LIST WAS UNPERMITTED
 4 DUMP, NO, ILLEGAL, OR WHATEVER THE WORDS WERE WRITTEN
 5 AFTER THE PARTICULAR LAND SITES. ONCE WE'RE THROUGH WITH
 6 THIS PROCESS, WILL THAT LIST CHANGE CONSIDERABLY AS TO
 7 UNPERMITTED, ILLEGAL, OR WHATEVER? WILL WE HAVE SOME
 8 ANSWERS THERE INSTEAD OF JUST THE WORD "UNPERMITTED"?

9 WHAT I'M LOOKING FOR IS SOME EVALUATION OF
 10 EVERYTHING THAT WE HAVE AS TO WHERE WE STAND ON IT AND
 11 WHAT WE'RE DOING ABOUT IT, OKAY?

12 MR. VLACH: THERE IS -- IN TERMS OF OUR
 13 EVALUATION, WE TRY TO MAKE A DISTINCTION BETWEEN
 14 UNPERMITTED AND CLOSED AND ABANDONED SITES. MOST OF
 15 THESE CLOSED AND ABANDONED SITES PROBABLY CLOSED BEFORE A
 16 SOLID WASTE FACILITY PERMIT WAS REQUIRED. AND I DON'T
 17 BELIEVE THERE WOULD BE ANY REQUIREMENT THAT THEY OBTAIN A
 18 PERMIT TODAY.

19 HOWEVER, IF THERE'S AN ACTIVE LANDFILL, AND
 20 I THINK THERE IS ONE IN THIS COUNTY, THAT IS OPERATING
 21 WITHOUT A PERMIT, THEN THERE SHOULD BE STRICT ENFORCEMENT
 22 ACTION TAKEN BY THE LEA NOW, NOT REFERRED TO SOMEONE
 23 ELSE. IT'S THE LEA'S RESPONSIBILITY TO TAKE CARE OF THAT
 24 RIGHT NOW.

25 IN FACT, THAT IS ONE OF OUR RECOMMENDATIONS



1 THIS MORNING IS THAT YOU REMIND THE LEA THAT, IN FACT,
2 THERE WERE TWO OF THESE KINDS OF FACILITIES IN THEIR
3 JURISDICTION, THE VALENTA AND THE CHICAGO GRADE SITES,
4 AND ONE OF THEM THEY'VE TAKEN CARE OF. THE OTHER ONE,
5 MAYBE YOU'D LIKE TO ASK THE LEA ABOUT THAT ONE.

6 BOARD MEMBER EGIGIAN: BERNIE, WE'RE HOLDING --
7 THESE PEOPLE THAT COME UP FOR NEW PERMITS, WE'RE HOLDING
8 THEIR FEET TO THE FIRE AND MAKING SURE THAT EVERY I IS
9 DOTTED AND T IS CROSSED.

10 AND YET IN SOME OF THESE AREAS, WE HAVE
11 THESE FACILITIES OUT THERE THAT ARE JUST OPERATING
12 WITHOUT PERMITS OR DOING ANYTHING ABOUT IT, YOU KNOW, AND
13 IT'S JUST NOT FAIR. THE PLAYING FIELD IS NOT LEVEL.

14 MR. VLACH: WELL, WE HOPE TO BRING EACH AND
15 EVERY ONE OF THOSE TO YOUR ATTENTION. AND I THINK WE
16 HAVE ATTEMPTED, THROUGHOUT THE COURSE OF THE EVALUATION
17 PROCESS, TO POINT OUT TO THE LEA THE NECESSITY TO TAKE
18 ENFORCEMENT ACTION TO GET THE FACILITY PERMITTED. AND I
19 THINK THAT THIS IS THE TIME -- POINT IN TIME WHEN THERE
20 IS SOME ACCOUNTABILITY FOR THAT.

21 BOARD MEMBER EGIGIAN: THANK YOU.

22 MR. VLACH: WE DO HAVE THE LEA HERE, AS I
23 MENTIONED, IF YOU WANT TO ASK ANY QUESTIONS ABOUT THAT
24 PROCESS.

25 CHAIRMAN HUFF: MR. RELIS.



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1 BOARD MEMBER RELIS: I HAVE A QUESTION OF THE
2 LEA CONCERNING PAGE 14 -- THE LOS OSOS LANDFILL.

3 APPARENTLY THIS WAS DAMAGED BY LAST MARCH
4 RAINS, AND THERE HAS BEEN AN ATTEMPT TO FIX THE DRAINAGE
5 THERE. DO WE HAVE AN UPDATE ON THE STATUS THERE AFTER
6 THESE RAINS?

7 MR. SCHOLTES: MR. CHAIRMAN, MEMBERS OF THE
8 COMMITTEE, I'M JOHN SCHOLTES WITH SAN LUIS OBISPO COUNTY
9 LOCAL ENFORCEMENT AGENCY.

10 OUR COUNTY ENGINEERING DEPARTMENT HAS
11 PERFORMED EXTENSIVE GRADING REPAIR WORK, PUT IN NEW BERMS
12 AND DOWN DRAINS. THEY'VE HYDROSEEDED THE SITE. THEY'VE
13 STRAW PUNCHED IT. THEY'VE PUT IN JUTE NETTING ON MANY OF
14 THE SLOPES, AND IT HAS HELD UP FAIRLY WELL WITH VERY
15 MINOR EROSION DAMAGE DURING THESE HEAVY RECENT RAINS.

16 BOARD MEMBER RELIS: THANK YOU.

17 MR. SCHOLTES: I'D ALSO LIKE TO MAKE A STATEMENT
18 REGARDING CLOSED OR ILLEGAL SITES.

19 I THINK ONE OF THE PROBLEMS THAT WE'RE
20 FINDING, AND I'VE ASKED THE BOARD FOR AN OPINION, THAT IS
21 ON FINAL COVER, WHEN YOU FIND A SITE THAT HAS BEEN CLOSED
22 FOR A NUMBER OF YEARS. FOR AN EXAMPLE, WE HAVE A SITE
23 THAT WAS A BURN DUMP FROM THE '40S TO ABOUT 1965.

24 ONE OF OUR PROBLEMS IS DETERMINING HOW TO
25 REPAIR THE FINAL COVER. I THINK IF YOU LOOK AT TITLE 14,

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1 YOU WILL FIND OUT NOW THAT THE FINAL COVER SECTION HAS
2 BEEN MOVED TO THE CLOSURE PORTION OF TITLE 14. AND WE
3 HAVE SOME QUESTIONS AS TO WHETHER THIS SECTION APPLIES TO
4 LANDFILLS THAT RECEIVE WASTE AFTER JANUARY 1, 1988, AND
5 WE FIND THAT IT MAY OR MAY NOT BE APPLICABLE TO OLD
6 CLOSED SITES.

7 WHEN WE FIND A MINOR EROSION, DO WE MAKE
8 THE PERSON, YOU KNOW, TOTALLY PUT ON, YOU KNOW, A BARRIER
9 LAYER, CLAY LAYER, OR A VEGETATIVE LAYER, YOU KNOW? WHAT
10 KIND OF HOOPS AND HURDLES, YOU KNOW?

11 DO WE REQUIRE HIM TO GO OUT AND HIRE A
12 REGISTERED CIVIL ENGINEER, YOU KNOW, TO DO THIS TYPE OF
13 WORK, OR DO WE ASSUME THAT THE -- WHAT WAS IN EFFECT AT
14 THE TIME WAS, GENERALLY SPEAKING, WAS TWO FOOT OF FINAL
15 COVER? DO WE MAKE HIM JUST REPLACE THE TWO FOOT OF FINAL
16 COVER? THAT'S A PROBLEM FOR US.

17 CHAIRMAN HUFF: OKAY.

18 BOARD MEMBER EGIGIAN: ONE OTHER QUESTION,
19 BERNIE, IN THIS PARTICULAR ITEM ON THE FIRST PAGE, IT
20 SAYS THAT THERE -- THERE'S ONE ACTIVE UNPERMITTED
21 LANDFILL. WHAT ARE WE DOING ABOUT THAT?

22 MR. SCHOLTES: WE'VE ISSUED A NOTICE AND ORDER
23 ON THAT SITE. THAT SITE NOW HAS AN EXPIRATION CLAUSE IN
24 THEIR PERMIT. AND THEY STILL WOULD HAVE A PERMIT HAD
25 THERE NOT BEEN AN EXPIRATION CLAUSE. WE PUT THAT CLAUSE

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1 IN THERE LOCALLY, AND WE HAVE ASKED THE BOARD -- OR WE
2 DID ASK THE BOARD FOR AN OPINION AS TO WHETHER WE COULD
3 SIMPLY REMOVE THAT CLAUSE.

4 THAT SITE IS CURRENTLY IN THE EIR PROCESS.
5 IN FACT, THE HEARING -- THEY HAVE BEEN ISSUED OR THE EIR
6 HAS BEEN CERTIFIED, AND IT'S GOING TO BE HEARD BY THE
7 BOARD OF SUPERVISORS TOMORROW. HOPEFULLY, WE'LL HAVE A
8 PERMIT OUT SHORTLY.

9 BOARD MEMBER EGIGIAN: IS THAT ONE THAT YOU ARE
10 REFERRING TO THE VALENTA?

11 MR. SCHOLTES: NO, THAT'S THE COLD CANYON
12 LANDFILL.

13 BOARD MEMBER EGIGIAN: HOW ABOUT THE VALENTA
14 SITUATION? IT'S ILLEGAL. WHAT'S BEING DONE ABOUT THAT?

15 MR. SCHOLTES: CURRENTLY, OUR COUNTY PLANNING
16 DEPARTMENT -- WE'VE BEEN ASKED TO TAKE A MORE PROACTIVE
17 ROLE IN THAT SITE. THAT SITE WAS BEING DEVELOPED. AND
18 THE COUNTY PLANNING DEPARTMENT HAD REQUIRED THE DEVELOPER
19 OF THAT SITE TO BUDGET, I BELIEVE IT WAS, IN EXCESS OF
20 \$100,000 TO CLEAN UP THAT SITE.

21 THE OWNER OF THAT SITE, I UNDERSTAND, IS IN
22 JAIL OUT OF THE COUNTRY. IT'S BEEN A DIFFICULT
23 SITUATION. THAT MAY -- WE ARE EXAMINING THE POSSIBILITY
24 OF REFERRING THAT TO THE STATE BOARD FOR INSPECTION --
25 ENFORCEMENT UNDER 45400 OF THE PRC, WHICH ALLOWS THE

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1 BOARD TO TAKE ENFORCEMENT ACTION.

2 CHAIRMAN HUFF: ANY OTHER QUESTIONS?

3 MR. VLACH: MR. EGIGIAN, THIS IS -- THIS VALENTA
4 SITE IS -- IT IS AN ACTIVE ILLEGAL SITE. AND THIS IS ONE
5 OF THE ONES -- THERE AREN'T THAT MANY IN THE STATE LIKE
6 THIS WHERE THEY'RE ACTUALLY OPERATING ON A DAILY BASIS.
7 IF I'M NOT MISTAKEN --

8 MR. SCHOLTES: NO LONGER OPERATING.

9 MR. VLACH: NO LONGER OPERATING?

10 MR. SCHOLTES: THEY WERE NEVER OPERATING. IT
11 SIMPLY WAS ILLEGAL.

12 MR. VLACH: WELL, AS ALWAYS, THESE KIND OF
13 SITES, THESE ILLEGAL SITES, IT'S SOMETIMES DIFFICULT TO
14 DETERMINE WHETHER IT'S -- THERE'S A CONTINUUM BETWEEN A
15 LITTER PROBLEM AND AN ILLEGAL DISPOSAL SITE. THIS SITE
16 WAS APPARENTLY USED SIGNIFICANTLY AS A LAND DISPOSAL SITE
17 WITHOUT ANY PARTICULAR OPERATOR BEING IDENTIFIED.

18 AS MR. SCHOLTES SAID, THE AREA NOW IS
19 BEING -- THE CITY OR THE COUNTY IS DESIROUS OF DEVELOPING
20 THE AREA, AND ARE -- HOPEFULLY THAT PROCESS -- THAT
21 DEVELOPMENT PROCESS WILL LEAD TO THE FINAL CLOSURE OF THE
22 SITE.

23 HOWEVER, IT'S MY UNDERSTANDING THAT THERE'S
24 BEEN NO ENFORCEMENT ACTION TAKEN AT THIS FACILITY OTHER
25 THAN TO WORK THROUGH THE LOCAL PLANNING DEPARTMENT TO

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1 MOVE ALONG THE DEVELOPMENT PROCESS TO ENSURE THAT IT CAN
2 BE CLOSED FINALLY.

3 BOARD MEMBER EGIGIAN: WELL, I'M CERTAINLY GLAD
4 WE'RE GOING THROUGH THIS PROCESS BECAUSE IN THE LAST TWO
5 OR THREE ITEMS THAT WE'VE HAD HERE, IT POINTS OUT THAT
6 ATTENTION IS BEING CALLED TO THE VARIOUS AREAS THAT WE
7 NEVER KNEW ANYTHING ABOUT HERE.

8 ESPECIALLY, SITTING ON THIS PERMITTING
9 COMMITTEE, WE SHOULD KNOW THIS MATERIAL AS SOON AS -- AS
10 OFTEN AS IT'S AVAILABLE BECAUSE IT'S JUST NOT RIGHT TO --
11 LIKE I SAY, WELL, IT IS RIGHT BECAUSE WE DIDN'T HAVE THE
12 LAW BEFORE.

13 BUT I THINK THAT THE -- OUR INSPECTORS WITH
14 THE LEA'S ARE STARTING TO REALLY GET INTO THIS THING AND
15 WE'RE LOCATING WHERE THE PROBLEM AREAS ARE. SO WE CAN
16 LOOK FORWARD TO SOME CORRECTION ALONG THE WAY.

17 CHAIRMAN HUFF: OKAY. ANY OTHER QUESTIONS?

18 ITEM IS BEFORE US. IS THERE A MOTION?

19 BOARD MEMBER RELIS: I WOULD MOVE THAT WE ADOPT
20 STAFF RECOMMENDATION.

21 CHAIRMAN HUFF: STAFF RECOMMENDATION HAS BEEN
22 MOVED. WITHOUT OBJECTION, WE'LL SUBSTITUTE THE PRIOR
23 ROLL CALL. THE AYES ARE THREE; THE NOES ARE NONE; MOTION
24 CARRIES.

25 THAT TAKES US TO ITEM 6, SANTA CRUZ.

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1 CONSENT, YEAH, CONSENT.

2 MR. BELL: MR. CHAIRMAN, MEMBERS OF THE BOARD,
3 MEMBERS OF THE COMMITTEE, ITEM 6 ON PAGE 111 OF YOUR
4 PACKET IS A FACILITY EVALUATION REPORT FOR THE SANTA CRUZ
5 LEA JURISDICTION. THIS IS SANTA CRUZ ENVIRONMENTAL
6 HEALTH SERVICES. THEY ARE ALSO SOLE LEA. AND THE ACTUAL
7 EVALUATION WAS DONE BETWEEN OCTOBER, NOVEMBER OF LAST
8 YEAR.

9 AT THIS TIME I'D LIKE TO INTRODUCE TOM
10 UNSELL, WHO'S THE SUPERVISOR OF THE UNIT THAT DID THAT
11 EVALUATION. HE'LL BRIEFLY GO OVER THE DETAILS.

12 MR. UNSELL: COMMITTEE CHAIR AND MEMBERS, THIS
13 MARKS THE SEVENTH OF THE FER TITLES THAT WE BROUGHT
14 BEFORE YOU FROM SECTION B WITH COMPLIANCE NORTH.

15 THE COUNTY OF SANTA CRUZ ENVIRONMENTAL
16 HEALTH SERVICES DEPARTMENT IS DIRECTED BY DIANE EVANS AND
17 HAS A STAFF MEMBER, LOWELL RAU.

18 IN THE REVIEW PROCESS, JEFF HACKETT OF
19 BOARD STAFF HAS SPENT TIME THROUGHOUT OCTOBER AND
20 NOVEMBER IDENTIFYING ALL OF THE SOLID WASTE ISSUES
21 ASSOCIATED WITH THE FER PROCESS IN THE COUNTY OF SANTA
22 CRUZ.

23 THERE ARE THREE ACTIVE LANDFILLS, ONE LARGE
24 TRANSFER STATION, ONE INACTIVE LANDFILL, AND WHAT WE HAVE
25 FOUND TO BE 12 POTENTIAL CLOSED, ILLEGAL, AND ABANDONED



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1 OR EXEMPTED FACILITY SITES.

2 JUST BRIEFLY, ON THE 12 POTENTIAL CLOSED,
3 ILLEGAL, AND ABANDONED SITES, THOSE POTENTIALS CAME OFF
4 OF A SWAT RANKING LIST, NOT IDENTIFIED AS AN ACTUAL SITE,
5 BUT THE WATER BOARD HAS LOOKED AT THAT AS A POTENTIAL FOR
6 SWAT TESTING; HOWEVER, THAT TESTING HAS NOT OCCURRED.

7 IT APPEARS THAT THEY'RE ASSOCIATED -- THAT
8 LIST IS ASSOCIATED WITH THE PREPARATION OF WASTE
9 DISCHARGE REQUIREMENTS RATHER THAN LANDFILL SITES.

10 DURING THIS FER PROCESS, THERE WERE NO
11 SIGNIFICANT VIOLATIONS OF STATE MINIMUM STANDARDS
12 IDENTIFIED; AND, THEREFORE, THE BOARD STAFF WILL NOT
13 RECOMMEND A FORMAL PERFORMANCE REVIEW OF THE LEA.

14 BRIEFLY LOOKING AT THE ACTIVE PERMITTED
15 FACILITIES, THE CITY OF SANTA CRUZ LANDFILL IS CURRENTLY
16 OPERATING UNDER A NOTICE AND ORDER THAT WAS ISSUED IN
17 CONFORMANCE WITH THE PERMIT ENFORCEMENT POLICY. ONE OF
18 THOSE IS IN THE AREA OF ACCEPTANCE OF GREATER TONNAGE
19 THAN THAT PERMITTED.

20 THE MAJOR AREA THAT THEY'RE ATTEMPTING TO
21 ADDRESS NOW IS A TRANSPORT OF LEACHATE FROM THE LEACHATE
22 COLLECTION SYSTEM AT THE LANDFILL TO THE CITY'S WASTE
23 TREATMENT FACILITY TO ALLEVIATE AN ONGOING AND CHRONIC
24 LEACHATE CONTROL PROBLEM.

25 THE REGIONAL WATER QUALITY CONTROL BOARD

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1 DICTATED IN 1986 THAT THE PIPELINE BE COMPLETED. WE'RE
2 NOW IN 1992, THE REGIONAL BOARD IS LOOKING AT A POTENTIAL
3 FINE SITUATION FOR THAT; HOWEVER, AT THIS POINT, IT'S
4 ANTICIPATED THAT JANUARY 1993 WILL BE COMPLETION DATE.

5 THEIR CURRENT HOLD-UP IS A RIGHT-OF-WAY
6 SECURANCE FROM CALTRANS AT THE CURRENT TIME.

7 THE CITY OF WATSONVILLE LANDFILL, THE LEA
8 IS CURRENTLY WRITING A NOTICE AND ORDER. IT IS PENDING
9 FOR OPERATING OUTSIDE THE TERMS AND CONDITIONS OF THE
10 PERMIT, PRIMARILY IN THE AREA, AGAIN, IN TONNAGE. THAT
11 WAS WRITTEN HERE APPROXIMATELY A MONTH AGO, BUT THEIR
12 LEGAL ATTORNEY HAD SOME DIFFICULTY IN THE LANGUAGE, AND
13 THE BOARD STAFF HAS BEEN WORKING WITH THE LEA STAFF TO
14 RESOLVE THAT SITUATION. AND THAT SHOULD BE FORTHCOMING.

15 BUENA VISTA LANDFILL, AGAIN, IS IN THE SAME
16 SITUATION WHERE THERE'S A PENDING NOTICE AND ORDER IN
17 WHICH THAT LEGAL VERBIAGE IS CURRENTLY BEING IRONED OUT
18 WITH THE LEA AND BOARD STAFF.

19 THERE IS A GAS COLLECTION SYSTEM AT BUENA
20 VISTA LANDFILL IN WHICH THEY'RE CONTINUING TO MONITOR
21 ACTIVELY THAT SYSTEM, INCREASING THEIR VACUUM TO DECREASE
22 THE LANDFILL MIGRATION. AND THAT IS LOOKING VERY
23 SUCCESSFUL; HOWEVER, IT STILL NEEDS ATTENTION AND THEY'RE
24 STILL MONITORING THAT, INCREASING VACUUM, IN ORDER TO
25 MEET THE STANDARDS.

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1 DURING THE COURSE OF THE INSPECTIONS FOR
2 THE FACILITIES EVALUATIONS REPORT, THERE WERE FOUR
3 FACILITIES WHICH WERE IDENTIFIED AS VIOLATING AT LEAST
4 ONE OF THE STATE MINIMUM STANDARDS. AND THAT THOSE
5 FACILITIES ARE THE CITY OF SANTA CRUZ LANDFILL, CITY OF
6 WATSONVILLE LANDFILL, BEN LOMOND LANDFILL, AND BUENA
7 VISTA LANDFILL.

8 THOSE FACILITIES, BOARD STAFF WILL BE
9 RECOMMENDING THAT THE BOARD ISSUE A NOTICE OF INTENT TO
10 LIST THOSE FACILITIES ON THE STATE'S NONCOMPLYING
11 FACILITIES LIST TO BE CORRECTED WITHIN 90 DAYS OR ACTUAL
12 LISTING.

13 THERE ARE THREE RECOMMENDATIONS THAT WE
14 HAVE. ONE IS THAT THERE NOT BE ANY FURTHER REVIEW OF THE
15 LEA FOR THIS JURISDICTION, SUCH AS A PERFORMANCE REVIEW
16 OR PERIODIC REVIEW.

17 SECONDLY, THAT THE BOARD STAFF DID DOCUMENT
18 AT LEAST ONE VIOLATION FOR THOSE FOUR FACILITIES, AND
19 THAT THERE BE A NOTICE OF INTENT TO LIST THOSE
20 FACILITIES.

21 THIRDLY, FOR THE COMMITTEE TO ADOPT THE FER
22 AS PRESENTED.

23 IF THERE ARE ANY QUESTIONS, THE LEA WAS NOT
24 ABLE TO ATTEND THE MEETING HERE; HOWEVER, THEY DID SEND A
25 FAX LETTER TO THE CHAIRMAN OF THE COMMITTEE IDENTIFYING

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1 THAT THEY WERE IN HARMONY WITH THE REPORT.

2 CHAIRMAN HUFF: ANY QUESTIONS OF STAFF?

3 THE LEA IS NOT HERE BECAUSE THEY DIDN'T
4 HAVE THE MONEY TO TRAVEL TO VAN NUYS.

5 MR. UNSELL: THAT'S OUR UNDERSTANDING, THEY DID
6 NOT HAVE SUFFICIENT TRAVEL FUNDS.

7 CHAIRMAN HUFF: OKAY. SO IF THERE ARE NO
8 QUESTIONS OF STAFF, THE ITEM IS BEFORE US. THIS WILL BE
9 ANOTHER FOUR FACILITIES THAT POTENTIALLY ARE GOING TO BE
10 ON THE LIST.

11 MR. UNSELL: THAT'S CORRECT.

12 CHAIRMAN HUFF: BUT THE LEA -- THE LEA, IN
13 GENERAL, NOT BEING HERE AND NOT REALLY ASKING YOU TO PUT
14 WORDS IN YOUR MOUTH --

15 MR. UNSELL: THEY FOUND THE PROCESS VERY
16 ACCEPTABLE. THEY DID CONCUR WITH THE IDENTIFICATION THAT
17 THEY HAVE NOT SUBMITTED ALL THEIR -- TRANSMITTED ALL
18 THEIR INSPECTION REPORTS WITHIN THE MANDATED TIME PERIOD;
19 HOWEVER, THEY ARE IN AGREEMENT WITH THE REPORT, AND IT'S
20 A FAIR REPRESENTATION OF THEIR JURISDICTION.

21 CHAIRMAN HUFF: THEY CAN LIVE WITH IT. OKAY.

22 THE ITEM IS BEFORE US. IS THERE A MOTION?

23 BOARD MEMBER RELIS: MOVE ADOPTION.

24 CHAIRMAN HUFF: STAFF RECOMMENDATION HAS BEEN
25 MOVED. AND WITHOUT OBJECTION, WE'LL SUBSTITUTE PRIOR



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1 ROLL CALL. THE AYES ARE THREE; THE NOES ARE NONE; THE
2 ITEM CARRIES. THIS IS A CONSENT.

3 THAT TAKES CARE OF ALL THE FACILITY
4 EVALUATION REPORTS, DOESN'T IT? APPEARS SO.

5 TAKES US TO PERMIT ITEMS. AND I HAVE A
6 STATEMENT BEFORE WE BEGIN THE PERMIT ITEMS, AND I THOUGHT
7 I JUST WOULD READ THE STATEMENT.

8 BEFORE WE BEGIN THE CONSIDERATION OF THE
9 PERMIT ITEMS, I WANTED JUST TO SET SOME PARAMETERS FOR
10 OUR DISCUSSION BY RELATING WHAT THIS COMMITTEE AND THE
11 BOARD CAN AND CANNOT DO WHEN WE OR THEY CONSIDER
12 CONCURRENCE IN A SOLID WASTE FACILITIES PERMIT.

13 FIRST, WHEN THIS OR ANY BOARD COMMITTEE
14 CONSIDERS A MATTER, IT DOES NOT MAKE A FINAL DECISION ON
15 IT. THE BOARD MAKES THE FINAL DECISION. THE COMMITTEE,
16 THROUGH THIS PUBLIC MEETING PROCESS, USUALLY DECIDES ON A
17 RECOMMENDATION FOR THE FINAL DECISION TO BE MADE BY THE
18 FULL BOARD.

19 NOW, THE BOARD DOES INTEND THAT THE MAJOR
20 DISCUSSION OF ISSUES BE INITIATED IN THE COMMITTEE
21 PROCESS, BUT IT IS THE BOARD THAT MAKES THE FINAL
22 DECISION.

23 WE ARE HERE IN VAN NUYS RATHER THAN IN
24 SACRAMENTO, WHERE WE NORMALLY MEET, SIMPLY IN ORDER TO
25 FACILITATE DISCUSSION ON PARTICULARLY ONE ITEM ON OUR

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1 AGENDA TODAY. AND THAT IS SUNSHINE CANYON.

2 SECOND, NEITHER THIS COMMITTEE NOR THE
3 BOARD ISSUES SOLID WASTE FACILITY PERMITS WHERE THERE IS
4 A LOCAL ENFORCEMENT AGENCY IN A CITY OR COUNTY. THAT
5 LOCAL ENFORCEMENT AGENCY IS THE PERMIT ISSUING AUTHORITY.

6 WHAT THE BOARD DOES IS TO CONCUR IN OR
7 APPROVE OF THE LOCAL ENFORCEMENT AGENCY'S ISSUANCE OF A
8 PERMIT WHICH IT, THE LOCAL ENFORCEMENT AGENCY, HAS
9 SUBMITTED TO THE BOARD.

10 THE BOARD MAY ALSO OBJECT TO THE ISSUANCE
11 OF A PERMIT. THE LAW ALLOWS THE BOARD, AND I'M TALKING
12 ABOUT STATE LAW, ALLOWS THE BOARD AND THIS COMMITTEE, IN
13 FASHIONING A RECOMMENDED DECISION, ONLY CERTAIN GROUNDS
14 FOR OBJECTION TO A PERMIT.

15 IN GENERAL, THE BOARD REVIEWS THE PERMIT
16 APPLICATION TO SEE IF THE FACILITY'S DESIGN AND OPERATION
17 ARE CONSISTENT WITH THE STATE MINIMUM STANDARDS FOR SOLID
18 WASTE HANDLING AND DISPOSAL STANDARDS WHICH THIS BOARD
19 ADOPTS AS STATE REGULATIONS.

20 SPECIFICALLY, THE BOARD MUST ALSO MAKE A
21 DETERMINATION ON WHETHER THE ISSUANCE OF THE PERMIT WOULD
22 PREVENT OR SUBSTANTIALLY IMPAIR THE ACHIEVEMENT OF THE
23 AB 939 WASTE DIVERSION GOALS MANDATED IN THE LAW.

24 THE BOARD ALSO LOOKS TO SEE IF THE REQUIRED
25 LOCAL LAND USE DECISIONS HAVE BEEN MADE AND TO SEE IF

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1 OTHER PERMITS OR ENTITLEMENTS HAVE BEEN APPROVED BY OTHER
2 AGENCIES, LIKE WASTE DISCHARGE REQUIREMENTS BY THE
3 REGIONAL WATER QUALITY CONTROL BOARD.

4 WHAT THIS BOARD DOES NOT DO IS RECONSIDER
5 LOCAL LAND USE DECISIONS. THE BOARD HAS NO AUTHORITY TO
6 DO SO. THESE DECISIONS HAVE ALREADY BEEN MADE BY THE
7 APPROPRIATE DECISION MAKING BODY.

8 FURTHERMORE, WHERE THE BOARD, AS A DECISION
9 MAKING AGENCY UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY
10 ACT, THAT'S KNOWN AS CEQA, DETERMINES THAT THE
11 ENVIRONMENTAL DOCUMENT IS ADEQUATE AS ADOPTED, USUALLY BY
12 A LOCAL AGENCY, THE BOARD MUST USE THAT DOCUMENT IN
13 REVIEWING POTENTIAL ENVIRONMENTAL IMPACTS OF THE ACTIVITY
14 PROPOSED TO BE AUTHORIZED BY THE PERMIT.

15 EVEN IF OTHER PARTIES HAVE FILED A LAWSUIT
16 TRYING TO INVALIDATE THE ENVIRONMENTAL DOCUMENT, AS IS IN
17 THE CASE IN THE SUNSHINE CANYON MATTER BEFORE THIS
18 COMMITTEE TODAY, AND EVEN IF THE COURT HAS ISSUED A
19 PRELIMINARY INJUNCTION AGAINST THE PROJECT BASED ON ITS
20 CONSIDERATION OF THE ENVIRONMENTAL DOCUMENT, THE LAW,
21 CALIFORNIA STATE LAW, CEQA, REQUIRES THIS BOARD TO GO
22 FORWARD WITH ITS CONSIDERATION OF THE PERMIT AS IF THE
23 ENVIRONMENTAL DOCUMENTS WERE VALID.

24 OUR OWN SOLID WASTE LAW REQUIRES THAT THE
25 BOARD DECIDE TO CONCUR OR OBJECT TO A PERMIT WITHIN 60

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1 DAYS OF WHEN IT IS SUBMITTED TO THE BOARD BY THE LOCAL
2 ENFORCEMENT AGENCY.

3 IF THE BOARD FAILS TO ACT, SUCH AS IF IT
4 POSTPONED CONSIDERATION OF A PERMIT WITHOUT THE LEGAL
5 RIGHT TO DO SO, THE PROJECT APPLICANT WOULD BE ENTITLED
6 TO RECEIVE ITS PERMIT AFTER THE 60 DAYS PASSED JUST AS IF
7 THE BOARD HAD ACTUALLY APPROVED THE PERMIT.

8 CONSISTENT WITH THESE REMARKS, IT WOULD BE
9 HELPFUL IF MEMBERS OF THE PUBLIC, IN THEIR DISCUSSION OF
10 MATTERS PROPERLY BEFORE THIS COMMITTEE, LIMIT THEIR
11 REMARKS TO THOSE MATTERS.

12 IF DISCUSSION DIGRESSES FROM THOSE TOPICS,
13 WHICH I HAVE DETERMINED ON ADVICE OF MY COUNSEL ARE
14 PROPERLY WITHIN THE SCOPE OF THIS MEETING, I WILL, AS
15 CHAIR, ASK THE SPEAKER TO MOVE ON TO TOPICS THAT ARE
16 PROPER TO THIS MEETING. THANK YOU.

17 WE HAVE A NUMBER OF PEOPLE WISHING TO
18 ADDRESS NOT JUST THE SUNSHINE CANYON ITEM, ALTHOUGH
19 THAT'S WHERE MOST PEOPLE HAVE FILLED OUT THESE FORMS, BUT
20 WE HAVE A NUMBER OF OTHER ITEMS, ALSO PERMIT ITEMS, THAT
21 PEOPLE WISH TO ADDRESS US ON.

22 THE FIRST ITEM OF THE PERMIT ITEMS IS ITEM
23 7, WHICH IS A TRANSFER STATION IN SAN JOAQUIN COUNTY.

24 MR. OTSUBO: GOOD MORNING, MR. CHAIRMAN AND
25 MEMBERS OF THE COMMITTEE. I'M DAVID OTSUBO REPRESENTING

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1 THE PERMITS BRANCH OF THE PERMITTING AND COMPLIANCE
2 DIVISION.

3 THE FIRST PERMITTING ITEM REGARDS
4 CONSIDERATION OF CONCURRENCE IN THE ISSUANCE OF A REVISED
5 SOLID WASTE FACILITIES PERMIT FOR THE CALIFORNIA WASTE
6 REMOVAL SYSTEM INCORPORATED TRANSFER STATION IN THE
7 COUNTY OF SAN JOAQUIN.

8 THE REVISION WILL COVER AN INCREASE IN
9 FACILITY AREA FROM 12.16 TO 18.18 ACRES, AN INCREASE IN
10 THE MAXIMUM ALLOWABLE TONNAGE TO 2,000 TONS A DAY, AND TO
11 ALLOW COMPOSTING.

12 THE INCREASE IN SITE SIZE WILL ALSO ALLOW
13 FOR THE EXPANSION OF AN ENCLOSED TIPPING AND PROCESSING
14 AREA. THIS FACILITY IS LOCATED WITHIN THE CITY LIMIT OF
15 LODI IN AN AREA ZONED INDUSTRY. OTHER SURROUNDING LAND
16 IS USED FOR AGRICULTURAL PURPOSES.

17 THE WASTESTREAM WILL CONSIST OF
18 RESIDENTIAL, LIGHT COMMERCIAL, CONSTRUCTION DEMOLITION,
19 AND AGRICULTURAL WASTES. THE MAJORITY OF THE WASTE
20 AMOUNT IS COLLECTED FROM COMPANY TRUCKS ON THE REGULAR
21 ROUTES IN LODI AND AREAS OF SAN JOAQUIN AND SACRAMENTO
22 COUNTY.

23 THIS FACILITY WILL RECEIVE AN ESTIMATED
24 AVERAGE OF 450 TONS, THAT'S AN AVERAGE OF 450 TONS, OF
25 NONHAZARDOUS SOLID WASTE PER OPERATING DAY.



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1 INCOMING LOADS ARE WEIGHED AND INSPECTED
2 UPON ENTRY. DEPENDING ON THE LOAD'S COMPOSITION, IT IS
3 DIRECTED TO THE TRANSFER STATION TIPPING FLOOR WHERE IT
4 IS HAND SORTED AND NONRECOVERABLE MATERIAL PUSHED INTO
5 LARGE VOLUME TRANSFER TRAILERS OR TO THE COMPOST AREA. A
6 BUY-BACK CENTER IS ALSO PROVIDED.

7 SINCE THE MAJORITY OF WASTE IS DUMPED
8 INDOORS, THE FACILITY'S IMPACT ON THE SURROUNDING AREA IS
9 MINIMAL. IT IS ESTIMATED THAT THERE IS A 20-PERCENT
10 MATERIALS RECOVERY RATE. THE EXPANSION OF THE FACILITY
11 WILL ALLOW FOR AN INCREASE IN THIS RATE. THE
12 OWNER/OPERATOR ESTIMATES THAT A 50-PERCENT RECOVERY RATE
13 IS FEASIBLE BY 1996.

14 THE RECOVERED MATERIALS ARE COLLECTED AND
15 SHIPPED TO MARKETS ON A REGULAR BASIS. THE FACILITY ALSO
16 PROCESSES MATERIALS COLLECTED IN A NEWLY INSTITUTED
17 CURBSIDE COLLECTION PROGRAM. A PORTION OF THE PROCEEDS
18 GENERATED FROM THE SALE OF THESE MATERIALS IS DONATED TO
19 LOCAL SCHOOLS.

20 UNRECOVERABLE WASTE IS SENT FOR DISPOSAL TO
21 KIEFER LANDFILL IN SACRAMENTO COUNTY OR THE SAN JOAQUIN
22 NORTH COUNTY LANDFILL.

23 MUCH OF THE CURRENT RECOVERY RATE IS DUE TO
24 THE COMPOSTING OPERATION. BOTH BOARD STAFF -- BOARD
25 COMPLIANCE STAFF AND THE LEA INDICATE THAT THERE ARE NO

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1 SIGNIFICANT ADVERSE IMPACTS OR PROBLEMS ASSOCIATED WITH
2 THE COMPOSTING OPERATION. THE FACILITY COMPOSTS ONLY
3 SUCH MATERIAL AS LEAVES, AGRICULTURAL PRODUCTS, AND
4 GARDEN WASTE. NO SLUDGE IS TAKEN.

5 COMPOSTING IS DONE AEROBICALLY USING A
6 WINDROW METHOD. COMPOSTING TIME RANGES FROM SIX WEEKS TO
7 EIGHT MONTHS, DEPENDING ON THE CONDITIONS OF THE
8 MATERIAL. FINISHED MATERIAL IS SOLD FOR USE AS
9 AGRICULTURAL SOIL AMENDMENT FOR LANDSCAPING AND LOCAL
10 PARK MAINTENANCE.

11 IN SUMMARY, THE LEA AND BOARD STAFF HAVE
12 DETERMINED THE FOLLOWING: THE FACILITY'S DESIGN IS
13 CONSISTENT WITH THE SAN JOAQUIN COUNTY WASTE MANAGEMENT
14 PLAN; THE FACILITY IS IN CONFORMANCE WITH THE LODI CITY
15 GENERAL PLAN; THE PROJECT IS CONSISTENT WITH THE WASTE
16 DIVERSION GOALS OF AB 939; AND CEQA HAS BEEN COMPLIED
17 WITH.

18 STAFF HAVE REVIEWED THE PROPOSED PERMIT AND
19 SUPPORTING DOCUMENTATION AND FOUND THEM TO BE ACCEPTABLE.

20 IN CONCLUSION, STAFF RECOMMENDS THAT THE
21 BOARD ADOPT SOLID WASTE FACILITY PERMIT DECISION NO.
22 92-07, CONCURRING IN THE ISSUANCE OF SOLID WASTE
23 FACILITIES PERMIT NO. 39-AA-0017.

24 THE OPERATOR AND THE LEA ARE PRESENT. AND
25 THE OPERATOR, MR. DAVID VACCAREZZA, WOULD LIKE TO MAKE A

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1 SHORT PRESENTATION.

2 THIS CONCLUDES STAFF PRESENTATION.

3 CHAIRMAN HUFF: ANY QUESTIONS OF STAFF? IS THE
4 COMPOSTING INDOOR OR OUTDOOR?

5 MR. OTSUBO: OUTDOOR.

6 CHAIRMAN HUFF: I WASN'T CLEAR FROM YOUR
7 COMMENTS, BUT THE TIPPING FLOOR IS INDOORS?

8 MR. OTSUBO: THAT'S CORRECT.

9 CHAIRMAN HUFF: OKAY. IS THE LEA PRESENT?

10 MR. OTSUBO: THE OPERATOR WANTS TO MAKE THE
11 PRESENTATION.

12 CHAIRMAN HUFF: OKAY. ANY QUESTIONS OF THE LEA?
13 NONE. OPERATOR.

14 MR. VACCAREZZA: THANK YOU. MY NAME IS DAVID
15 VACCAREZZA. I RESIDE IN LODI, CALIFORNIA. I AM THE
16 OWNER AND OPERATOR OF CALIFORNIA WASTE REMOVAL SYSTEMS.

17 DAVID PRETTY WELL STOLE MOST OF MY THUNDER
18 HERE. THE FACILITY HAS BEEN UP AND OPERATING AS A
19 TRANSFER FACILITY SINCE ABOUT 1981.

20 AT THAT TIME THE FACILITY WAS DESIGNED FOR
21 300 TONS PER DAY. IT WAS A TRANSFER STATION RESOURCE
22 RECOVERY FACILITY, WHICH I THINK TODAY'S MODERN TERMS
23 WOULD BE CONSIDERED A MATERIAL RECOVERY FACILITY.

24 WE HAVE BEEN UP, OPERATIONAL, AND
25 FUNCTIONING AND HAVE HAD A RECOVERY RATE OF AT LEAST 15

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1 PERCENT OVER THE LAST SEVEN TO EIGHT YEARS.

2 SIMPLY WHAT WE'RE TRYING TO DO HERE IS
3 EXPAND THE FACILITY TO INCLUDE -- OR TO INCLUDE IN THE
4 PERMIT THE COMPOSTING PORTION OF OPERATION. WE DO RUN A
5 FULLY INTEGRATED SYSTEM IN THAT WE ARE DOING MATERIALS
6 RECOVERY. WE'RE DOING COMPOSTING. AND WE ARE DOING
7 ULTIMATELY TRANSPORTATION TO THE LANDFILL WHEN ABSOLUTELY
8 NECESSARY.

9 WE BELIEVE BY UPGRADING THE PERMIT, DOING
10 THE NECESSARY IMPROVEMENTS IN THE FACILITY, THAT WE WILL
11 BE ABLE TO REACH 50 PERCENT BY 1996, WHICH WOULD PUT US
12 WELL AHEAD OF OUR MANDATED 50 PERCENT BY THE YEAR 2000.
13 WE THINK IT'S A GOOD PROJECT.

14 I WOULD LIKE ALSO TO ADD THAT IN 1983 I
15 CAME BEFORE THE INTEGRATED -- OR AT THAT TIME THE WASTE
16 MANAGEMENT BOARD WITH THE CONCEPT OF COMPOSTING IN HAND,
17 WAS ENDORSED BY THE BOARD, RECEIVED A -- I WON'T SAY A
18 NOMINAL GRANT, BUT A GRANT THAT HELPED US GET STARTED IN
19 COMPOSTING OVER NINE AND A HALF YEARS AGO.

20 WE HAVE WHAT WE FEEL IS A VERY SUCCESSFUL
21 PROGRAM AS A RESULT OF THAT PARTNERSHIP WITH THE BOARD.
22 AND, CONSEQUENTLY, WE NOW -- WE'RE PRODUCING
23 APPROXIMATELY 4 TO 5,000 TONS OF COMPOSTABLE MATERIAL.
24 AND WITH THIS EXPANSION, WE'LL BE ABLE TO REACH
25 CAPACITIES UP TO 50,000 TONS AT THE FACILITY.

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1 AND I'D BE HAPPY TO ANSWER ANY QUESTIONS
2 THAT THE BOARD MAY HAVE AT THIS TIME.

3 CHAIRMAN HUFF: QUESTIONS?

4 BOARD MEMBER RELIS: MR. CHAIRMAN, I WOULD JUST
5 LIKE A MORE IN-DEPTH EXPLANATION OF YOUR COMPOSTING
6 OPERATION.

7 FIRST, I'D LIKE TO APPLAUD YOU FOR MOVING
8 SO VIGOROUSLY TO IMPLEMENT THE 939 MANDATES. THESE ARE
9 THE KINDS OF FACILITIES THAT WE WANT TO SEE.

10 LOOKING AT YOUR EXPANSION, IT APPEARS TO ME
11 THAT IT IS A SUBSTANTIAL EXPANSION. AND IT'S HARD FOR ME
12 TO EVALUATE FROM THE MAPS WHAT YOUR PROXIMITY IS TO
13 SURROUNDING LAND USES, WHETHER THERE'S ANY RESIDENCES OR
14 COMMERCIAL.

15 MR. VACCAREZZA: THERE'S ONE MAJOR RESIDENCE TO
16 THE NORTH AND I OCCUPY IT. TOUGHEST COOKIE IN TOWN.

17 SERIOUSLY, MY OWN HOME IS ADJACENT TO THE
18 FACILITY. THERE REALLY ISN'T AN INDUSTRIAL ZONE.
19 TO THE WEST OF US, THERE'S A MOBILE HOME
20 PARK WITH ABOUT 3 TO 400 MOBILE HOME SITES THERE. WE'VE
21 NOT HAD ANY COMPLAINTS IN THE NINE YEARS OF OPERATION OF
22 THE FACILITY.

23 BUT TO EXPAND ON THE COMPOSTING AND HOW WE
24 INTEND TO ACHIEVE THE NUMBERS I MENTIONED, WE INITIALLY
25 GOT INTO THIS WITH THE CITY OF LODI, WORKING WITH THEM.

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1 WE HAVE A SEPARATE LEAF COLLECTION PROGRAM THAT GOES ON
2 FOR ABOUT FOUR MONTHS OF THE YEAR. WE HAVE A NUMBER OF
3 WINERIES OPERATING IN THE AREA, SO WE DO HAVE SOME
4 RESIDUE, AGRICULTURAL WASTE, FOOD PROCESSING WASTE OF
5 SORTS THAT POSES A PROBLEM AND IT ALWAYS HAS BEEN.

6 GOING BACK ABOUT EIGHT YEARS AGO, WE
7 STUMBLED UPON THE IDEA OF POSSIBLY COMPOSTING THE LEAVES
8 DOWN. WE'VE SINCE MOVED ON TO TAKE THE NORTH SAN JOAQUIN
9 COUNTY'S LEAVES, A PORTION OF SOUTH SACRAMENTO COUNTY'S,
10 A VERY SMALL PORTION OF SOUTH SACRAMENTO COUNTY'S LEAVES,
11 AND PUT TOGETHER A PROGRAM THAT WE'RE PRESENTLY RUNNING
12 ALONG WITH WORKING WITH YARD AND GARDENER CUSTOMERS THAT
13 COME TO OUR FACILITY.

14 WE PLAN TO EXPAND OUR VOLUME GOING THROUGH
15 THAT FACILITY BY GOING TO A SEPARATE COLLECTION SYSTEM
16 FOR YARD AND GARDEN WASTE. WE HAVE APPROVED IN OUR SRRE
17 OR APPROVED BY OUR CITY COUNCIL TWO WEEKS AGO, A
18 THREE-CART SYSTEM: ONE FOR COMMINGLED RECYCLABLES IN A
19 60-GALLON CONTAINER, A 90-GALLON CONTAINER FOR YARD AND
20 GARDEN WASTE, AND A 38-GALLON CONTAINER FOR HOUSEHOLD
21 TRASH WHICH CANNOT BE RECYCLED.

22 WE BELIEVE WITH THIS SYSTEM WE'LL BE ABLE
23 TO GENERATE THE VOLUMES THAT WE PUT FORTH IN THE PERMIT
24 BY SOURCE SEPARATING AT THE HOUSEHOLD AND WE'LL GO
25 THROUGH A SHREDDING OPERATION. WE'LL MAKE TWO PRODUCTS.

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1 ONE WILL BE WOOD CHIPS. THE PRIMARY PRODUCT, THOUGH,
2 WILL BE THE FINES THAT WILL GO INTO THE COMPOSTING AND
3 MIXED -- NOT NECESSARILY MIXED, BUT BLENDED AFTER
4 COMPOSTING WITH THE LEAF PRODUCT.

5 AND OUR PRIMARY MARKET AT THIS POINT IS
6 LANDSCAPE. WE SIT IN THE CENTER OF THE VALLEY. WE HAVE
7 A TREMENDOUS AMOUNT OF DEVELOPMENT GOING ON AROUND US,
8 AND WE'VE FOUND OUR NICHE IN THE MARKETPLACE TO BE THAT
9 WITH THE LANDSCAPERS AND SMALL USERS OF MATERIAL.

10 WE PRODUCE A QUALITY PRODUCT. WE'VE RUN
11 ACROSS A SHAKING MECHANISM TO TAKE OUT ALL CONTAMINANTS,
12 WE SIZE IT DOWN TO THREE-SIXTEENTHS OF AN INCH IN SIZE,
13 AND WE WILL BLEND -- WE WILL EITHER CUSTOM BLEND OR WE
14 MAKE A STANDARD BLEND THAT MOST LANDSCAPERS ARE PLEASED
15 WITH.

16 IF WE HAVE A SPECIAL REQUEST FROM EITHER AN
17 AGRICULTURIST OR A SOILS BROKER OF SOME SORT, WE'RE ABLE
18 TO ACHIEVE A BLEND BY PRETESTING THE MATERIAL AND THEN
19 BLENDING IT AS OPPOSED TO MAKING A ONE-BATCH BLEND AND
20 HAVE ONE MARKET FOR THAT PRODUCT.

21 BOARD MEMBER RELIS: ON THE SCALE-UP, WHICH IS
22 AGAIN SUBSTANTIAL, DO YOU FEEL -- AND I GUESS THIS IS
23 BOTH DIRECTED TO YOU, THE LEA, THAT YOU HAVE THE ODOR
24 ISSUES UNDER CONTROL BECAUSE THAT'S BEEN THE NEMESIS OF A
25 NUMBER OF --

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1 MR. VACCAREZZA: WELL, I HAVE TO BE HONEST WITH
2 YOU. WE'VE GONE THROUGH THAT LEARNING CURVE EARLY ON,
3 AND WE FOUND WE HAD TO TURN THE WINDROWS ON A TIMELY
4 FASHION. WE HAD TO HAVE PROPER DRAINAGE.

5 WITH THIS EXPANSION, ALL OF OUR COMPOSTING
6 WILL TAKE PLACE ON A NONPERMEABLE SURFACE, SO WE DO HAVE
7 CONTROL OF THE WASTEWATER AND PROPER MITIGATION SET UP
8 FOR IT.

9 WE ALSO HAVE FOUND THAT BY CONTROLLING THE
10 MOISTURE, KEEPING IT BELOW 45 PERCENT, AND
11 TEMPERATURES -- YOU KNOW, TURNING IT AS SOON AS THE
12 TEMPERATURE TAKES A DROP, TURN THE MATERIAL, IT KEEPS
13 EVERYTHING PRETTY MUCH IN TOE IN AN AEROBIC STATE AS
14 OPPOSED TO GOING ANAEROBIC. THAT'S BEEN REALLY THE KEY
15 TO OUR SUCCESS.

16 BOARD MEMBER RELIS: IS THE LEA HERE?

17 MR. VACCAREZZA: YES.

18 BOARD MEMBER RELIS: I JUST WANTED TO HEAR FROM
19 HIM THAT -- HOW WE'RE WORKING TOGETHER -- HOW YOU'RE
20 WORKING TOGETHER ON THIS.

21 MR. PADILLA: GOOD MORNING. I'M ED PADILLA
22 FROM SAN JOAQUIN COUNTY. JUST LIKE TO MAKE A STATEMENT
23 AS FAR AS THE PUBLIC HEALTH ISSUES OF THE COMPOSTING
24 OPERATION, THAT IS EXCELLENT. THEY HAVE A GOOD SYSTEM
25 SET UP. WE'VE CHECKED HIM WHEN WE GO OUT ON INSPECTIONS



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Barristers'
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1 EVERY MONTH. THEY TAKE A LOT OF CANNERY WASTE, AND
2 CANNERY WASTE DOES ATTRACT A LOT OF VECTORS AND FLIES.
3 AND WE FOUND THAT THEIR OPERATION, AS FAR AS THAT WAS
4 CONCERNED, WAS EXCELLENT. WE'VE NEVER FOUND ANY FLY
5 BREEDING ON ANY OF THE CANNERY WASTE.

6 AND AS FAR AS THE ODOR PROBLEMS, IT'S VERY
7 GOOD. AND I'D LIKE TO SAY, TO BACK UP WHAT DAVID SAID,
8 THAT WE HAVE NOT RECEIVED ANY COMPLAINTS IN THREE PLUS
9 YEARS. I THINK THAT SAYS A LOT BECAUSE IT IS IN THE CITY
10 LIMITS OF LODI.

11 BOARD MEMBER RELIS: THAT'S VERY IMPRESSIVE.
12 AND WE MAY -- SINCE WE'RE IN THE PROCESS OF LOOKING AT
13 OUR DEVELOPING COMPOST REGULATIONS, WE MAY HAVE A LOT TO
14 LEARN FROM THIS PROJECT. SO WE HOPEFULLY WILL BE CALLING
15 ON YOU FOR YOUR EXPERIENCE TO HELP US.

16 MR. PADILLA: SURE, NO PROBLEM.

17 BOARD MEMBER EGIGIAN: MR. CHAIRMAN.

18 CHAIRMAN HUFF: YES, MR. EGIGIAN.

19 BOARD MEMBER EGIGIAN: I'D LIKE TO CALL
20 ATTENTION TO THE FACT THAT HERE WE HAVE ANOTHER SECOND OR
21 THIRD GENERATION OPERATOR IN THIS INDUSTRY THAT HAS GONE
22 AHEAD OF WHAT MOST OTHER COMMUNITIES HAVE DONE. SPENT
23 HIS MONEY, GAVE THE COMMUNITY THAT HE REPRESENTS A GOOD
24 SYSTEM. AND NOT ONLY TRANSFERRING RESOURCE RECOVERY, BUT
25 THE -- WHAT WE WERE JUST TALKING ABOUT, THE -- THE

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1 COMPOSTING.

2 SO I'D LIKE TO CONGRATULATE MR. VACCAREZZA
3 ON HIS ATTITUDE. HE'S WORKED CLOSE WITH THE BOARD OVER
4 PERIODS OF YEARS. AND HE'S DOING A GOOD JOB AND HE'S TO
5 BE COMMENDED.

6 I'D LIKE TO MOVE THAT WE ADOPT STAFF
7 RECOMMENDATION PERMIT DECISION NO. 92-07 AND SOLID WASTE
8 FACILITIES PERMIT NO. 39-AA-0017.

9 CHAIRMAN HUFF: OKAY. ANY FURTHER DISCUSSION?

10 WITHOUT OBJECTION, WE'LL SUBSTITUTE THE
11 PRIOR ROLL CALL. THE AYES ARE THREE; THE NOES ARE NONE;
12 THE ITEM IS ADOPTED.

13 IS THIS STUFF OF CONSENT? I THINK IT IS
14 CONSENT.

15 ATTORNEY CONHEIM: MR. CHAIRMAN, IT IS CERTAINLY
16 THE STUFF OF CONSENT AND THAT'S WITH YOUR DISCRETION, BUT
17 MIGHT I TAKE THE LIBERTY, NOW THAT THE ITEM HAS BEEN
18 VOTED ON, AMPLIFYING MR. EGIGIAN'S REMARKS.

19 HAVING BEEN A STAFF MEMBER FOR A NUMBER OF
20 YEARS, IT WAS MY EXPERIENCE THAT WHEN DAVE BECAME A
21 MANAGER IN HIS COMPANY, THAT HE WAS SO FAR AHEAD OF THE
22 CURVE IN RECOVERY, NOT ONLY OF THE KINDS OF THINGS THAT
23 YOU WOULD EXPECT TO COMPOST, BUT IN ADDRESSING SPECIFIC
24 AGRICULTURAL WASTE NEEDS IN HIS COMMUNITY.

25 AND HE HAS INVITED US ON ANY NUMBER OF

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1 OCCASIONS TO COME DOWN AND USE HIS FACILITY AS A
2 LABORATORY SO THAT WE COULD LEARN, AND IT'S BEEN A
3 PLEASURE OVER MANY YEARS WORKING WITH MR. VACCAREZZA AND
4 HIS STAFF. AND WE'VE LEARNED A LOT FROM HIM. HE'S LED
5 THE WAY. SO FROM A STAFF PERSPECTIVE, I WANTED TO
6 AMPLIFY MR. EGIGIAN'S REMARKS.

7 CHAIRMAN HUFF: THANK YOU, MR. CONHEIM. OKAY.
8 THAT TAKES US THROUGH ITEM 7. THE NEXT ITEM IS NO. 8.
9 WE'RE GOING TO TAKE A FIVE-MINUTE BREAK BEFORE WE
10 CONSIDER THIS ITEM.

11 (A BREAK WAS TAKEN.)

12 CHAIRMAN HUFF: FIVE MINUTES HAVING ELAPSED, IF
13 WE COULD RESUME.

14 WE ARE NOW AT ITEM 8, A NEW SOLID WASTE
15 FACILITIES PERMIT FOR SOUTHERN CALIFORNIA DISPOSAL
16 COMPANY.

17 MR. GEBRE-HAWARIAT: GOOD MORNING. MY NAME IS
18 TADESE GEBRE-HAWARIAT. I'M THE PERMITTING BRANCH. THIS
19 ITEM REGARDS THE CONSIDERATION OF THE CONCURRENCE IN THE
20 ISSUANCE OF A NEW SOLID WASTE FACILITIES PERMIT FOR THE
21 SOUTHERN CALIFORNIA DISPOSAL COMPANY RECYCLING AND
22 TRANSFER STATION IN THE CITY OF SANTA MONICA OF LOS
23 ANGELES COUNTY.

24 THE OWNER AND OPERATOR OF THE TRANSFER
25 STATION IS SOUTHERN CALIFORNIA DISPOSAL COMPANY RECYCLING

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1 AND TRANSFER STATION, INCORPORATED. MR. SAMUEL
2 KARDASHIAN IS THE PRESIDENT.

3 THE PROPOSED PERMIT IS TO ALLOW FOR AN
4 OPERATION OF A TRANSFER STATION AT A DAILY CAPACITY OF
5 1,056 TONS OF NONHAZARDOUS SOLID WASTE BROUGHT IN
6 PRIMARILY BY THE COMPANY'S COLLECTION VEHICLES.

7 THE PUBLIC RESOURCES CODE REQUIRES AN
8 OPERATOR OF A SOLID WASTE FACILITY TO FILE AN APPLICATION
9 WITH THE LEA TO OPERATE A TRANSFER STATION. THE
10 APPLICATION MUST BE ACCOMPANIED WITH A REPORT OF STATION
11 INFORMATION AND ALL NECESSARY APPROVALS FROM OTHER
12 REGULATORY AGENCIES.

13 THE REQUIREMENTS OF THE CALIFORNIA
14 ENVIRONMENTAL QUALITY ACT, CEQA, HAVE BEEN PREPARED AND
15 CERTIFIED AS APPROVED BY THE LEAD AGENCY, THE LOS ANGELES
16 COUNTY DEPARTMENT OF HEALTH SERVICES, ON OCTOBER 1, 1991.

17 BOARD STAFF REVIEWED THE ENVIRONMENTAL
18 DOCUMENTATION AND HAVE DETERMINED THAT CEQA HAS BEEN
19 COMPLIED WITH AND THE NOTICE OF DETERMINATION IS ADEQUATE
20 AND APPROPRIATE FOR THE BOARD'S USE IN EVALUATING THE
21 PROPOSED PROJECT.

22 ALL OTHER FINDINGS, CONFORMANCE WITH THE
23 GENERAL PLAN, THE COUNTY SOLID WASTE MANAGEMENT PLAN,
24 HAVE BEEN -- THE FINDINGS HAVE BEEN MADE BY THE LEA AND
25 CERTIFIED, AND BOARD STAFF AGREES WITH ALL OF THESE

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1 FINDINGS.

2 AND THE LEA HAS TRANSMITTED AN APPLICATION
3 PACKAGE AND A PROPOSED PERMIT TO THE BOARD. STAFF HAVE
4 REVIEWED THE PROPOSED PERMIT AND SUPPORTING DOCUMENTATION
5 AND FIND THEM TO BE ACCEPTABLE. PURSUANT TO PUBLIC
6 RESOURCES CODE 44009, THE BOARD HAS 60 CALENDAR DAYS TO
7 CONCUR IN OR OBJECT TO THE ISSUANCE OF A SOLID WASTE
8 FACILITIES PERMIT. SINCE THE PROPOSED PERMIT FOR THE
9 FACILITY WAS RECEIVED ON JANUARY 13, 1992, THE LAST DAY
10 THE BOARD COULD ACT IS MARCH 13, 1992.

11 STAFF RECOMMENDS THE BOARD ADOPT SOLID
12 WASTE FACILITIES PERMIT DECISION NO. 92-309, CONCURRING
13 IN THE ISSUANCE OF SOLID WASTE FACILITIES PERMIT
14 19-AA-0846.

15 THIS CONCLUDES MY PRESENTATION.

16 MR. RICHARD HANSON, REPRESENTING THE LOS
17 ANGELES COUNTY DEPARTMENT OF HEALTH SERVICES, AND MR.
18 SAMUEL KARDASHIAN, THE OWNER-OPERATOR OF THE FACILITY,
19 ARE HERE IN ATTENDANCE TO ANSWER ANY QUESTIONS THAT THE
20 COMMITTEE MEMBERS MAY HAVE.

21 CHAIRMAN HUFF: ARE THERE ANY QUESTIONS OF THE
22 STAFF?

23 BOARD MEMBER RELIS: I HAVE A NUMBER OF
24 QUESTIONS RELATED TO THE CONSISTENCY WITH THE DIVERSION
25 REQUIREMENTS OF THIS PROPOSED PERMIT.

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1 MS. VASQUEZ: I WOULD LIKE TO ADD ONE THING
2 BEFORE WE GO ANY FURTHER.

3 CHAIRMAN HUFF: I WAS GOING TO ADDRESS THAT.

4 MS. VASQUEZ: OKAY.

5 CHAIRMAN HUFF: DO YOU WANT TO ADDRESS YOUR
6 QUESTIONS TO STAFF OR TO THE OPERATOR?

7 BOARD MEMBER RELIS: FIRST, TO THE STAFF.

8 IT'S MY UNDERSTANDING THAT -- THE WAY I
9 READ THE PROPOSED PERMIT, THE ANTICIPATED DIVERSION THAT
10 WOULD BE ACHIEVED FROM A FACILITY THAT WOULD TAKE BOTH
11 POSTCURBSIDE MATERIALS, THAT IS, AFTER SEPARATION, AND 30
12 PERCENT COMMERCIAL WASTE WOULD BE ABOUT 3.5 PERCENT OR
13 THEREABOUTS.

14 I FIND THAT A VERY LOW FIGURE FOR ANYTHING
15 THAT I WOULD CALL A DIVERSION FACILITY. AND I WONDER
16 WHAT, IN THE STAFF OPINION, WOULD SUPPORT ESTABLISHING A
17 FACILITY LIKE THIS WITH SUCH A LOW DIVERSION RATE IN
18 TERMS OF OUR MANDATES.

19 MS. VASQUEZ: AS YOU KNOW, PERMIT STAFF RELIES
20 ON THE LOCAL ASSISTANCE BRANCH FOR DETERMINATIONS
21 REGARDING WASTE DIVERSION.

22 JOHN SMITH IS HERE TO ANSWER THAT QUESTION.

23 MR. SMITH: WHEN STAFF LOOKED AT THIS PROJECT,
24 WE DID HAVE THE SRRE FOR THE CITY OF SANTA MONICA. AND
25 IN THEIR REPORT -- IN THAT SRRE, THEY INDICATED THAT THE



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1 TWO POSSIBLE WAYS OF DIVERTING COMMERCIAL AND INDUSTRIAL
 2 WOULD BE THROUGH EITHER SOURCE SEPARATION, THAT IS,
 3 COLLECTING THE RECYCLABLES AT THE SOURCE, OR PURSUING A
 4 MRF.

5 DURING THIS YEAR THEY WILL BE LOOKING AT OR
 6 DOING A FEASIBILITY STUDY TO LOOK AT A MRF WHICH WOULD
 7 PULL OUT FROM THE WASTESTREAM THE HIGH RECYCLABLES.
 8 THIS -- THIS REALLY TIES IN WITH ANOTHER ITEM BEFORE US
 9 TODAY, AND THAT'S THE FACILITY ITSELF.

10 ACCORDING TO THE SRRE AGAIN, THERE'S TWO
 11 PROGRAMS TO ADDRESS THIS. NO. 1, THEY CAN ENCOURAGE
 12 SOURCE SEPARATION, OR THEY CAN GO AHEAD WITH A MRF. AT
 13 THIS POINT THIS PROJECT ISN'T REALLY INCOMPATIBLE WITH
 14 THOSE PLANS AS SUCH. AND I THINK EVERYTHING IS
 15 CONTINGENT UPON WHAT THIS FEASIBILITY STUDY SHOWS.

16 BOARD MEMBER RELIS: WELL, I GUESS THAT RAISES
 17 THE POINT. YOU'VE RAISED THE INTERRELATIONSHIP BETWEEN
 18 THE TWO PERMIT MATTERS BEFORE US. IT'S VERY HARD FOR ME
 19 TO UNDERSTAND WHAT THE RELATIONSHIP IS BETWEEN THAT MRF,
 20 THE NEXT ITEM 12, AND THIS FACILITY AND WHETHER THEY'RE
 21 COMPATIBLE OR WHETHER IT'S JUST -- THIS IS NOT A MRF,
 22 CLEARLY. A 3.5 PERCENT DIVERSION WOULD NOT BE A MRF.

23 MR. SMITH: I THINK IF THERE WAS SOMEBODY --

24 BOARD MEMBER RELIS: NEITHER IS, I MIGHT ADD, 12
 25 FROM WHAT I CAN TELL.

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1 MR. SMITH: I THINK IT WOULD BE HELPFUL IF THERE
2 IS SOMEBODY FROM THE CITY OF SANTA MONICA TO EXPLAIN THE
3 ROLE OF THESE TWO TRANSFER STATIONS. BECAUSE THIS
4 TRANSFER STATION IS, AS WAS INDICATED, TAKING WASTE
5 COLLECTED FROM THEIR CITY OF SANTA MONICA'S RESIDENTIAL
6 PROGRAM. SO TO ME THERE'S SOME --

7 BOARD MEMBER RELIS: IS THERE SOMEONE FROM THE
8 CITY OF SANTA MONICA HERE?

9 MR. KARDASHIAN: THIS ISN'T THE CITY OF SANTA
10 MONICA. THIS IS AN INDEPENDENT. THIS ISN'T THE CITY'S.

11 MR. DEVER: I'M FROM THE CITY OF SANTA MONICA.

12 CHAIRMAN HUFF: OKAY. LET'S PROCEED A LITTLE
13 MORE SLOWLY HERE FOR JUST A SECOND. LET'S COMPLETE
14 QUESTIONING OF STAFF, THEN WE'LL GO TO AN LEA, AND THEN
15 TO --

16 BOARD MEMBER RELIS: WHAT I'M TRYING TO GET AT
17 IS THAT YOU'VE MADE THE FINDING THAT THIS IS CONSISTENT
18 WITH OUR DIVERSION REQUIREMENTS, THE WAY I --

19 MR. SMITH: WHAT WE'RE SAYING REALLY IS THERE
20 ISN'T SUBSTANTIAL EVIDENCE IN THE RECORD TO INDICATE THAT
21 THIS IS PREVENTING OR IMPAIRING THE FUTURE ACHIEVEMENT OF
22 THOSE GOALS. AND THE REASON WHY IS THERE'S A FEASIBILITY
23 STUDY THAT WE'LL BE LOOKING INTO A MRF, AND AT THAT POINT
24 THEY WILL DECIDE HOW BEST TO HANDLE THE COMMERCIAL
25 WASTESTREAM.

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1 BOARD MEMBER RELIS: I GUESS IT STILL DOESN'T
2 CLARIFY TO ME. THAT'S STILL A CLOUD IN MY VIEW AS TO
3 WHETHER IT WILL IMPAIR OR NOT IMPAIR.

4 BOARD MEMBER EGIGIAN: PAUL, IF YOU LOOK AT PAGE
5 NO. 183, ABILITY TO MEET 25-PERCENT WASTE DIVERSION,
6 SRRE'S INDICATE THAT 16.8 PERCENT OF THE CITY'S
7 WASTESTREAM IS CURRENTLY BEING DIVERTED. OKAY?

8 BOARD MEMBER RELIS: CORRECT.

9 BOARD MEMBER EGIGIAN: SO, NOW, WITH A NEW
10 FACILITY THAT WASN'T INTENDED TO BE PART OF THE CITY'S
11 PROGRAM, WITH A MRF -- ANOTHER MRF STARTING UP THERE,
12 THEY'RE GOING TO REACH THEIR LIMITS A LOT FASTER, I WOULD
13 SEE.

14 HOWEVER, I'D LIKE TO HEAR FROM THE LEA, AS
15 WELL AS THE OPERATOR.

16 CHAIRMAN HUFF: THEN WE WILL GET TO THAT VERY
17 QUICKLY.

18 ARE THERE ANY OTHER QUESTIONS OF STAFF?

19 BOARD MEMBER RELIS: JUST IN TERMS OF THE -- I
20 TAKE IT EARLIER ON WE READ THAT THIS ISSUE OF THE LETTER
21 FROM

22 CHAIRMAN HUFF: I WAS ABOUT TO ADDRESS THAT.

23 BOARD MEMBER RELIS: OKAY. I'LL DEFER TO YOU,
24 MR. CHAIRMAN.

25 CHAIRMAN HUFF: QUESTION OF STAFF.



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1 I AM IN RECEIPT OF A LETTER FROM RECYCLE
2 AMERICA. IS RECYCLE AMERICA ON OUR MAILING LIST?

3 MS. VASQUEZ: I'M NOT SURE ABOUT OUR MAJOR
4 MAILING LIST; BUT AS FAR AS NOTICE REGARDING THIS
5 FACILITY, THEY HAVE NOT REQUESTED SPECIFICALLY TO BE
6 NOTICED.

7 ATTORNEY CONHEIM: MR. CHAIRMAN.

8 CHAIRMAN HUFF: YES.

9 ATTORNEY CONHEIM: IT SHOULD BE -- THERE'S NO
10 WAY, OF COURSE, TO ANSWER WHETHER A PARTICULAR PARTY,
11 INDIVIDUAL IS ACTUALLY ON THE BOARD'S REQUIRED MAILING
12 LIST FOR THE SENDING OF NOTICES OF OUR MEETINGS.

13 THE OPEN MEETING LAW ALLOWS ANY PERSON OR
14 ORGANIZATION TO REQUEST IN WRITING NOTICE OF OUR
15 MEETINGS, WHICH MUST THEN BE SENT TEN DAYS IN ADVANCE OF
16 A MEETING.

17 ON THE OTHER HAND, THERE IS NO LAW THAT
18 REQUIRES THAT ANY REQUESTER BE SENT IN ANY PARTICULAR
19 TIME BEFORE OUR MEETING THE ACTUAL WRITE-UP OF AN AGENDA
20 ITEM; AND, IN FACT, THAT IS REQUESTABLE BY AN INDIVIDUAL
21 IN WRITING UNDER THE CALIFORNIA PUBLIC RECORDS ACT, NOT
22 THE STATE OPEN MEETING LAW.

23 AND, IN FACT, FROM THE TIME WE RECEIVE A
24 WRITTEN REQUEST FOR SUCH A PUBLIC DOCUMENT -- AND I'M
25 TALKING ABOUT NOT THE NOTICE FOR A MEETING, BUT BACKUP



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1 MATERIAL -- WE WOULD HAVE THEN TEN DAYS TO DETERMINE HOW
2 WE WERE GOING TO COMPLY WITH SUCH A REQUEST. AND IT
3 MIGHT BE MANY DAYS AFTER THAT BEFORE SOMEBODY ACTUALLY
4 GOT SUCH AN ITEM.

5 I KNOW YOU HAVE MORE TO SAY ON THAT.

6 CHAIRMAN HUFF: WELL, MY NEXT QUESTION OF STAFF
7 IS WHEN DID YOU PROVIDE TO THE BOARD MEMBERS THE MEETING
8 PACKETS, THE BOOKS THAT WE HAVE IN FRONT OF US? WAS IT
9 NOT FRIDAY?

10 MS. VASQUEZ: I BELIEVE IT WAS FRIDAY. I
11 RECEIVED MY PACKET LATE FRIDAY.

12 CHAIRMAN HUFF: AND SO WE DID, IN FACT, DID WE,
13 PROVIDE INFORMATION TO RECYCLE AMERICA ON FRIDAY?

14 ATTORNEY CONHEIM: THE PERSON WHO WROTE THIS
15 LETTER SO STATES, SO APPARENTLY THAT PERSON GOT IT.

16 CHAIRMAN HUFF: GOT IT THE SAME TIME THE BOARD
17 MEMBERS GOT IT.

18 MS. VASQUEZ: YES.

19 ATTORNEY CONHEIM: AND A PERSON HAS NO RIGHT TO
20 ANY EARLIER PROVISION.

21 CHAIRMAN HUFF: THAT'S RIGHT. FROM THE PUBLIC
22 RECORDS ACT WE COULD HAVE TAKEN TEN DAYS AND CONSIDERED
23 IT AND CHARGED THE COST OF DUPLICATING, TOO, I RECALL,
24 UNDER THE PUBLIC RECORDS ACT.

25 ATTORNEY CONHEIM: THAT'S CORRECT.

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1 CHAIRMAN HUFF: WHICH WE DIDN'T DO.

2 ATTORNEY CONHEIM: I THINK THE POINT YOU ARE
3 TRYING TO RAISE, MR. CHAIRMAN, THAT YOU HAVE RAISED IS
4 THAT I THINK THAT MANY PEOPLE WHO ARE JUSTIFIABLY
5 CONCERNED WITH MANY OF THE ITEMS BEFORE THIS COMMITTEE
6 AND OTHER COMMITTEES AND THE BOARD WANT AS MUCH
7 INFORMATION AS POSSIBLE. SO DO WE.

8 BUT IN THE EFFORT TO REQUEST SUCH
9 INFORMATION, WE SHOULD BE CAREFUL TO UNDERSTAND THAT
10 THERE IS A DIFFERENCE BETWEEN THE LAW REQUIRING NOTICE OF
11 OUR MEETINGS AND THE LAW REQUIRING OUR RELEASE OR
12 PROVISION OF ANY PUBLIC DOCUMENT THAT THIS GOVERNMENT
13 AGENCY HAS. AND THERE'S A VERY BIG DIFFERENCE BETWEEN
14 THOSE TWO REQUIREMENTS.

15 CHAIRMAN HUFF: I UNDERSTAND. NOW, THE POINT OF
16 ME RAISING -- THE POINT OF MY RAISING THE QUESTIONS AND
17 DISCUSSING THIS MATTER IS NOT TO HIDE BEHIND SOME SORT OF
18 BUREAUCRATIC NOTIONS OF WHAT THE LAW REQUIRES BECAUSE WE
19 WANT TO BE FORTHCOMING IN THE PROCESS.

20 THE POINT IS THAT WE HAVE BEEN FORTHCOMING
21 IN THE PROCESS. WE HAVE PROVIDED INFORMATION AS SOON AS
22 WE'VE BEEN ABLE TO, ABOVE AND BEYOND WHAT IS REQUIRED BY
23 THE OPEN RECORDS ACT.

24 OKAY. SO ARE THERE ANY OTHER BOARD MEMBERS
25 WISHING TO ADD ANYTHING TO --



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1 BOARD MEMBER RELIS: NOT TO THE STAFF.

2 CHAIRMAN HUFF: LET'S GO ON WITH THE LEA AND
3 DEAL WITH DIVERSION.

4 MR. HANSON: MORNING, I'M RICHARD HANSON, LEA,
5 L.A. COUNTY.

6 BOARD MEMBER RELIS: WELL, MY COMMENTS
7 WEREN'T -- SAM, YOU HAD A QUESTION OF THE LEA?

8 BOARD MEMBER EGIGIAN: NO. I JUST WANTED TO ASK
9 THE LEA IF THIS COMPANY THAT'S APPLYING FOR THIS PERMIT
10 MEET ALL THE PROVISIONS THAT THEY'RE SUPPOSED TO? DID
11 THEY GET THE AUTHORITY FROM THE AGENCIES THAT ARE SET UP
12 TO GIVE THE AUTHORITY?

13 MR. HANSON: AS FAR AS I KNOW, YES. I BELIEVE
14 THERE WAS SOME CONCERN THAT THE CITY OF SANTA MONICA HAD
15 NOT ISSUED PROPER LAND USE AUTHORITY TO THE FACILITY;
16 HOWEVER, WE DID HAVE A MEETING WITH THE DIRECTOR OF
17 PUBLIC WORKS, MR. SHOALS, SEVERAL WEEKS AGO, NOT
18 CONCERNING THIS PARTICULAR ISSUE, BUT ANOTHER CONCERNING
19 THE FACILITY, AND THAT ISSUE WAS NOT RAISED.

20 THEY WERE CERTAINLY AWARE OF THE FACILITY,
21 AWARE OF THE LAND USE AUTHORITY THAT THEY HAD ISSUED TO
22 THE FACILITY, AND THERE WAS REALLY NO DISCUSSION ABOUT
23 THAT AT THE TIME. SO I'M SURE THAT IF THEY HAD SOME
24 CONCERN, THAT WOULD HAVE BEEN BROUGHT UP.

25 BOARD MEMBER EGIGIAN: SO THEN YOU'RE SATISFIED



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1 THAT -- WHAT'S THE NAME OF THIS COMPANY? -- SOUTHERN
2 CALIFORNIA DISPOSAL COMPANY HAS MET ALL THE REQUIREMENTS
3 THAT YOU ARE AWARE OF?

4 MR. HANSON: YES, SIR.

5 BOARD MEMBER EGIGIAN: THANK YOU.

6 I'D JUST LIKE TO MAKE A STATEMENT THAT, IN
7 READING THIS, I SEE THAT MOST OF THIS REFUSE THAT'S
8 COMING INTO THIS TRANSFER STATION IS FROM COMMERCIAL
9 FACILITIES, COMMERCIAL TRUCKS.

10 AND FOR THOSE OF YOU WHO DO NOT KNOW WHAT'S
11 GOING ON IN SOUTHERN CALIFORNIA, THERE'S A LOT OF
12 INDEPENDENT HAULERS IN SOUTHERN CALIFORNIA FINDING IT
13 HARD TO FALL IN LINE AND TO MEET THE REQUIREMENTS THAT
14 939 HAS PUT OUT FOR THESE PEOPLE TO DO.

15 SO WHAT IS HAPPENING IS WE'RE STARTING TO
16 SEE MERGERS OF SMALL COMPANIES, AND THOSE COMPANIES ARE
17 LOOKING FOR ACQUISITIONS THAT ARE PLANNING FOR LARGER
18 AMOUNTS OF SPACE, ROOM, AND MONEY TO OPERATE THEIR
19 BUSINESSES ON.

20 AND READING THIS SITUATION HERE, I
21 PERSONALLY DON'T FIND ANYTHING THAT I FIND OBJECTIONABLE
22 BECAUSE THE CITY IS INVOLVED IN A CURBSIDE PLAN, AND IT
23 IS GOING INTO A FACILITY THAT'S SET UP TO DO THE CITY
24 BUSINESS.

25 SO I DON'T HAVE ANY OTHER QUESTIONS IN THAT

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1 REGARD. PAUL, IF YOU HAVE ANY, GO RIGHT AHEAD.

2 BOARD MEMBER RELIS: WELL, I WOULD RAISE THE
3 SAME QUESTIONS TO THE OPERATOR AND TO THE CITY OF SANTA
4 MONICA, THAT BOTH SEEM TO BE INVOLVED IN SOME WAY WITH
5 THIS FACILITY. I NEED TO KNOW MORE. IT'S NOT CLEAR TO
6 ME WHERE THIS PROJECT FITS INTO OUR DIVERSION MANDATES
7 FROM WHAT I'VE HEARD SO FAR.

8 MS. VASQUEZ: I WOULD LIKE TO POINT OUT THAT THE
9 REPRESENTATIVE FROM THE CITY OF SANTA MONICA IS ACTUALLY
10 HERE TO REPRESENT ANOTHER FACILITY PERMIT. HE ISN'T HERE
11 FROM THE PLANNING DEPARTMENT OR FROM THE TASK FORCE.

12 CHAIRMAN HUFF: WELL, LET'S GO ABOUT IT THIS
13 WAY. YOU'RE L.A. COUNTY LEA?

14 MR. HANSON: YES, I AM.

15 CHAIRMAN HUFF: YOU'RE LOOKING AT 25-PERCENT
16 DIVERSION BY 1995. THIS PIECE OF PAPER HITS YOUR DESK.
17 YOU'VE SENT IT TO US. DO YOU THINK THAT YOU CAN STILL
18 MEET 25 PERCENT?

19 MR. HANSON: THIS FACILITY HAS TO BE FOUND IN
20 CONFORMANCE BY THE COUNTY INTEGRATED WASTE MANAGEMENT
21 TASK FORCE AND IT WAS.

22 I DON'T BELIEVE IT'S REALLY THE
23 RESPONSIBILITY OF THE LEA TO DETERMINE THAT, AND THAT ONE
24 WOULD HAVE TO REVIEW THE VARIOUS ELEMENTS THAT THE CITIES
25 HAVE TO PROVIDE THE COUNTY AND ULTIMATELY THE STATE, AND

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1 AS MR. SMITH HAS DONE, AND TAKE THOSE THINGS INTO
2 CONSIDERATION. I REALLY DON'T THINK THAT THAT'S THE
3 LEA'S RESPONSIBILITY.

4 CHAIRMAN HUFF: BUT THE TASK FORCE DID LOOK AT
5 IT?

6 MR. HANSON: YES, THEY DID.

7 CHAIRMAN HUFF: AND YOU WERE AWARE OF THAT WHEN
8 YOU SENT IT ON TO US?

9 MR. HANSON: YES, I WAS.

10 CHAIRMAN HUFF: ANY OTHER QUESTIONS OF THE LEA?
11 THANK YOU. WE COULD HEAR FROM THE OPERATOR?

12 MR. KARDASHIAN: I WANT TO GIVE YOU A BOOK
13 BECAUSE I'M PROUD OF WHAT I'VE DONE ON MY OWN. YOU CAN
14 LOOK AT THESE, JUST LOOK THEM OVER ROUGHLY.

15 BOARD MEMBER RELIS: THE QUESTION AGAIN IS, AND
16 I THINK THIS RAISES POLICY ISSUES FOR OUR BOARD, THIS IS
17 A SUBSTANTIAL FACILITY. AND THIS IS IN A SETTING
18 WHERE -- AN URBAN SETTING WHERE THE LARGE DIVERSION
19 REQUIREMENTS BE LOOKED AT VERY CLOSELY.

20 AND SO I WAS SURPRISED IN READING THE
21 PROPOSED PERMIT REQUIREMENT THAT YOU WERE ONLY ADDRESSING
22 3.5 PERCENT DIVERSION WITH THE PROFILE OF THE WASTESTREAM
23 WHAT IT WAS.

24 SO MY QUESTION IS COULD YOU PLEASE
25 EXPLAIN --



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1 MR. KARDASHIAN: CAN I -- WE DON'T DO ANY
2 CURBSIDE SERVICE. WE HAVE A PRIVATE -- WE'RE THE
3 SMALLEST COMPANY, I THINK, IN THIS WHOLE AREA THAT'S DONE
4 THIS.

5 AND WHAT WE PICK UP IS COMMERCIAL AND
6 APARTMENT HOUSES. YOU CAN'T TAKE IT OUT OF THE TRUCK
7 UNLESS YOU DUMP IT ON THE GROUND. SO -- I MEAN, WE HAVE
8 NOTHING TO DO WITH CURBSIDE. SANTA MONICA DOES ALL THE
9 CURBSIDE SERVICE. WE DO ALL THE -- NOT ALL OF THE
10 COMMERCIAL, BUT AS MUCH COMMERCIAL AS WE CAN GET AND AS
11 MUCH APARTMENT HOUSES AS WE CAN DO.

12 SO ALL OF OUR STUFF IS MIXED. AND THAT'S
13 WHAT THESE POOR PRIVATE GUYS ARE HAVING A HELL OF A TIME
14 TRYING TO GET THEIR TRASH OUT OF THE TRUCKS. NOW, I
15 DON'T KNOW HOW YOU'RE GOING TO GET THE TRASH OUT OF THE
16 TRUCKS IF YOU DIVERSIFY ANYTHING WITHOUT HAVING A
17 TRANSFER STATION. IF THERE'S A WAY TO TELL ME THAT,
18 I'D -- I'D -- I'D LOVE TO HEAR IT. WE DON'T DO ANY
19 CURBSIDE SERVICE. THAT'S WHY IT'S SO LOW.

20 BOARD MEMBER RELIS: LET ME REPHRASE THE
21 QUESTION, THEN. I'M FAMILIAR WITH MANY COMMERCIAL
22 OPERATIONS, PRIVATE COMMERCIAL OPERATIONS THAT -- SUCH AS
23 YOURS, TRANSFER STATIONS, THAT HAVE SUBSTANTIAL DIVERSION
24 PROGRAMS AS PART OF THEIR STANDARD PRACTICE.

25 WHY IS THIS DIFFERENT THAN THESE MANY

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1 PROGRAMS WHERE THEY'RE PRIVATE OPERATORS SERVICING THE
2 SAME KINDS OF CUSTOMER BASE?

3 MR. KARDASHIAN: I DON'T UNDERSTAND WHAT YOU'RE
4 ASKING ME. I REALLY DON'T. YOU MEAN THE SALVAGE PART OF
5 THE OPERATION? I STILL --

6 BOARD MEMBER RELIS: NO. THERE ARE MANY
7 COLLECTORS, PRIVATE COLLECTORS, WHO SERVICE APARTMENTS
8 AND COMMERCIAL ESTABLISHMENTS, BRING THE WASTE BACK
9 MIXED, AND PROCESS IT FOR DIVERSION. AND SOME OF THESE
10 FACILITIES ARE RECEIVING CURBSIDE MATERIALS AND OTHERS
11 ARE NOT, OR THEY'RE PERCENTAGES OF EACH.

12 I DON'T SEE THE SAME TYPE OF DIVERSION
13 ACTIVITY IN THIS FACILITY THAT I'M SEEING IN MANY OF THE
14 OTHER PRIVATE FACILITIES SERVING THE SAME KIND OF
15 WASTESTREAM.

16 SO THAT'S WHERE MY CONCERN LIES.

17 MR. KARDASHIAN: WELL, OKAY. THIS IS NEW TO OUR
18 COMPANY, NO. 1. WE'VE BOUGHT A BALER THAT'S \$150,000
19 THAT EXPECTS TO BALE CARDBOARD, CANS, WHICH WILL BE
20 10,000 POUNDS. WE'VE GOT OTHER SECTION IN THAT THAT WE
21 PUT THE METAL IN.

22 I'M GOING TO DO THE BEST I CAN. IF I CAN
23 GET 50 PERCENT, I'VE GOT TO GET SOMEWHERE TO START. I
24 DIDN'T KNOW WHERE TO START. I'VE NEVER GOTTEN INTO A NEW
25 BUSINESS --

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1 BOARD MEMBER RELIS: SO YOU'VE NEVER BEEN
2 INVOLVED IN THE RECYCLING SIDE?

3 MR. KARDASHIAN: I'VE NEVER BEEN INVOLVED. THIS
4 IS ALL NEW TO ME. I'M NOT A BIG COMPANY WHERE I'VE GOT
5 STOCKHOLDERS THAT I GET MONEY FROM AND THEN THROW THEIR
6 MONEY AWAY. EVERY DIME OF THIS IS MY MONEY. AND IT
7 HURTS, AND IT REALLY HURTS BECAUSE THERE'S A LOT OF MONEY
8 INVOLVED IN THIS PROJECT. I MEAN, I COULD PRACTICALLY
9 CRY BECAUSE IT'S A JOKE. I MEAN, IT'S -- THERE'S SO MUCH
10 MONEY IN THIS THING, AND I'M TRYING TO FIGURE OUT WHERE
11 THERE'S GOING TO BE A RETURN FOR IT. I'M HOPING THERE
12 WILL BE A RETURN. THAT'S ALL I'M HOPING FOR. I DON'T
13 KNOW WHERE THE PRICES ARE GOING TO GO. I DON'T KNOW
14 WHERE THE CARDBOARD PRICES ARE GOING.

15 IT'S SO NEW TO ME, IT'S REALLY SCARY. AND
16 IT'S VERY -- I'M TRYING TO BE HONEST WITH YOU. IT'S --
17 IF ANYBODY'S GOING TO LOSE, IT'S GOING TO BE ME BECAUSE,
18 LIKE I SAID, THERE'S OVER \$4 MILLION IN THAT THING AND
19 IT'S ALL CASH MONEY OF MY OWN.

20 BOARD MEMBER EGIGIAN: PAUL, ONE THING THAT
21 MIGHT HELP YOU UNDERSTAND WHAT THIS MAN IS DOING. YOU
22 ARE QUITE FAMILIAR WITH CR & R AND THEIR TRANSFER STATION
23 IN STANTON.

24 UNTIL THEY GOT AROUND TO BUILDING THEIR MRF
25 AND FIGURING OUT WHAT THEIR WASTESTREAM WAS GOING TO BE

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1 AND HOW MUCH WAS COMING THROUGH THERE, THEY WERE
2 HANDPICKING JUST THE CORRUGATED, AND THE CONVEYOR WAS
3 TAKING EVERYTHING ELSE INTO THE TRANSFER TRAILERS GOING
4 INTO THE LANDFILLS.

5 NOW THEY'VE DISCOVERED WHAT THEIR
6 PERCENTAGES ARE, WHAT THEIR POSSIBILITIES ARE, SO NOW
7 THEY'VE DEVELOPED THEIR TRANSFER STATION INTO A MRF. AND
8 NOW THE MRF IS AN OUTSTANDING PIECE OF WORK, AS YOU'VE
9 SEEN.

10 SO I WOULD JUDGE THIS BASED ON THE STARTING
11 POINT OF COMING FROM KEEPING 15, 20 TRUCKS ON THE
12 FREEWAYS RUNNING TO THE LANDFILLS BY REDUCING ALL THAT
13 RUN TO THE LANDFILL BY BRINGING INTO THIS TRANSFER
14 STATION AND SENDING ONE TRAILER OR TWO TRAILERS A DAY OUT
15 AS OPPOSED TO 20 OR 30 TRUCKS ON THE FREEWAY, MESSING UP
16 THE FREEWAY AND SMOGGING UP THE SKIES AND EVERYTHING ELSE
17 THAT GOES ALONG WITH IT.

18 I THINK OUR DETERMINATION HERE IS TO BE
19 MADE ON WHETHER OR NOT THIS COMPANY HAS MET THE
20 RECOMMENDATION, THE SPECIFICATIONS THAT THIS BOARD AND
21 THE VARIOUS LOCAL AGENCIES ASK FOR. AND I THINK AT
22 ANOTHER POINT UP THE ROAD, I THINK THAT WE'LL FIND THAT
23 THIS COMPANY IS GOING TO FIND THAT THEY'RE LOSING MONEY
24 BY NOT PULLING MORE OF THAT MATERIAL OUT OF THE
25 WASTESTREAM.

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1 SO WE SHOULD NOT JUDGE THIS AS A MRF, BUT
2 JUST AS A TRANSFER STATION.

3 MR. KARDASHIAN: SAM, EXCUSE ME. I'M PLANNING
4 TO TRY TO GET A MRF, BUT LIKE I SAID, I'M OUT OF MONEY
5 NOW. I DON'T KNOW IF THERE'S GOING TO BE ANYTHING WHERE
6 I CAN SET UP FOR ONE, BUT I WANT TO GET AS MUCH AS --
7 HE'S RIGHT. YOU'VE GOT TO GET AS MUCH AS YOU CAN OUT OF
8 IT OR WHY HAVE IT.

9 I MEAN, WE'VE GOT TO PULL AS MUCH -- KEEP
10 IT FROM GOING TO THE DUMP. WE HAVE TO DO THAT. AND I
11 DON'T KNOW WHAT THE PERCENTAGE -- I DIDN'T KNOW WHAT THE
12 PERCENTAGE IS GOING TO BE. BUT IF -- I WANT TO GET AS
13 MUCH AS I CAN OUT OF IT.

14 I DON'T KNOW WHAT ELSE TO TELL YOU,
15 GENTLEMEN. IT'S ALL NEW TO ME. I MEAN, YOU TALK ABOUT
16 RUBBISH. I CAN TALK ABOUT RUBBISH, BUT I CAN'T TALK
17 ABOUT SOMETHING I'VE NEVER DONE BEFORE, AND IT'S ALL NEW
18 TO ME.

19 CHAIRMAN HUFF: ANY FURTHER QUESTIONS?

20 BOARD MEMBER EGIGIAN: NONE AT ALL.

21 CHAIRMAN HUFF: THANK YOU. I HAVE A REQUEST
22 FROM A MARK EVARTS -- IS THAT CORRECT? -- TO ADDRESS THIS
23 ITEM.

24 MR. EVARTS: GOOD AFTERNOON, MR. CHAIRMAN, BOARD
25 MEMBERS, COMMITTEE MEMBERS. I REPRESENT RECYCLE AMERICA,



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1 WHICH IS A CLOSE NEIGHBOR OF THE PROPOSED FACILITY IN
2 SANTA MONICA. AND AS SUCH, WE HAVE SEVERAL CONCERNS,
3 REGARDING THE FACILITY.

4 YOU MAY HAVE READ THE LETTER THAT I'VE
5 SUBMITTED TO YOU THIS MORNING. AND I'D LIKE TO JUST GO
6 THROUGH THE LETTER POINT BY POINT AND, HOPEFULLY, BRING
7 SOME OF THESE THINGS TO YOUR ATTENTION.

8 AS FAR AS WHAT WAS DISCUSSED EARLIER
9 REGARDING LACK OF ADEQUATE NOTICE AND LEGAL REQUIREMENTS
10 FOR THE BOARD TO PROVIDE THE PUBLIC AND INTERESTED
11 PARTIES NOTICE, I GUESS WHETHER THERE IS A LEGAL
12 REQUIREMENT OR NOT, AND APPARENTLY THERE'S NOT, BUT IF
13 THE POINT FOR THIS COMMITTEE MEETING IS TO HAVE PUBLIC
14 COMMENT, IT WOULD SEEM TO ME THAT THE OPPORTUNITY, AND A
15 GOOD OPPORTUNITY, SHOULD BE PROVIDED THE PUBLIC TO
16 PROVIDE THE BOARD WITH DETAILED COMMENTS AND RESPONSES TO
17 BOARD'S RECOMMENDATIONS.

18 AND THAT'S REALLY ALL WE'RE ASKING HERE.
19 AND IT'S JUST FOR SOME TIME TO COME BACK BECAUSE WE DO
20 UNDERSTAND A GREAT DEAL ABOUT WHAT IS GOING ON WITH
21 RECYCLING IN SANTA MONICA. WE'VE BEEN THERE FOR OVER 15
22 YEARS IN THE FORM OF ECOLO-HAUL WITH GARY PETERSON. AND
23 WE DO HAVE A FAIR AMOUNT TO SAY BECAUSE WE HAVE PLANS
24 WITH THE CITY OF SANTA MONICA REGARDING A PROPOSED MRF.

25 AND I GUESS THE BIGGEST PROBLEM WITH THE

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1 PROPOSED FACILITY THAT WE HAVE IS THAT IT DOESN'T APPEAR
2 TO BE CONSISTENT WITH THE LOCAL WASTE DIVERSION GOALS,
3 AND MAINLY WITH RESPECT TO THE RECOVERY RATE, AS HAS BEEN
4 DISCUSSED, BUT ALSO WITH WHAT IS STATED AS THE
5 WASTESTREAM GOING INTO THE FACILITY. IT JUST SEEMS LIKE
6 AN INCREDIBLE LOST OPPORTUNITY IN THAT THERE WILL BE A
7 LOST OF COMMERCIAL WASTE GOING INTO THE FACILITY.

8 AND THE FACILITY IS -- FROM, YOU KNOW, JUST
9 LOOKING AT IT AND FROM WHAT IS DESCRIBED IN THE STAFF
10 REPORT, DOES NOT SEEM TO BE -- IT DOES NOT SEEM TO BE
11 PHYSICALLY PRACTICAL, POSSIBLE TO RECOVER EVEN THE 3.5
12 PERCENT THAT'S STATED IN THE REPORT.

13 3.5 PERCENT IS APPROXIMATELY 28 TONS PER
14 DAY, AS ESTIMATED BY THE LOCAL ASSISTANCE STAFF PERSON.
15 AND 28 TONS A DAY, THE METHOD DETAILED TO RECOVER THIS IS
16 HANDPICKING ON A FLOOR FOR ONE TO THREE LABORERS AND THEN
17 THROWING IT IN A COMPACTOR/BALER AND TRUCKING IT AWAY.

18 EVEN THE MOST OPTIMISTIC RECOVERY RATES FOR
19 WHAT IS CONSIDERED, YOU KNOW, HIGH TECHNOLOGY IN
20 COMMERCIAL SORTING, IT JUST DOESN'T COME CLOSE TO BEING
21 PHYSICALLY IMPOSSIBLE FOR THREE LABORERS TO RECOVER THAT
22 MUCH MATERIAL IN ANY GIVEN DAY.

23 SO WITH RESPECT TO RECOVERY RATES AND
24 CONSISTENCY WITH WASTE DIVERSION, WE REQUEST THAT THE
25 BOARD REQUIRE OR RECOMMEND THAT PART OF THIS PERMITTING

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1 PROCESS BE A PRACTICAL PLAN AND AN ACCURATE DESCRIPTION
2 OF HOW WASTE DIVERSION WILL OCCUR AND HOW IT WILL
3 ACTUALLY OCCUR IN THIS FACILITY BECAUSE 1,000 TONS A DAY
4 OR UP TO 1,000 TONS A DAY IS A HUGE AMOUNT OF -- OR A
5 HUGE PERCENTAGE OF THE 9,000 TONS PER MONTH OF THE SANTA
6 MONICA'S WASTESTREAM.

7 AND IF THAT MUCH MATERIAL ENDS UP GOING TO
8 THIS FACILITY, AS OPPOSED TO THE SANTA MONICA TRANSFER
9 YARD AND A FUTURE COMMERCIAL SORT LINE WITHIN THE SANTA
10 MONICA TRANSFER YARD, WE FEEL THAT THERE'LL BE AN
11 INCREDIBLE AMOUNT OF LOST DIVERSION.

12 BOARD MEMBER RELIS: MR. CHAIRMAN, QUESTION TO
13 STAFF. IS THE MATERIAL THAT COMES TO -- THAT WOULD COME
14 TO THIS TRANSFER STATION, WHERE IS IT GENERATED?

15 MR. SMITH: THE SERVICE AREA IS SANTA MONICA.

16 BOARD MEMBER RELIS: THE CITY OF SANTA MONICA?

17 MR. SMITH: RIGHT. AND THE 3.5 PERCENT FIGURE
18 WAS DERIVED FROM THE REPORT OF STATION INFORMATION. OUR
19 ANALYSIS, WE DID NOT PROVIDE THAT NUMBER. THAT WAS
20 PROVIDED BY THE OPERATOR.

21 BOARD MEMBER EGIGIAN: I'D LIKE TO ASK A
22 QUESTION, NOT OF YOU, JOHN, BUT -- I FORGOT YOUR NAME,
23 SIR.

24 MR. EVARTS: MARK.

25 BOARD MEMBER EGIGIAN: ARE YOU SPEAKING FOR THE



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1 CITY OF SANTA MONICA, OR ARE YOU SPEAKING FOR YOUR OWN
2 COMPANY?

3 MR. EVARTS: I'M SPEAKING AS A NEIGHBOR AND A
4 CONCERNED RECYCLER WITHIN THE COMMUNITY OF THE CITY OF
5 SANTA MONICA.

6 BOARD MEMBER EGIGIAN: SO IF THIS HAPPENS, IT
7 HAS SOME DRAWBACKS FROM WHAT YOU PEOPLE ARE PLANNING TO
8 DO. IS THAT WHAT YOU'RE SAYING?

9 MR. EVARTS: YEAH, SURE. THE POSSIBILITY IS
10 THERE.

11 BOARD MEMBER EGIGIAN: SO THIS PART I DON'T GET.
12 HERE'S SOMEBODY THAT'S MOVED AHEAD AND IS MAKING
13 PROGRESS, AND FOR FUTURE PLANS, YOU DON'T WANT HIS PLANS
14 TO GO AHEAD BECAUSE OF HOW IT'S GOING TO AFFECT YOU
15 ECONOMICALLY.

16 MR. EVARTS: WELL, NOW, IT'S A -- THAT'S NOT
17 NECESSARILY WHAT I'M TRYING TO SAY. WHAT I'M TRYING TO
18 SAY IS THIS REALLY PROGRESS? OKAY? IS TAKING 1,000 TONS
19 A DAY AND DIVERTING 3.5 PERCENT OF COMMERCIAL WASTE
20 PROGRESS?

21 BOARD MEMBER EGIGIAN: I THINK IT IS. AND I'M
22 NOT ARGUING WITH YOU. IN SOUTHERN CALIFORNIA IT'S
23 PROGRESS BECAUSE THERE'S HUNDREDS OF INDEPENDENT TRUCKS
24 DOWN THERE THAT MUST USE SOME SOURCE TO REMOVE THESE
25 TRUCKS OFF THE ROAD INSTEAD OF ALL LINING UP AND GOING TO

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1 THE LANDFILL. THIS IS GOING TO IMPROVE THE ENVIRONMENT.
2 AND IT'S GOING TO HELP OUR TRAFFIC PROBLEMS DOWN HERE.

3 NOW, I CAN UNDERSTAND THAT IF I WAS IN
4 COMPETITION WITH HIM, I WOULDN'T WANT THEM TO OPEN UP
5 EITHER BECAUSE IT IS GOING TO BE A DIFFERENCE OF WHAT YOU
6 CAN DO.

7 MR. EVARTS: OKAY. OUTSIDE OF BEING IN
8 COMPETITION WITH THEM, I HAVE CONCERNS ABOUT THE
9 PUBLIC -- THIS IS PUBLIC, PEOPLE WHO ARE TRYING TO
10 RECYCLE, ACTUALLY GAINING ACCESS TO OUR FACILITY IN THAT
11 UP TO 150 TRUCKS ON THE STREET PER DAY WILL IMPAIR THIS
12 ACCESS.

13 I MEAN, THERE'S -- IT'S IMPOSSIBLE TO ARGUE
14 THAT IT WILL NOT. WE HAVE A PUBLIC DROP-OFF CENTER ON
15 THE STREET WITH PUBLIC INGRESS AND EGRESS INTO A PUBLIC
16 BUY-BACK CENTER. WE HAVE THE CITY OF SANTA MONICA'S
17 CURBSIDE TRUCKS AND MULTIFAMILY ZONE RECYCLING TRUCKS ALL
18 INGRESSING AND EGRESSING IN A RECYCLING YARD THAT IS IN
19 BETWEEN THE PUBLIC STREETS AND THIS FACILITY, WHICH IS
20 THE END OF A CUL-DE-SAC, IN ADDITION TO ACCESS TO AN
21 INERT RECYCLING FACILITY RUN BY BLUE DIAMOND AND THE CITY
22 OF SANTA MONICA, WHICH ALSO HAVE HEAVY TRUCK TRAFFIC ON
23 THIS STREET. SO THAT IS A CONCERN OUTSIDE OF ANY
24 COMPETITIVE CONCERNS.

25 I MEAN, WE'VE BEEN OPERATING LIKE THIS FOR



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1 15 YEARS, AND OUR CONTRACT RUNS UNTIL 1995. WHETHER OR
2 NOT THAT CONTINUES IS REALLY UP TO THE CITY OF SANTA
3 MONICA. IT'S NOT UP TO RECYCLE AMERICA.

4 AND AS FAR AS THE ACTUAL WASTESTREAM THAT
5 IS GOING INTO THIS FACILITY, I'D LIKE THE BOARD TO HEAR
6 THE COMMENTS OF TOM DEVER, THE SOLID WASTE SUPERINTENDENT
7 OF THE CITY OF SANTA MONICA, JUST TO VERIFY THAT WHAT IS
8 CURRENTLY COMING TO THE CITY OF SANTA MONICA'S TRANSFER
9 STATION, WHICH IS SCD'S TRUCKS, HE CAN PRETTY ACCURATELY
10 CHARACTERIZE THAT WASTE, GIVEN HIS ACCESS TO WASTE
11 CHARACTERIZATION AND COMPOSITION STUDY OF LAST YEAR. SO
12 YOU'LL HEAR TOM.

13 CHAIRMAN HUFF: JUST A MINUTE. ARE THERE ANY
14 OTHER QUESTIONS OF MARK? OKAY. THANK YOU.

15 LET ME UNDERSTAND WHAT YOU ARE SAYING, SAM.
16 ARE YOU SAYING THAT THE TRUCKS THAT YOU WOULD ANTICIPATE
17 PULLING INTO THIS NEW TRANSFER STATION RIGHT NOW ARE
18 GOING DIRECTLY TO WHEREVER?

19 BOARD MEMBER EGIGIAN: TO THE VARIOUS LANDFILLS,
20 YES.

21 CHAIRMAN HUFF: SO THAT IF THEY STOPPED AT THIS
22 TRANSFER STATION AND TRANSFERRED THEIR LOADS INTO LARGER
23 TRUCKS, AND THE LARGER TRUCKS THEN HAULED IT UP TO THE
24 LANDFILLS, THAT EVEN IF ALL THAT WAS GOTTEN OUT OF THOSE
25 TRUCKS WAS 3.5 PERCENT, IT'S BETTER THAN ZERO?

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1 BOARD MEMBER EGIGIAN: IT'S STILL A GREAT VALUE,
2 YES.

3 CHAIRMAN HUFF: OKAY. I'M UNDERSTANDING YOUR
4 POINT.

5 BOARD MEMBER EGIGIAN: THERE'S ONE OTHER THING
6 THAT PROBABLY IF YOU CALL THE OPERATOR BACK, HE WOULD
7 TELL YOU THAT THIS REFUSE DOESN'T ALL COME FROM THE CITY
8 OF SANTA MONICA. THERE'S OTHER CITIES IN THE PERIMETER
9 OF SANTA MONICA THAT -- AND WHY I'M TALKING THIS WAY, I
10 HAD A TRANSFER STATION IN 1950. A LITTLE WHILE AFTER
11 THAT, SANTA MONICA HAD THEIR LITTLE TRANSFER STATION.

12 I UNDERSTAND WHAT THEY'RE DOING AND HOW
13 THEY'RE DOING IT. BASICALLY, SANTA MONICA DID THE SAME
14 THING THAT THESE OTHER TRANSFER STATIONS WERE DOING.

15 NOW, THEY HAVE THIS OTHER SITUATION HERE
16 WITH RECYCLE AMERICA THAT HAVE BOUGHT THIS FACILITY
17 SEVERAL YEARS AGO FROM THE ORIGINAL PERSON THAT STARTED
18 IT. AND I CAN SEE THEIR INTEREST BECAUSE IT IS OF SOME
19 VALUE TO THEM TO HAVE THIS WASTESTREAM COMING INTO THEIR
20 FACILITY SO THEY CAN JUSTIFY THEIR INVESTMENT.

21 MR. EVARTS: I JUST

22 CHAIRMAN HUFF: JUST A MINUTE. THIS
23 CONVERSATION IS BETWEEN SAM AND ME.

24 SO YOU WOULD NOT SUGGEST, SAM, THAT A
25 FULL-SCALE MRF WOULD NOT BE ABLE TO DRAW OUT MORE THAN

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1 3.5 PERCENT, WOULD YOU?

2 BOARD MEMBER EGIGIAN: FULL-SCALE MRF WOULD DRAW
3 A HECK OF A LOT MORE. WE'RE SAYING THIS IS WHAT CR & R
4 IS DOING. YOU KNOW, THEY'RE RUNNING EVERYTHING TO THE
5 LANDFILL. NOW, THEY'RE RUNNING IT THROUGH THEIR MRF, AND
6 THEY'RE STARTING TO CAPTURE A LOT MORE MATERIAL.

7 BUT THERE HAS TO BE A STARTING POINT
8 SOMEPLACE. AND IF YOU'RE GAINING -- IF YOU'RE TAKING
9 THOSE TRUCKS OFF THE STREETS, AND THEY'RE NOT ON THE
10 FREEWAYS TRAFFIC -- PEAK TRAFFIC HOURS, YOU'RE
11 ACCOMPLISHING SOMETHING EVEN IF NOTHING ELSE HAPPENS.
12 AND I'M SURE THAT SOMETHING ELSE IS GOING TO HAPPEN HERE.

13 CHAIRMAN HUFF: OKAY. ANY OTHER QUESTIONS?

14 MR. EVARTS: MAY I CLARIFY ONE THING?

15 CHAIRMAN HUFF: PROCEED.

16 MR. EVARTS: WE DO NOT -- WE HAVE NO INVESTMENT
17 IN THIS FACILITY OTHER THAN WE'RE IN A CONTRACT AGREEMENT
18 WITH THE CITY OF SANTA MONICA. THE CITY OF SANTA MONICA
19 OWNS THE LANDS; WE LEASE IT FROM THEM. THEY HAVE THE
20 RIGHT TO BREAK THE CONTRACT AND HAVE US GO ELSEWHERE AT
21 ANY TIME, SHOULD THEY DESIRE.

22 CHAIRMAN HUFF: OKAY. BUT YOU ARE NOT REALLY
23 THE ISSUE HERE.

24 MR. EVARTS: RIGHT. NO, I UNDERSTAND. I JUST
25 WANTED TO CLARIFY WHAT SAM SAID.



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1 BOARD MEMBER EGIGIAN: I AGREE WITH WHAT YOU
2 PEOPLE ARE DOING. YOU'RE DOING A FINE JOB. YOUR COMPANY
3 IS DOING A GOOD JOB THROUGHOUT THE COUNTRY, AND I DON'T
4 PUT YOU DOWN FOR THIS. I'M TALKING ABOUT ONE ISOLATED
5 SITUATION HERE, WHERE I THINK THIS TRANSFER STATION IS
6 GOING TO IMPROVE THE CONDITIONS AS THEY ARE TODAY.

7 MR. EVARTS: OKAY. I'M MORE CONCERNED WITH THE
8 PUBLIC SAFETY AND THEIR ACCESS TO AN EXISTING RECYCLING
9 CENTER THAT ACTUALLY RECYCLES.

10 CHAIRMAN HUFF: OKAY. THANK YOU. QUESTION OF
11 STAFF.

12 THE LOS ANGELES COUNTY TASK FORCE TOOK A
13 LOOK AT THIS AND FOUND THAT IT FIT WITHIN THEIR CONCEPT
14 OF HOW THEY WOULD GET TO 25 PERCENT, AM I PHRASING THAT
15 CORRECTLY?

16 MR. SMITH: THE L.A. TASK FORCE, WHEN THEY
17 ISSUED THEIR DETERMINATION OF CONFORMANCE FOR THIS
18 FACILITY, AREN'T SPECIFICALLY REQUIRED TO LOOK AT THE
19 DIVERSION GOALS. I'M NOT AWARE WITH THAT FINDING THERE
20 WAS ANYTHING RELATED TO THAT.

21 GOALS ARE -- REST SOLELY WITH THE
22 JURISDICTION THAT'S GOING TO BE IMPLEMENTING THAT SRRE,
23 AND THAT WOULD BE THE CITY OF SANTA MONICA. SO I DON'T
24 KNOW IF THEY TOOK SOME VERY SPECIFIC FINDINGS RELATED TO
25 THE --



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1 CHAIRMAN HUFF: WELL, I'M TRYING TO GET TO --
2 SOMEONE HAS TO WORRY ABOUT THE 25 PERCENT.

3 MR. SMITH: RIGHT. THE TASK FORCE IS VERY
4 CONCERNED ABOUT THAT

5 CHAIRMAN HUFF: I MEAN, WE CAN SIT HERE AND
6 WORRY, BUT SOMEONE IN THE LOCAL COMMUNITY HAS TO WORRY
7 ABOUT THE 25 PERCENT.

8 MR. SMITH: AND ALSO THE LOCAL TASK FORCE
9 REVIEWS ALL THE SOURCE REDUCTION/RECYCLING ELEMENTS.

10 CHAIRMAN HUFF: SO WHO, IN THIS INSTANCE, IS THE
11 LOCAL ENTITY THAT WORRIES ABOUT THE 25 PERCENT?

12 MR. SMITH: IN THIS PARTICULAR CASE, IF THIS
13 WASTE COMES OUT OF THE CITY OF SANTA MONICA, IT'S THE
14 CITY OF SANTA MONICA.

15 CHAIRMAN HUFF: OKAY.

16 MR. SMITH: AND ACCORDING TO THEIR SRRE, THEY
17 WERE GOING TO APPROACH DIVERSION OF COMMERCIAL AND
18 INDUSTRIAL THROUGH SOURCE SEPARATION AND LOOKING INTO THE
19 FEASIBILITY OF A MRF. AND IT WOULD BE UP TO THEM TO
20 DECIDE, IF THAT REPORT IS FAVORABLE, HOW MUCH OF THAT
21 MATERIAL WOULD GO TO WHAT FACILITIES.

22 CHAIRMAN HUFF: SO REALLY THAT'S WHAT CREATES
23 OUR PROBLEM. WE'VE GOT THE CART BEFORE THE HORSE.

24 MR. SMITH: RIGHT. AND ON BOTH OF THESE
25 FACILITIES TODAY.

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1 CHAIRMAN HUFF: BOTH ON 8 AND 12, WE'VE GOT THE
2 CART BEFORE THE HORSE.

3 MR. SMITH: WE HAVE FACILITIES THAT NEED TO BE
4 PERMITTED.

5 CHAIRMAN HUFF: AND YET WE HAVE PERMITS IN OUR
6 HANDS, SO THE CLOCK'S RUNNING, RIGHT?

7 MR. SMITH: RIGHT.

8 CHAIRMAN HUFF: WHEN DID WE GET THIS THING IN?

9 MR. GEBRE-HAWARIAT: JANUARY 13TH.

10 CHAIRMAN HUFF: JANUARY 13TH. SO HE HAS A
11 PERMIT 60 DAYS FROM JANUARY 13TH.

12 MS. VASQUEZ: THAT WOULD BE MARCH 16TH.

13 CHAIRMAN HUFF: OKAY. THANK YOU.

14 MR. SMITH: THE OTHER THING IS THE FEASIBILITY
15 STUDY WILL NOT BE COMPLETE UNTIL LATER THIS YEAR.

16 CHAIRMAN HUFF: THAT'S ALSO TRUE WITH ITEM 12,
17 ISN'T IT?

18 NOW, I DON'T KNOW WHAT THE DATE IS. WE'VE
19 GOT IT UP.

20 BOARD MEMBER RELIS: MR. CHAIRMAN, THAT SPEAKS
21 TO THE -- YOU KNOW, THE PROBLEM HERE. WE HAVE -- WE'RE A
22 POLICY-MAKING BOARD AND A PERMIT BOARD. WE'RE TRYING TO
23 IMPLEMENT A NEW LAW THAT REQUIRES DIVERSION. AND WHEN
24 WE'RE CONFRONTED IN A SITUATION LIKE THIS, WHERE WE HAVE
25 A FACILITY PERMIT BEFORE US, WHERE IT'S UNCLEAR HOW IT

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1 FITS IN, AT LEAST TO THIS MEMBER, TO OUR MANDATE TO MEET
2 THAT LAW, IT MAKES ME UNCOMFORTABLE WITH -- AND I HAVE
3 NOT HEARD PERSUASIVE EVIDENCE EITHER IN THIS REPORT FROM
4 THE STAFF TODAY THAT LOWERS MY CONCERN.

5 MR. SMITH: IF I MAY MAKE A SUGGESTION, MR.
6 RELIS, MAYBE AT THE BOARD MEETING A RESPONSIBLE PERSON IN
7 THE CITY OF SANTA MONICA COULD COME IN AND TALK ABOUT HOW
8 THESE TWO FACILITIES FIT IN WITH THEIR SRRE PLANS AND
9 WHETHER THESE INTERIM MEASURES ARE COMPATIBLE WITH THEM.

10 BOARD MEMBER RELIS: YES.

11 CHAIRMAN HUFF: I THINK THAT'S A MINIMUM.

12 BOARD MEMBER RELIS: THAT'S A MINIMUM.

13 CHAIRMAN HUFF: NOW, I UNDERSTAND THAT MONTEREY
14 IS A LOT FURTHER FROM SANTA MONICA THAN VAN NUYS, AT
15 LEAST I THINK IT IS. BUT I WOULD STRONGLY SUGGEST THAT
16 THE SANTA MONICA PERSON -- THE SANTA MONICA PERSON WHOSE
17 JOB IT IS TO WORRY ABOUT THIS LAW BE PRESENT SINCE THEY
18 HAVEN'T CHOSEN TO BE PRESENT HERE TODAY.

19 MR. SMITH: WE'LL TRY TO IDENTIFY THAT PERSON
20 FOR THAT NEXT BOARD MEETING.

21 CHAIRMAN HUFF: AND THEY FULL WELL KNEW THAT WE
22 WERE TALKING ABOUT THIS TODAY.

23 MR. SMITH: THAT'S CORRECT. WE CONTACTED BOTH
24 THE AGENCY THAT PREPARED THE ELEMENT AND THE CITY STAFF
25 OPERATING THE TRANSFER STATION WHEN WE DEVELOPED BOTH

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1 THESE FINDINGS.

2 CHAIRMAN HUFF: OKAY. WE'VE THRASHED THIS ONE
3 ENOUGH. OKAY.

4 WELL, WE'RE TALKING ABOUT DISCUSSING THIS
5 FURTHER AND HAVING THE SANTA MONICA PERSON IN MONTEREY.
6 THAT ASSUMES THAT WE HAVE A RECOMMENDATION TO THE BOARD
7 FOR MONTEREY. SO I WOULD ASK IF THERE IS A MOTION ON
8 THIS ITEM?

9 BOARD MEMBER EGIGIAN: I WOULD LIKE TO MAKE A
10 MOTION --

11 CHAIRMAN HUFF: SAM, YOU WANT TO MAKE IT AND
12 NOT --

13 BOARD MEMBER EGIGIAN: -- MOVE STAFF
14 RECOMMENDATIONS, THAT BOARD ADOPT PERMIT DECISION NO.
15 92-09, ISSUANCE OF A SOLID WASTE FACILITIES PERMIT
16 19-AA-0846, AND AT THE SAME TIME INSTRUCT SOMEBODY FROM
17 THE CITY OF SANTA MONICA TO BE AT OUR BOARD MEETING TO
18 DISCUSS AND ANSWER SOME OF THESE QUESTIONS.

19 CHAIRMAN HUFF: OKAY. WE'LL HAVE A ROLL CALL.
20 YOU WANT TO SAY SOMETHING, PAUL?

21 BOARD MEMBER RELIS: YES, BEFORE WE TAKE A VOTE
22 ON THIS, I'D LIKE TO SPEAK TO THE MOTION.

23 I BELIEVE THAT IT WOULD BE NECESSARY TO, IN
24 ORDER FOR ME TO CONCUR WITH THAT MOTION, THAT WE HAD MUCH
25 MORE DETAILED ANALYSIS OF WHERE THIS PROJECT FITS INTO



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1 THE 939 DIVERSION MANDATES.

2 I WOULD BE PREPARED TO CONSIDER SUPPORTING
3 SUCH A MOTION AT A MONTEREY MEETING IF, BETWEEN NOW AND
4 THEN, WE HAD CONSIDERABLY NEW INFORMATION OR COULD
5 CLARIFY THE QUESTIONS I'VE RAISED. BUT AT THIS POINT, I
6 CANNOT CONCUR.

7 MR. HANSON: MAY I SAY SOMETHING, PLEASE?

8 CHAIRMAN HUFF: YES, GO AHEAD.

9 MR. HANSON: THERE IS A REPRESENTATIVE FROM THE
10 CITY OF SANTA MONICA HERE. HE WAS HERE TO REPRESENT HIS
11 CITY FOR THE LATER AGENDA ITEM, BUT HE WOULD LIKE TO SAY
12 SOMETHING NOW REGARDING THIS ITEM.

13 CHAIRMAN HUFF: I'D BE JUST AS PLEASED AS COULD
14 BE TO HAVE HIM DO THAT.

15 MR. DEVER: MAY NAME IS TOM DEVER. I'M THE
16 SOLID WASTE SUPERINTENDENT OF THE CITY OF SANTA MONICA.
17 AND I AM VERY FAMILIAR WITH SANTA MONICA'S WASTESTREAM.

18 SANTA MONICA'S WASTESTREAM IS 129,000 TONS
19 A YEAR. OF THAT WASTESTREAM, 68 PERCENT OF IT IS
20 COMMERCIAL. THAT IS STAGGERING. THE OTHER 32 PERCENT IS
21 RESIDENTIAL.

22 BY MUNICIPAL CODE, SANTA MONICA CITY TRUCKS
23 PICK UP THE RESIDENTIAL WASTESTREAM. SO IT COMES TO OUR
24 INDIVIDUAL TRANSFER STATION, WHICH IS RIGHT AROUND THE
25 CORNER FROM THE TRANSFER STATION IN QUESTION.

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1 ABOUT HALF OF THE COMMERCIAL WASTE IN THE
 2 CITY OF SANTA MONICA IS PICKED UP BY CITY TRUCKS, TOO.
 3 SO THAT COMMERCIAL WASTE COMES INTO THE CITY OF SANTA
 4 MONICA TRANSFER STATION, WHICH I OPERATE.

5 IN ADDITION, THERE ARE ABOUT 12 PRIVATE
 6 HAULERS WHO WORK IN THE CITY OF SANTA MONICA, MOST OF
 7 WHOM BRING THEIR REFUSE NOW TO THE CITY OF SANTA MONICA'S
 8 TRANSFER STATION.

9 OUR WASTE CHARACTERIZATION STUDY INDICATED,
 10 AS BEST WE COULD FIND, THAT APPROXIMATELY 70 TONS A DAY
 11 ARE GOING DIRECT TO LANDFILL, NOT COMING THROUGH THE
 12 SANTA MONICA TRANSFER STATION.

13 AND WHAT WITH LANDFILLS CLOSING NOW EARLIER
 14 AND EARLIER EVERY DAY, I LIVE WITH IT, WE COULD SEE THOSE
 15 HAULERS WHO ARE CURRENTLY GOING TO -- DIRECT TO LANDFILL
 16 EITHER COMING IN THE CITY OF SANTA MONICA TRANSFER
 17 STATION OR INTO THE SCD FACILITY IF IT'S PERMITTED.

18 BOARD MEMBER RELIS: SO --

19 MR. DEVER: ANY QUESTIONS ON --

20 CHAIRMAN HUFF: YOU'RE SAYING IT'S GOT TO GO
 21 SOMEPLACE.

22 MR. DEVER: IT'S GOT TO GO SOMEPLACE. WE ARE
 23 CURRENTLY IN A CONTRACTUAL ARRANGEMENT WITH RECYCLE
 24 AMERICA, WHICH IS THE OLD ECOLO-HAUL. THEY'VE BEEN THERE
 25 ABOUT 15 YEARS. AND THROUGH A COOPERATIVE EFFORT ON BOTH

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1 THE CITY OF SANTA MONICA'S PART AND WASTE MANAGEMENT'S
2 PART, RECYCLE AMERICA'S PARENT COMPANY, WE HAVE BEEN ABLE
3 TO INCREASE OUR DIVERSION DRAMATICALLY.

4 WE ARE CLAIMING IN OUR SRRE SUBMITTAL A
5 DIVERSION OF 16.8 PERCENT, AND THIS IS VERY VERIFIABLE.
6 AND THIS IS NOT CONSIDERING INERTS. AND WE'VE BEEN ABLE
7 TO DO THAT ONLY THROUGH A VERY, VERY AGGRESSIVE
8 PARTNERSHIP WITH RECYCLE AMERICA, WHO PROCESSES ALL OUR
9 CURBSIDE RECYCLING PROGRAM.

10 AND OUR -- WE HAVE A ZONE SITUATION
11 THROUGHOUT THE CITY, VERY LARGE MEGA ZONES, WHERE PEOPLE
12 CAN DROP OFF RECYCLABLES. WE HAVE 100 OF THEM, WHICH
13 CITY RECYCLING CREWS COLLECT AND BRING INTO RECYCLE
14 AMERICA PROCESSING CENTER.

15 WE HAVE JUST RECEIVED FROM OUR CITY COUNCIL
16 PERMISSION TO RENEGOTIATE THIS CONTRACT TO THE EXTENT OF
17 CEDING 10,000 MORE SQUARE FEET FROM OUR TRAINING FACILITY
18 TO RECYCLE AMERICA SO THEY CAN EXPAND AND PROCESS EVEN
19 MORE OF OUR RESIDENTIAL AND POTENTIALLY COMMERCIAL WASTE.

20 PART OF THOSE RENEGOTIATIONS WILL ENTAIL
21 RECYCLE AMERICA PLACING IN A CONVEYOR SYSTEM PLUS A BALER
22 FOR PROCESSING OF COMMERCIAL WASTE.

23 SO THE PROBLEM IN SANTA MONICA IS BEING
24 ADDRESSED ON SEVERAL FRONTS.

25 BOARD MEMBER RELIS: LET ME JUST INTERRUPT,



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1 THEN. ARE YOU SAYING, SIR, ON BEHALF OF THE CITY, THAT
2 THIS FACILITY WILL NOT IMPAIR YOUR ABILITY TO IMPLEMENT
3 AB 939? ARE YOU HERE MAKING THAT STATEMENT? BECAUSE
4 THAT'S AN IMPORTANT STATEMENT FOR ME TO HEAR ON THIS
5 POINT.

6 MR. DEVER: I UNDERSTAND THAT.

7 CHAIRMAN HUFF: AND LET ME SAY IT'S NOT ONLY
8 IMPORTANT FOR PAUL, BUT IT'S ALSO IMPORTANT FOR A COUPLE
9 OF OTHER BOARD MEMBERS.

10 MR. DEVER: I UNDERSTAND.

11 CHAIRMAN HUFF: WE'RE TALKING ABOUT COUNTING
12 HERE AND NOT COUNTING 25 PERCENT. WE'RE COUNTING VOTES.

13 MR. DEVER: LET'S PUT IT THIS WAY. I'M THE GUY
14 WHO'S ULTIMATELY RESPONSIBLE FOR ACHIEVING OUR 25-PERCENT
15 DIVERSION. WE HAVE A MASTER PLAN IN THE CITY, SOME OF
16 WHICH I'VE DISCUSSED WITH YOU, IN OTHER WORDS, THIS
17 ADDING ON OF ADDITIONAL LAND TO THE RECYCLE AMERICA
18 CONTRACT.

19 I'M NOT TOO SURE I, MYSELF, COULD SAY THAT
20 I'M GOING TO ACHIEVE 35 PERCENT DIVERSION --- EXCUSE ME ---
21 25 PERCENT DIVERSION BY 1995 WITH 3 PERCENT DIVERSION
22 FROM ANOTHER TRANSFER STATION THAT MIGHT ONLY HAVE 80 OR
23 90 TONS OF SANTA MONICA TRASH.

24 I'M WORRIED ABOUT MY SANTA MONICA TRASH.
25 I'M NOT WORRIED ABOUT THE OTHER GUY IN VENICE. I'M NOT

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1 WORRIED ABOUT WEST L.A. OR WHEREVER ELSE THIS THOUSAND
2 TONS IS GOING TO COME IN TO THE SOUTHERN CALIFORNIA
3 DISPOSAL. I'M -- I KNOW WHAT THE CITY OF SANTA MONICA
4 GENERATES. WE GENERATE 370 TONS OF TRASH A DAY.

5 BOARD MEMBER RELIS: SO LET ME JUST REPEAT MY
6 QUESTION THEN, AND LET ME SEE IF I HEARD HERE. YOU SAID
7 IT WILL OR WILL NOT IMPEDE YOUR 939 DIVERSION MANDATE.
8 WE'RE LOOKING AT 25 PERCENT, THEN 50. SO I WANT YOU --

9 MR. DEVER: I CAN'T SAY IT WILL IMPEDE, BUT I
10 CAN'T RELY ON IT. THE PERCENTILES STILL SOUND LIKE
11 THEY'RE DEAD TO RELY ON IT.

12 IF THIS FACILITY, WHICH IS BASICALLY A
13 TRANSFER STATION ONLY, AS IS THE CITY OF SANTA MONICA'S
14 FACILITY, AS WE SPEAK, IF THIS FACILITY IS GOING TO
15 DIVERT ONLY 3 PERCENT, 4 PERCENT, WHATEVER IT IS, OF
16 WHATEVER SANTA MONICA TRASH GOES IN THERE, I CAN'T RELY
17 ON IT TOTALLY. I STILL HAVE TO EXPLORE OTHER AVENUES.

18 AND AS OUR FEASIBILITY STUDY, WHICH IS
19 COMPLETE INCIDENTALLY, HAS BEEN COMPLETED, THE CITY OF
20 SANTA MONICA FINANCED IT, WE WOULD BE LOOKING AT OTHER
21 OPTIONS, INCLUDING THE RECENTLY COUNCIL AUTHORIZED
22 DECISION TO RENEGOTIATE OUR CONTRACT WITH RECYCLE
23 AMERICA. CURRENTLY THAT CONTRACT EXPIRES IN 1995. WE
24 HAVE TO GET A JUMP ON IT.

25 CHAIRMAN HUFF: OKAY. SO HOW MANY TONS PER DAY

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1 SANTA MONICA? 370, DID YOU SAY?

2 MR. DEVER: ABOUT 370. THAT'S THE ENTIRE CORPUS
3 OF OUR SOLID WASTE.

4 CHAIRMAN HUFF: THAT'S CORPORATE AND COMMERCIAL
5 AS WELL AS --

6 MR. DEVER: COMMERCIAL AND RESIDENTIAL. THAT'S
7 AS CLOSE AS OUR SRRE.

8 CHAIRMAN HUFF: OKAY. GOOD ENOUGH FOR
9 GOVERNMENT WORK.

10 HOW MUCH OF IT DO YOU THINK, AND I GATHER
11 YOU DON'T KNOW FOR SURE, BUT HOW MUCH OF IT DO YOU THINK
12 WOULD BE GOING TO THE TRANSFER STATION IN QUESTION HERE?

13 MR. DEVER: OH, I CAN TELL YOU EXACTLY. RIGHT
14 NOW THE OPERATOR USES OUR TRANSFER STATION. HIS IS NOT
15 OPENED YET. WE GET ANYWHERE FROM 60 TO 70 TONS A DAY.

16 CHAIRMAN HUFF: SO HE'S GOING TO TAKE OFF --

17 MR. DEVER: AND NOT ALL OF THAT IS FROM SANTA
18 MONICA. SOUTHERN CALIFORNIA OPERATES IN OTHER AREAS,
19 TOO.

20 CHAIRMAN HUFF: I WAS WONDERING OF YOUR 370, HOW
21 MUCH OF IT IS GOING TO GO THROUGH THIS TRANSFER STATION
22 IN QUESTION?

23 MR. DEVER: WELL, OF THE 370, HOW MUCH IS GOING
24 TO GO THROUGH? ALL I KNOW IS, OBVIOUSLY, IF THE OPERATOR
25 OPENS HIS OWN TRANSFER STATION, HE'S GOING TO TAKE HIS



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1 DAILY RUBBISH TO THAT TRANSFER STATION. AND I KNOW HOW
2 MUCH HE BRINGS IN TO OUR TRANSFER STATION, 60 OR 70 TONS
3 A DAY. SO THAT'S ALL I KNOW.

4 CHAIRMAN HUFF: SO -- ALL RIGHT. SO YOU'RE
5 GOING TO GET -- LET'S SAY HIS NUMBER IS CORRECT, 3.5
6 PERCENT DIVERSION AGAINST 60 OR 70 TONS.

7 MR. DEVER: IF ALL OF THAT IS SANTA MONICA
8 REFUSE. I'M ONLY INTERESTED IN HOW MUCH OF THAT 60 OR 70
9 TONS IS SANTA MONICA REFUSE.

10 CHAIRMAN HUFF: YEAH. WE DON'T KNOW, DO WE?

11 MR. DEVER: I DON'T HAVE A HANDLE ON THAT.
12 POSSIBLY THE OPERATOR COULD --

13 CHAIRMAN HUFF: DO YOU KNOW, OPERATOR?

14 MR. KARDASHIAN: HOW MANY TONS A DAY, SANTA
15 MONICA ONLY?

16 CHAIRMAN HUFF: SANTA MONICA.

17 MR. KARDASHIAN: THE THING IS WE WEREN'T GOING
18 TO STOP USING THE CITY TRANSFER. WE'RE GOING TO USE THE
19 TRANSFER STATION JUST FOR OUR CONSTRUCTION AND HAULING IN
20 CARDBOARD WITH ROLL-OFFS FOR OUR SALVAGE BECAUSE WE
21 CAN'T -- I CAN'T START THAT QUICK EVEN IF I WANTED TO.
22 SO WE'LL STILL BE BRINGING OUR GENERAL STUFF INTO SANTA
23 MONICA. WE'RE NOT -- I DON'T -- I DIDN'T INTEND TO STOP
24 BRINGING IT INTO SANTA MONICA.

25 CHAIRMAN HUFF: OKAY. SO THEN SANTA MONICA HAS

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1 THE OPPORTUNITY TO RECYCLE?

2 MR. KARDASHIAN: YEAH, THEY CAN RECYCLE. I WISH
3 THEY'D LET ME RECYCLE.

4 CHAIRMAN HUFF: I DON'T FEEL WE'VE MADE MUCH
5 PROGRESS TOWARD CAN YOU GET THERE FROM HERE, I MEAN 25
6 PERCENT.

7 MR. DEVER: THAT'S 16.8 NOW. I HAVE THREE YEARS
8 TO DO IT AND I HAVE TWO OPTIONS. ONE OF WHICH IS A
9 CONTINUED RELATIONSHIP, CONTRACTUAL RELATIONSHIP, WITH
10 RECYCLE AMERICA AND WHATEVER ASSISTANCE CAN BE HAD AROUND
11 THE CORNER AT SOUTHERN CALIFORNIA DISPOSAL.

12 AS LONG AS WE CAN GET PROPER REPORTED DATA
13 AS TO SANTA MONICA DIVERSION.

14 CHAIRMAN HUFF: SAM.

15 BOARD MEMBER EGIGIAN: WE'VE HAD MANY SITUATIONS
16 WHERE GOVERNMENT AND PRIVATE WORK TOGETHER TO ACCOMPLISH
17 WHATEVER THEY'RE OUT TO DO. AND I WOULD SUGGEST THAT THE
18 CITY OF SANTA MONICA PURSUE THIS SITUATION BECAUSE THEY
19 CAN BE OF GREAT HELP TO YOU.

20 HOW ARE YOU -- WHAT'S HAPPENING TO THE
21 MATERIAL GOING INTO YOUR TRANSFER STATION TODAY?

22 MR. DEVER: WELL, WE DO VERY LITTLE DIVERSION IN
23 OUR TRANSFER STATION TODAY BECAUSE IT'S SO SMALL. WE DO
24 SOME NOMINAL DIVERSION, SOME YARD WASTE, SOME CARDBOARD
25 AND TIRES AND WHITE GOODS, SCRAP METAL.

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1 THE REST OF OUR DIVERSION IS HANDLED
2 THROUGH THE RECYCLING FACILITY THAT RECYCLE AMERICA
3 OPERATES CONTIGUOUS WITH THE TRANSFER STATION.

4 BOARD MEMBER EGIGIAN: YEAH, BUT THAT STUFF IS
5 CURBSIDE OTHERWISE. THE MATERIAL COMING INTO YOUR
6 TRANSFER STATION IS STILL BEING LOADED IN TRAILERS AND
7 GOING TO LANDFILLS.

8 MR. DEVER: WITH THOSE FEW EXCEPTIONS, YES, THAT
9 I JUST MADE.

10 BOARD MEMBER EGIGIAN: I SEE NO DIFFERENCE IN
11 THE TWO MYSELF.

12 MR. DEVER: AND WITH THE 68 PERCENT OF ALL SANTA
13 MONICA TRASH BEING COMMERCIAL, I'VE GOT TO TAP THIS
14 WITHIN THE NEXT THREE YEARS. I'VE GOT TO GET ON THAT
15 COMMERCIAL SOMEHOW. THAT'S WHERE THE LION'S SHARE IS.

16 BOARD MEMBER EGIGIAN: YOU KNOW, WHAT DISTURBS
17 ME, FOR 100 YEARS PEOPLE HAVE BEEN PUTTING THEIR TRASH ON
18 THE CURB. THESE PEOPLE PICKED IT UP AND NOBODY CARES
19 WHAT HAPPENS TO IT, WHERE IT GOES TO, WHETHER THAT MAN IS
20 MAKING MONEY, IF HE'S WORKING 24 HOURS A DAY OR WHAT.

21 NOW, SUDDENLY THE STATE COMES UP WITH A
22 LAW, AND THE PERCEPTION IS THAT THESE PEOPLE ARE MAKING
23 TOO MUCH MONEY. LET'S GET SOME OF THIS BY OURSELVES.

24 SO IF YOU'RE NOT ALREADY DOING IT AND
25 SOMEBODY ELSE IS JUMPING INTO THE STREAM AND CAN BE A

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1 POSSIBLE ADVANTAGE TO THE CITY, I WOULD THINK THAT YOU
2 WOULD ENCOURAGE HIM AND WORK WITH HIM TO SEE WHAT YOU
3 COULD DO TO GET YOUR DIVERSION PERCENTAGES UP TO WHAT
4 THEY SHOULD BE.

5 WE HAVE MANY STORIES THAT I'VE READ IN THE
6 PAPERS THROUGHOUT THE COUNTRY HERE WHERE PRIVATE AND
7 PUBLIC WORK TOGETHER TO ACCOMPLISH THESE THINGS. WHY NOT
8 TRY IT HERE?

9 CHAIRMAN HUFF: DO YOU HAVE A QUESTION?

10 MR. KARDASHIAN: NO, I DON'T. I'VE TOLD THE
11 CITY THAT THEY'RE WELCOME -- I'M WORKING HAND IN HAND
12 WITH THE CITY OF SANTA MONICA. I'VE OFFERED THEM THE
13 TRANSFER STATION, ANYTHING THAT I CAN DO FOR RECYCLING OR
14 ANYTHING LIKE THAT. AND I HAVEN'T GOT TOO MUCH
15 COOPERATION. LITTLE BIT, BUT NOT WHAT WE FEEL. AND I'VE
16 TALKED TO STAN SHOALS AND TOM ABOUT IT, AND I'VE OFFERED
17 IT TO THEM WITH NO HANG-UPS THAT WOULD -- SINCE I'M
18 BRINGING TRASH INTO THEIR PLACE, IF WE COULD WORK HAND IN
19 HAND AND MAYBE PUT THE TRASH IN ONE AREA AND RECYCLE
20 COMPLETELY IN THE OTHER AREA, BUT CITY DOESN'T SEEM TO
21 WANT -- AS LONG AS I'M PUTTING UP ALL THE MONEY FOR THE
22 TRANSFER STATION, THERE'S NO PROBLEM FOR THEM TO TRY TO
23 PUT UP ANYTHING TO HELP ME OUT.

24 THAT SEEMS TO BE THE -- I MEAN, I'M NOT
25 TRYING TO CAUSE ANY -- I'M JUST TRYING TO GET MY FEELINGS

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1 OUT. AND, PAUL, I'M TRYING TO GET MY FEELINGS TO YOU, SO
2 YOU SEE WHERE I'M SITTING.

3 I'M SITTING WITH AN ELEPHANT HERE, AND I
4 WANT TO TRY TO GET THE ELEPHANT TO WORK. AND THAT'S
5 WHERE I'M TRYING TO DEAL WITH THE CITY. AND I'VE OFFERED
6 IT TO THE CITY. I'VE DONE EVERYTHING I CAN, AND IT'S
7 BEEN GOING ON FOR THREE YEARS, THIS BUILDING HAS BEEN
8 BEING BUILT, NOT JUST JULY OF '91. THEY'VE KNOWN IT FOR
9 THREE YEARS.

10 ECOLOGY HAUL, WHICH IS WASTE MANAGEMENT --
11 I DON'T CALL THEM ECOLOGY HAUL; IT'S WASTE MANAGEMENT
12 COMPANY, WHICH IS THE BIGGEST COMPANY IN THE UNITED
13 STATES, AND I DON'T CARE FOR THEM BECAUSE I DON'T LIKE
14 THE WAY THEY ACT. I DON'T LIKE THE WAY THEY PUSH PEOPLE
15 AROUND, AND I DON'T LIKE THE WAY THEY PUSH ME AROUND.
16 BUT THAT'S BESIDE THE POINT. THAT'S HOW I FEEL. THAT'S
17 ALL I'M GOING TO SAY.

18 CHAIRMAN HUFF: WELL, I HAVE A QUESTION, ALSO.
19 THAT IS, GIVEN THE FACILITY -- I'M LOOKING AT THE
20 PICTURES, SIR -- DO WE HAVE A FOOTPRINT HERE THAT WOULD
21 PERMIT, AS TIME GOES ON, FOR YOU TO INCREASE THE
22 RECYCLING ACTIVITY? DO YOU HAVE THE PHYSICAL SPACE?

23 MR. KARDASHIAN: THERE'S A \$150,000 BALER THAT'S
24 COMING INTO THE AREA TO THE SIDE WHERE THAT RED WALL IS
25 WHERE WE'D BE PUSHING CARDBOARD AND PUSHING ALUMINUM CANS

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1 THAT WILL BALE 10,000 POUNDS AND GO INTO A ROLL-OFF.

2 ALSO, WHEN THEY SAID WE'D PICK IT OUT WITH
3 HANDS, NO. WE'LL PUT ROLL-OFFS ON OUR JOBS WHERE THEY'LL
4 GET COMMERCIAL CARDBOARD AND PUT IT INTO A ROLL-OFF. WE
5 CAN'T PICK IT OUT WITH HANDS. I MEAN, YOU CAN'T GET
6 ANYTHING DONE THAT WAY.

7 BOARD MEMBER EGIGIAN: I THINK THE CHAIRMAN IS
8 ASKING DO YOU HAVE ANY FURTHER PLANS FOR POSSIBLY PUTTING
9 IN CONVEYORS OR WHATEVER YOU HAVE TO DO?

10 MR. KARDASHIAN: YES. I SAID I WANTED TO TRY TO
11 GET A MRF, TRY TO START A MRF UP, TOO.

12 CHAIRMAN HUFF: PHYSICALLY, YOU CAN DO ALL THAT
13 WITH THE BUILDING AND THE FOOTPRINT THAT YOU HAVE?

14 MR. KARDASHIAN: YES, SIR. YES, SIR.

15 CHAIRMAN HUFF: OKAY.

16 MR. KARDASHIAN: WE ALSO OWN QUITE A BIT OF LAND
17 NEARBY. ANYWHERE THE CITY DON'T OWN, I OWN. AND ON THE
18 SAME STREET. NOT LIKE WASTE MANAGEMENT THAT'S LEASING
19 FROM THE CITY. I OWN THE PROPERTY ON BOTH SIDES OF THE
20 STREET AS FAR AS YOU CAN GO.

21 CHAIRMAN HUFF: OKAY. WE HAVE A MOTION ON THE
22 FLOOR, AND I THINK THAT WE SHOULD CALL THE ROLL AT THIS
23 POINT.

24 COMMITTEE SECRETARY: BOARD MEMBER EGIGIAN?

25 BOARD MEMBER EGIGIAN: YES.

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1 COMMITTEE SECRETARY: RELIS?

2 BOARD MEMBER RELIS: WELL, BEFORE I VOTE, I'LL
3 JUST REITERATE THAT I WOULD BE PREPARED TO CONSIDER THIS
4 IF WE -- RECONSIDER THIS IF WE HAVE EVIDENCE FROM THE
5 CITY OF SANTA MONICA AND THAT THERE IS DIVERSION
6 ANTICIPATED BEYOND WHAT WE HAVE SEEN TODAY AND THAT IT'S
7 SOMEHOW COORDINATED WITH THEIR EFFORTS. BUT AT THIS
8 POINT I HAVE TO VOTE NO.

9 COMMITTEE SECRETARY: CHAIRMAN HUFF.

10 CHAIRMAN HUFF: AYE.

11 VOTE IS TWO TO ONE. THE MOTION CARRIES.
12 THE RECOMMENDATION TO THE FULL BOARD WILL BE CONCURRENCE.
13 THAT WILL BE IN THE MONTEREY MEETING.

14 I WOULD ASK THAT SANTA MONICA BE PRESENT AT
15 THE MONTEREY MEETING, IF THEY AT ALL POSSIBLY CAN BE. I
16 THINK THAT THE OPERATOR, YOU WILL ALSO HAVE TO BE
17 PRESENT. THERE ARE THREE OTHER BOARD MEMBERS.

18 THIS PERMIT WILL BE CONCURRED IN OR DEEMED
19 CONCURRED IN UNLESS THE BOARD WITH FOUR VOTES OBJECTS TO
20 THE PERMIT. I WON'T MAKE ANY PREDICTIONS.

21 SO THAT TAKES US TO 12:30, AND WE HAVE ONLY
22 COVERED -- DO WE WANT TO TAKE HALF AN HOUR? I THINK WE
23 DO. HALF AN HOUR, SHARP.

24 (A LUNCH BREAK WAS TAKEN.)

25 CHAIRMAN HUFF: HALF AN HOUR HAVING EXPIRED, WE



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1 WILL GO TO NO. 10.

2 MS. VASQUEZ: I'D LIKE TO TAKE THIS OPPORTUNITY
3 TO INTRODUCE ROSSLYN STEVENS. SHE'S A NEW STAFF PERSON
4 TO THE PERMITS UNIT.

5 ROSSLYN COMES TO US FROM THE COMPLIANCE
6 HALF OF THE DIVISION. SHE WORKED THERE ABOUT A YEAR AND
7 A QUARTER AS AN INSPECTOR.

8 MS. STEVENS: GOOD AFTERNOON, MR. CHAIRMAN,
9 MEMBERS OF THE COMMITTEE. MY NAME IS ROSSLYN STEVENS,
10 AND I REPRESENT THE PERMITS BRANCH OF THE PERMITTING AND
11 COMPLIANCE DIVISION.

12 BEFORE I BEGIN, I WOULD LIKE TO SAY THAT
13 BOTH REPRESENTATIVES FROM THE OPERATOR AND THE LOCAL
14 ENFORCEMENT AGENCY, THE CITY OF LOS ANGELES BUREAU OF
15 SANITATION, ARE PRESENT TO ANSWER YOUR QUESTIONS.

16 IN ADDITION, MR. MARK ALPERS WITH SCS
17 ENGINEERS, REPRESENTING THE OPERATOR, HAS PREPARED A
18 BRIEF SLIDE SHOW. HE WOULD LIKE TO MAKE HIS PRESENTATION
19 AT THE COMPLETION OF MY REMARKS.

20 THE ITEM BEFORE YOU TODAY IS TO CONSIDER
21 CONCURRENCE IN THE ISSUANCE OF A NEW SOLID WASTE
22 FACILITIES PERMIT FOR THE GENERAL RECYCLING SERVICES
23 MATERIALS RECOVERY TRANSFER STATION LOCATED IN THE CITY
24 OF LOS ANGELES.

25 THIS FACILITY WILL RECEIVE A MAXIMUM OF 650



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1 TONS PER DAY OF PRIMARILY PRESORTED COMMERCIAL WASTE FROM
2 THE DOWNTOWN AND MID-WILSHIRE AREA.

3 A RECOVERY RATE OF 75 PERCENT IS
4 ANTICIPATED FOR THE MATERIALS BROUGHT TO THIS SITE. A
5 BREAKDOWN OF THE RECOVERED MATERIALS ESTIMATES CAN BE
6 FOUND ON PAGE 207 OF YOUR AGENDA PACKET.

7 ANTICIPATED RECOVERED MATERIALS INCLUDE
8 ALUMINUM, FERROUS METAL, CARDBOARD, ASSORTED PAPERS,
9 INCLUDING LEDGER, MIXED, COMPUTER, NEWSPRINT, CODED BOOKS
10 STOCK, AND MAGAZINES, GLASS, AND PLASTICS.

11 A TYPICAL OPERATION CYCLE STARTS WHEN
12 VEHICLES ENTER THE SITE FROM THE PORTER STREET ENTRANCE.
13 ALL VEHICLES ENTER THE SITE FROM THE NORTH AND THEN ARE
14 DIRECTED TO EITHER THE SOUTH OR NORTH SCALE AND THE
15 RESPECTIVE TIPPING AREA FOR THOSE SCALES.

16 MEMBERS OF THE PUBLIC ARE DIRECTED TO THE
17 NORTH SCALE AND TIPPING AREA BECAUSE THAT IS WHERE THE
18 BUY-BACK CENTER IS LOCATED. NONE OF THE PUBLIC USING THE
19 SITE IS DIRECTED TO THE SOUTH AREA.

20 WASTE TIPPED IN THE NORTH IS MOVED VIA
21 SKIPLOADER TO A RECESSED CONVEYOR WHICH FEEDS THE SOUTH
22 BALER. WASTE TIPPED IN THE SOUTH AREA IS SEGREGATED BY
23 BAG COLOR. MOST OF THE WASTE BROUGHT TO THIS SITE IS
24 PRESORTED AND COLOR CODED IN BAGS. AND BATHROOM AND FOOD
25 WASTE BAGS ARE REMOVED AND PUT IN A ROLL-OFF BIN DESTINED

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1 FOR THE LANDFILL.

2 REMAINING WASTE IS PUSHED ONTO A RECESSED
3 CONVEYOR WHICH FEEDS A PICKING LINE. RECYCLABLES ARE
4 PROCESSED AT THE PICKING LINE IN THE USUAL MANNER WITH
5 PAPER BEING SORTED BY A CYCLONE SORTER. THIS CYCLONE
6 FEEDS THE NORTH BALER, SO THE PICKING LINES AND THE
7 CONVEYORS CROSS EACH OTHER.

8 RESIDUALS FROM THE PICKING LINE ARE ADDED
9 TO THE DROP-OFF BOX FOR THE FOOD AND BATHROOM WASTE AND
10 HEADS FOR THE LANDFILL. ALL RECYCLABLES, WITH THE
11 EXCEPTION OF GLASS, ARE BALED. AND THESE ARE LOADED INTO
12 TRUCKS AND OVERSEAS CONTAINERS FOR SHIPMENT.

13 THERE ARE TWO LOADING DOCKS AT THE SITE,
14 ALTHOUGH AT PRESENT ONLY THE NORTH ONE IS PROPOSED TO BE
15 USED. THE SOUTH DOCK IS ADJACENT TO A RAIL SPUR, AND THE
16 POTENTIAL EXISTS TO CONVERT TO RAIL HAUL IN THE FUTURE IF
17 THE NEED ARISES.

18 IN PREPARATION OF THIS ITEM FOR BOARD
19 CONSIDERATION, THE LEA AND BOARD STAFF MADE THE FOLLOWING
20 DETERMINATIONS:

21 THIS IS A NEW FACILITY CONSTRUCTED AFTER
22 THE LAST COUNTY SOLID WASTE MANAGEMENT PLAN WAS PREPARED
23 IN 1985. THE LEA OBTAINED A FINDING OF CONFORMANCE FROM
24 THE LOS ANGELES COUNTY SOLID WASTE TASK FORCE ON JANUARY
25 16, 1992. THIS FACILITY IS ALSO NEWER THAN THE CITY OF

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1 LOS ANGELES GENERAL PLAN.

2 THE CITY PLANNING DEPARTMENT DETERMINED ON
3 JUNE 6, 1991, THAT THIS FACILITY CONFORMS TO THE GENERAL
4 PLAN. LOCAL ASSISTANCE BRANCH STAFF TO THE BOARD HAVE
5 REVIEWED SUPPORTING DOCUMENTATION SUBMITTED AND HAVE
6 DETERMINED THAT THIS FACILITY IS COMPATIBLE WITH WASTE
7 DIVERSION GOALS.

8 BOARD STAFF HAVE REVIEWED THE NEGATIVE
9 DECLARATION AND NOTICE OF DETERMINATION APPROVED BY THE
10 CITY OF LOS ANGELES BOARD OF PUBLIC WORKS ON DECEMBER 18,
11 1991.

12 THE LEA HAS SUBMITTED A MITIGATION
13 MONITORING AND IMPLEMENTATION SCHEDULE AS REQUIRED TO
14 MITIGATE POTENTIAL ADVERSE IMPACTS IDENTIFIED IN THE
15 NEGATIVE DECLARATION.

16 AFTER REVIEWING THESE DOCUMENTS, BOARD
17 STAFF HAVE FOUND THAT THE REQUIREMENTS OF CEQA HAVE BEEN
18 MET. STAFF HAVE REVIEWED THE PROPOSED PERMIT AND ITS
19 SUPPORTING DOCUMENTATION AND HAVE FOUND THE PERMIT
20 PACKAGE TO BE ACCEPTABLE; THEREFORE, STAFF RECOMMEND THE
21 BOARD ADOPT PERMIT DECISION 92-08, CONCURRING IN THE
22 ISSUANCE OF SOLID WASTE FACILITY PERMIT 19-AR-1185.

23 THIS CONCLUDES STAFF'S PRESENTATION.

24 CHAIRMAN HUFF: ANY QUESTIONS OF THE STAFF
25 PRESENTATION? ANY QUESTIONS OF THE LEA? QUESTIONS OF



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1 OPERATOR? MOTION?

2 BOARD MEMBER RELIS: PROPOSE THAT WE ACCEPT.

3 CHAIRMAN HUFF: STAFF RECOMMENDATION HAS BEEN

4 MOVED. A ROLL CALL FOR THE AFTERNOON

5 COMMITTEE SECRETARY: BOARD MEMBER EGIGIAN?

6 BOARD MEMBER EGIGIAN: YES.

7 COMMITTEE SECRETARY: RELIS?

8 BOARD MEMBER RELIS: AYE.

9 COMMITTEE SECRETARY: CHAIRMAN HUFF?

10 CHAIRMAN HUFF: AYE.

11 MOTION CARRIES THREE TO NOTHING.

12 I KNOW THAT YOU'VE GOT THE SLIDES AND

13 EVERYTHING, BUT I THINK YOU'D MUCH RATHER JUST HAVE A

14 VOTE. OKAY. CONSENT.

15 THAT TAKES US TO ITEM 11.

16 MR. OTSUBO: GOOD AFTERNOON, MR. CHAIRMAN,

17 MEMBERS OF THE COMMITTEE. I'M DAVID OTSUBO, AGAIN,

18 REPRESENTING THE PERMITS BRANCH, THE PERMITTING AND

19 COMPLIANCE DIVISION.

20 THIS ITEM REGARDS THE CONSIDERATION OF

21 CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID WASTE

22 FACILITY PERMIT FOR THE NORTH BELRIDGE SOLID WASTE

23 DISPOSAL SITE IN THE COUNTY OF KERN.

24 THE REVISED PERMIT ALLOWS FOR A

25 CLARIFICATION IN THE AMOUNT OF WASTE RECEIVED AT THE SITE

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1 AND ALSO REMOVES A 1.23 ACRE AREA USED FOR THE
2 MONOFILLING OF ASBESTOS FROM BOARD JURISDICTION.

3 THIS FACILITY IS LOCATED SOUTHWEST OF THE
4 CITY OF LOST HILLS IN AN UNINCORPORATED AREA OF THE
5 COUNTY ON LAND OWNED BY THE OPERATOR, SHELL WESTERN
6 EXPLORATION AND PRODUCTION.

7 THE SURROUNDING AREA CONSISTS OF OIL FIELDS
8 AND OPEN SPACE. THIS FACILITY WILL RECEIVE APPROXIMATELY
9 FOUR AND A HALF TONS OF NONHAZARDOUS SOLID WASTE PER
10 OPERATING DAY. THE PREVIOUS PERMIT, ISSUED IN 1984,
11 INDICATED THAT ABOUT 200 CUBIC YARDS OF WASTE WERE
12 DISPOSED OF ON A WEEKLY BASIS. NO WASTE DIVERSION
13 ACTIVITIES OCCUR ON THE SITE AT THIS TIME.

14 IT IS SHELL'S POLICY TO SEPARATE OUT
15 REUSABLE MATERIAL AT THEIR INDIVIDUAL WORK AREAS.
16 STORAGE OF SCRAP METALS AND TIRES IS PROVIDED AT THE
17 SITE.

18 THE WASTESTREAM WILL CONSIST MAINLY OF
19 INDUSTRIAL, CONSTRUCTION DEMOLITION, AND COMMERCIAL SOLID
20 WASTE GENERATED FROM SHELL'S OIL FIELD AND OFFICE
21 ACTIVITIES.

22 A SMALL AMOUNT OF RESIDENTIAL WASTE RESULTS
23 FROM COMPANY OWNED HOUSING.

24 THE DISCRETE ASBESTOS AREA IS CLEARLY
25 MARKED OFF FROM THE BALANCE OF THE SITE. BOTH FRIABLE

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1 AND NONFRIABLE MATERIAL IS TAKEN. THE AMOUNT RECEIVED
2 VARIES GREATLY.

3 THE RECEIPT OF ASBESTOS WILL STILL BE
4 REGULATED BY THE KERN COUNTY DEPARTMENT OF ENVIRONMENTAL
5 HEALTH SERVICES, BUT NOT ACTING AS THE BOARD'S LEA.

6 AN ATTENDANT IS ON DUTY DURING OPERATING
7 HOURS TO INSPECT EACH LOAD AND MAKE SURE THAT IT IS NOT
8 DEPOSITED IN THE WRONG AREA. INSPECTION OF EVERY LOAD IS
9 POSSIBLE BECAUSE OF THE LOW VOLUME OF TRAFFIC AT THIS
10 PRIVATE SITE.

11 THE SITE RECEIVES VERY LITTLE RAINFALL, AND
12 MOST OF THE WASTES RECEIVED ARE NONPUTRESCIBLE IN NATURE.

13 CHAIRMAN HUFF: WHEN WAS THAT WRITTEN?

14 MR. OTSUBO: BEFORE THE LAST STORM.

15 THESE FACTORS, COMBINED WITH THE GREAT
16 DEPTH TO UNUSABLE GROUNDWATER, MINIMIZE THE POSSIBLE
17 IMPACTS TO WATER QUALITY.

18 ALSO, BECAUSE OF THESE FACTORS, THE CHANCE
19 OF SUBSTANTIAL LANDFILL GAS REDUCTION IS MINIMAL. A
20 LANDFILL GAS MONITORING SYSTEM HAS BEEN INSTALLED AS A
21 PRECAUTIONARY MEASURE. WATER TRUCKS AND A SIX-FOOT
22 PERIMETER FENCE MITIGATE THE EFFECTS OF DUST AND LITTER.
23 THE REMOTENESS OF THE FACILITY AND THE SURROUNDING OPEN
24 SPACE AND OIL PRODUCTION AREAS REDUCE ANY IMPACT THE
25 FACILITY MAY HAVE ON THE PUBLIC.

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1 IN SUMMARY, THE LEA AND BOARD STAFF HAVE
 2 DETERMINED THE FOLLOWING: THE FACILITY'S DESIGN IS
 3 CONSISTENT WITH KERN COUNTY SOLID WASTE MANAGEMENT PLAN;
 4 THE FACILITY IS IN CONFORMANCE WITH THE COUNTY OF KERN'S
 5 GENERAL PLAN; THE PROJECT WILL NOT IMPAIR THE WASTE
 6 DIVERSION GOAL OF AB 939; AND THAT CEQA HAS BEEN COMPLIED
 7 WITH.

8 STAFF HAVE REVIEWED THE PROPOSED PERMIT AND
 9 SUPPORTING DOCUMENTATION AND FOUND THEM TO BE ACCEPTABLE.

10 IN CONCLUSION, STAFF RECOMMENDS THAT THE
 11 BOARD ADOPT SOLID WASTE FACILITIES PERMIT DECISION NO.
 12 92-11, CONCURRING IN THE ISSUANCE OF SOLID WASTE
 13 FACILITIES PERMIT NO. 15-AA-0067.

14 THE OPERATOR AND THE LEA ARE PRESENT TO
 15 ANSWER QUESTIONS, AND THE LEA WOULD LIKE TO MAKE A SHORT
 16 PRESENTATION.

17 THIS CONCLUDES STAFF'S PRESENTATION.

18 CHAIRMAN HUFF: OKAY? NOW, THIS IS SIMPLY A
 19 REVISED PERMIT?

20 ATTORNEY CONHEIM: YES.

21 CHAIRMAN HUFF: AND HOW MUCH DID WE DELEGATE TO
 22 THE EXECUTIVE OFFICER?

23 ATTORNEY CONHEIM: WHERE THE PERMIT IS
 24 CONSIDERED TO BE A REVISION, THAT IS, THERE ARE ENOUGH
 25 SIGNIFICANT CHANGES, THERE WAS NOTHING DELEGATED.

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1 CHAIRMAN HUFF: I SEE.

2 ATTORNEY CONHEIM: MODIFICATIONS WERE DELEGATED.

3 CHAIRMAN HUFF: BECAUSE OF THE ASBESTOS, THIS IS
4 MORE THAN A MODIFICATION ISSUE?

5 ATTORNEY CONHEIM: YES.

6 CHAIRMAN HUFF: THAT'S REALLY THE THING THAT IS
7 THE FOCUS OF THIS PERMIT, ISN'T IT? THE ISSUE IS THE
8 ASBESTOS AND OUR CONTINUING EFFORTS TO GET THE ASBESTOS
9 ISSUE RESOLVED?

10 MR. OTSUBO: THAT'S CORRECT.

11 CHAIRMAN HUFF: OKAY. AND SO THIS PERMIT, THEN,
12 WILL BE CONSISTENT WITH HOW WE ARE, AS OF TODAY, DEALING
13 WITH ASBESTOS. AND WHEN WE FIND THE BETTER WAY WITH THE
14 DEPARTMENT OF TOXIC SUBSTANCE CONTROL, THEN THIS ONE WILL
15 BE REVISED OR MODIFIED, WHICHEVER, TO CONFORM AT THAT
16 TIME TO THE NEW LEVEL.

17 MR. OTSUBO: YES. AND THE LEA IS AWARE OF THAT.

18 CHAIRMAN HUFF: SO REALLY THIS IS, EXCEPT FOR
19 THE SENSITIVITY OF ASBESTOS, A ROUTINE ITEM?

20 MR. OTSUBO: THAT'S CORRECT.

21 CHAIRMAN HUFF: OKAY. ANY QUESTIONS OF STAFF?
22 ANY QUESTIONS OF THE LEA? ANY QUESTIONS OF THE OPERATOR?
23 MOTION?

24 BOARD MEMBER RELIS: I MOVE ACCEPTANCE OF PERMIT
25 DECISION 92-11.

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1 CHAIRMAN HUFF: OKAY. WITHOUT OBJECTION, WE'LL
2 SUBSTITUTE PRIOR ROLL CALL. THE AYES ARE THREE; THE NOES
3 ARE NONE; THE MOTION CARRIES. THIS IS NOT CONSENT
4 BECAUSE IT'S ASBESTOS. NO, IT IS CONSENT. LET SOMEONE
5 TRY TO PULL IT OFF.

6 YOU STILL WANT TO SHOW YOUR SLIDES.

7 THE LEA: THE LEA WOULD LIKE TO WITHDRAW THEIR
8 COMMENTS SINCE YOU VOTED AND SPEED ON TO THE NEXT ITEM.

9 CHAIRMAN HUFF: ITEM 12.

10 MS. STEVENS: AGAIN, I'M ROSSLYN STEVENS,
11 REPRESENTING THE PERMITS BRANCH.

12 BEFORE I BEGIN, I'D LIKE TO SAY THAT MR.
13 THOMAS DEVER OF THE CITY OF SANTA MONICA IS HERE AND
14 WOULD LIKE TO MAKE A PRESENTATION. I'M SURE YOU ARE
15 AWARE OF HIS PRESENCE, AND I BELIEVE HE GAVE YOU A
16 HANDOUT REGARDING DIVERSION AT THIS SITE.

17 CHAIRMAN HUFF: HE DID AND IT'S EN ROUTE.

18 MS. STEVENS: THE ITEM BEFORE YOU TODAY IS TO
19 CONSIDER CONCURRENCE IN THE ISSUANCE OF A REVISED SOLID
20 WASTE FACILITIES PERMIT FOR THE CITY OF SANTA MONICA
21 REFUSE TRANSFER STATION LOCATED IN THE COUNTY OF LOS
22 ANGELES.

23 THIS FACILITY WILL RECEIVE A MAXIMUM OF 400
24 TONS PER DAY OF NONHAZARDOUS SOLID WASTE.

25 MR. DEVER'S HANDOUT WILL ADDRESS THE



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1 CURRENT WASTE DIVERSION OPERATIONS OPERATING AT THE SITE.
2 A TYPICAL OPERATIONS SITE WILL START WHEN PACKER TRUCKS
3 ENTER THE STATION FROM DELAWARE AVENUE, WEIGH IN ON THE
4 SCALES, AND PROCEED TO A CONCRETE TIPPING FLOOR.
5 VEHICLES THEN EXIT THE STATION BACK ONTO DELAWARE AVENUE
6 THROUGH A SECOND GATE.

7 SKIPLOADERS PUSH THE WASTE INTO THE FEED
8 HOPPER OF THE COMPACTOR THAT'S LOCATED IN THE LOADING
9 PIT. TRANSFER TRAILERS ENTER THE STATION FROM THE NORTH,
10 FROM THE ADJACENT CITY YARD, AND BACK DOWN THE RAMP
11 CONNECTING WITH THE LOADING PIT COMPACTOR. WASTE IS
12 LOADED INTO THE TRAILER WITH A HYDRAULIC RAM.

13 LOADED TRANSFER TRAILER TRUCKS EXIT THE
14 STATION THROUGH THE SAME EXIT AS TRUCKS BRINGING WASTE TO
15 THE FACILITY, BACK ONTO DELAWARE AVENUE.

16 IN PREPARING THIS ITEM FOR BOARD
17 CONSIDERATION, THE LEA AND BOARD STAFF HAVE MADE THE
18 FOLLOWING DETERMINATIONS:

19 THIS FACILITY OBTAINED A FINDING OF
20 CONFORMANCE FROM THE LOS ANGELES COUNTY SOLID WASTE
21 MANAGEMENT COMMITTEE ON JULY 18, 1991.

22 THIS EXISTING TRANSFER STATION IS
23 DESIGNATED IN THE CITY OF SANTA MONICA'S GENERAL PLAN AND
24 WAS FOUND TO BE COMPATIBLE WITH THE SURROUNDING LAND USES
25 BY THE SANTA MONICA PLANNING DIVISION ON FEBRUARY 16.

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1 1990.

2 STATE LAW REQUIRES THE PREPARATION AND
3 CERTIFICATION OF AN ENVIRONMENTAL DOCUMENT AND MITIGATION
4 MONITORING AND IMPLEMENTATION SCHEDULE.

5 THE LOS ANGELES COUNTY DEPARTMENT OF HEALTH
6 SERVICES SOLID WASTE PROGRAM PREPARED A NEGATIVE
7 DECLARATION, CIRCULATED IT THROUGH THE STATE
8 CLEARINGHOUSE, AND RESPONDED TO COMMENTS MADE ON THAT
9 NEGATIVE DECLARATION.

10 THE PROJECT WAS THEN CERTIFIED AS APPROVED
11 BY THE LEAD AGENCY, AND A NOTICE OF DETERMINATION WAS
12 FILED ON MAY 1, 1991.

13 AFTER REVIEWING THE ENVIRONMENTAL
14 DOCUMENTS, BOARD STAFF HAVE DETERMINED THAT CEQA HAS BEEN
15 COMPLIED WITH.

16 THE LEA HAS FURTHER DETERMINED THAT THE
17 FACILITIES DESIGN COMPRISES STATE MINIMUM STANDARDS FOR
18 SOLID WASTE HANDLING AND DISPOSAL BASED ON REVIEW OF THE
19 PROPOSED DESIGN AND OPERATIONS DESCRIBED IN THE REPORT OF
20 STATION INFORMATION.

21 SITE OPERATIONS ALSO COMPLY WITH STATE
22 MINIMUM STANDARDS BASED ON A FACILITY INSPECTION
23 CONDUCTED ON DECEMBER 30, 1991.

24 STAFF HAVE ONE REMAINING CONCERN REGARDING
25 APPROVAL OF THIS PERMIT, AND THAT DEALS WITH THE WASTE

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1 DIVERSION REQUIREMENT AND CONSISTENCY. AND THERE WAS A
2 LOT OF DISCUSSION ABOUT THIS ITEM, AND I THINK MR. THOMAS
3 DEVER WILL SPEAK TO IT IN GREATER DETAIL THAN I CAN.

4 BECAUSE THERE ARE CONCERNS REMAINING WITH
5 THE WASTE DIVERSION REQUIREMENT, BOARD STAFF ARE NOT
6 MAKING A RECOMMENDATION REGARDING THIS PERMIT AT THIS
7 TIME.

8 THIS CONCLUDES STAFF'S PRESENTATION.

9 CHAIRMAN HUFF: OKAY. LET ME ASK A QUESTION.

10 MR. CONHEIM, THE LAW WITH REGARD TO -- AND
11 I READ THAT IN MY STATEMENT EARLIER THIS MORNING -- THE
12 LAW WITH REGARD TO THE BOARD'S RESPONSIBILITY RELATIVE TO
13 AB 939, I READ, "THE BOARD MUST MAKE A DETERMINATION ON
14 WHETHER THE ISSUANCE OF THE PERMIT WOULD PREVENT OR
15 SUBSTANTIALLY IMPAIR THE ACHIEVEMENT OF 939."

16 IS THAT A CORRECT READING OF THE LAW?

17 ATTORNEY CONHEIM: THE ANSWER IS YES. I WON'T
18 MAKE IT ANY HARDER THAN THAT. THE ANSWER IS YES.

19 CHAIRMAN HUFF: SO WE HAVE TO SPECIFICALLY FIND
20 IMPAIRMENT OR PREVENTION OF ACHIEVEMENT IN ORDER TO
21 OBJECT ON 939 DIVERSION GROUNDS TO A PERMIT; IS THAT
22 CORRECT?

23 ATTORNEY CONHEIM: YES. YOU MUST FIND THAT
24 THERE IS SUBSTANTIAL EVIDENCE IN THE RECORD IN ORDER TO
25 MAKE THAT FINDING, AND THAT'S THE FINDING YOU'RE REQUIRED

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1 TO MAKE.

2 CHAIRMAN HUFF: OKAY. NOW, WHEN WE CONSIDERED
3 ITEM NO. 8, THERE WAS EVIDENCE IN THE RECORD THAT THERE
4 MIGHT BE IMPAIRMENT OF ACHIEVEMENT OF AB 939 DIVERSION
5 GOALS.

6 AND I SAT HERE FOR SOME TIME TRYING TO FIND
7 SOMEONE WHO WOULD REBUT THAT FOR ME, AND NO ONE DID, IN
8 MY OPINION. THERE IT COMES TO A JUDGMENT ISSUE. AND I
9 THINK THAT'S PART OF THE REASON WHY WE HAD A SPLIT VOTE
10 THERE.

11 WHEN WE CONSIDERED THAT ITEM, THIS ITEM WAS
12 ALSO DRAWN INTO THE DISCUSSION. IN MY MIND THERE EXISTS
13 EVIDENCE IN THE RECORD THAT THERE IS A POTENTIAL
14 IMPAIRMENT OF ACHIEVEMENT OF 939 DIVERSION GOALS WITH
15 REGARD TO THIS ITEM. AND SO I WILL, AGAIN, SEEK OUT
16 SOMEONE WHO'S WILLING TO REBUT THAT AS WE BRING THE LEA
17 AND THE OPERATOR FORWARD.

18 SO THOSE OF YOU WHO WISH TO SPEAK ON THIS
19 ITEM, PERHAPS YOU COULD CONSIDER THAT AS YOU COME
20 FORWARD.

21 COULD WE HAVE THE LEA AND THE OPERATOR?

22 TO PUT IT VERY SIMPLY, I'M JUST LOOKING FOR
23 SOMEONE WHO CARES ABOUT 25-PERCENT DIVERSION AND IS
24 WILLING TO SAY TO ME THAT THIS DOESN'T HURT IT.

25 MR. HANSON: RICHARD HANSON, LOS ANGELES COUNTY

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1 LOCAL ENFORCEMENT AGENCY. AS I UNDERSTAND IT, THE
2 QUESTION YOU'RE PUTTING TO ME IS THAT I'M SUPPOSED TO
3 REBUT --

4 CHAIRMAN HUFF: YOU DON'T HAVE TO IF YOU DON'T
5 WANT TO. I'M JUST LOOKING FOR SOMEONE WHO WILL.

6 MR. HANSON: WELL, I'LL JUST REITERATE THAT I
7 DON'T BELIEVE IT'S THE LEA'S RESPONSIBILITY TO COME TO
8 SOME SORT OF A DECISION REGARDING THAT.

9 CHAIRMAN HUFF: THAT'S FINE. JUST SAYING
10 SOMEONE OUT THERE IN LOCAL LAND OUGHT TO BE CONCERNED
11 ABOUT 939. IT DOESN'T HAVE TO BE YOU.

12 MR. DEVER: THANK YOU AGAIN FOR YOUR TIME.

13 OUR CURRENT PERMIT IS RATHER ARCHAIC IN
14 SANTA MONICA. IT READS 200 TONS. AND OBVIOUSLY, WE'VE
15 BEEN OPERATING BEYOND CAPACITY FOR SOME TIME DUE TO SOME
16 ASTRONOMICAL GROWTH IN THE PAST DECADE.

17 OUR CURRENT THROUGHPUT AT THE TRANSFER
18 STATION IS 300 TONS A DAY AVERAGE REFUSE. WE ALSO HAVE
19 SEVERAL, FIVE OR SIX, PRIVATE HAULERS, WHO ARE OPERATING
20 WITHIN THE CITY UNDER LICENSE, WHO -- SOME OF WHOM DO USE
21 OUR TRANSFER STATION AND SOME OF WHOM DON'T.

22 IF BY CHANCE THEY ARE SCARED AWAY FROM THE
23 LANDFILL BECAUSE OF HAVING TO SPEND SO MUCH TIME ON LINE,
24 I CAN CONCEIVABLY WIND UP WITH THEM COMING INTO THE SANTA
25 MONICA TRANSFER STATION, HENCE, INCREASING MY TONNAGE TO

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1 POSSIBLY 360, 370 TONS. THAT'S THE REASON WHY WE ARE
2 ASKING FOR THE 400 TONS IN ROUND NUMBERS.

3 CURRENTLY, AS YOU HAVE ON THE SHEET BEFORE
4 YOU, SANTA MONICA IS OBVIOUSLY VERY INTERESTED IN AB 939
5 GOALS. WE CAN SUBSTANTIATE BEYOND A SHADOW OF A DOUBT
6 THAT WE ARE DIVERTING 16.8 PERCENT OF OUR MUNICIPAL
7 REFUSE.

8 WE HAVE IN OUR OVERALL MASTER PLAN, AS I
9 MENTIONED EARLIER ON ITEM 8, MADE PLANS TO EXPAND OUR
10 DIVERSION CAPABILITY THROUGH A RENEGOTIATION OF OUR
11 CURRENT CONTRACT WITH RECYCLE AMERICA TO THE TUNE OF
12 PUTTING IN A COMMERCIAL SORT LINE, CONVEYOR BELT, AND
13 PACKER AND BALER.

14 OUR COMMERCIAL REFUSE IS 68 PERCENT OF OUR
15 MUNICIPAL REFUSE, SO WE HAVE TO GET INTO THAT COMMERCIAL
16 AREA. AND WE FEEL, BY MAKING THIS CONTRACTUAL
17 MODIFICATION WITHIN THE NEXT YEAR OR SO, WE WILL BE ABLE
18 TO ACHIEVE OUR 25 PERCENT.

19 SANTA MONICA IS INTERESTED IN WASTE
20 DIVERSION, BUT WE NEED THE EXTRA TONNAGE BECAUSE OUR
21 CURRENT PERMIT IS SO LOW, AND CONCEIVABLY SOME OF THE
22 SMALLER HAULERS MIGHT CHOOSE TO COME INTO THE TRANSFER
23 STATION.

24 CHAIRMAN HUFF: WOULD THIS NOT COMPETE FOR THE
25 SAME MATERIALS THAT MIGHT GO TO YOUR FUTURE MRF?



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1 MR. DEVER: WELL, OUR FUTURE MRF IS A PLANNING
2 STAGE AND IT INVOLVES, AGAIN, A RENEGOTIATION OF OUR
3 CONTRACT WITH RECYCLE AMERICA.

4 OUR MASTER PLAN WAS TO, FIRST OPTION, TO
5 MELD BOTH FACILITIES EVENTUALLY. OF COURSE, THIS WOULD
6 NECESSITATE A NEW PERMIT DOWN THE LINE. BUT WE SEE THAT
7 AS THE ONLY VIABLE OPTION.

8 NOW, THEY PROCESS VIRTUALLY ALL OF OUR
9 CURRENT DIVERTED TRASH, OUR RECYCLABLES. THEY PROCESS IT
10 ALL NOW AND THEY HAVE FOR YEARS. AND WHAT WE'RE TRYING
11 TO DO IS TAKE INCREMENTAL STEPS AS WE CAN TO MAKE THIS
12 FURTHER HAPPEN BECAUSE WE'RE 16.8 TO THE 25 PERCENT.

13 CHAIRMAN HUFF: MR. CONHEIM, DID YOU HAVE A
14 THOUGHT? YOU LOOKED LIKE YOU HAD A THOUGHT.

15 ATTORNEY CONHEIM: MR. CHAIRMAN AND MEMBERS,
16 TOM, WHEN THE ANALYSIS WAS WRITTEN, AND BASED ON THE
17 FACTS THAT WERE AVAILABLE TO THE STAFF, INCLUDING ME AS A
18 REVIEWER OF THE STAFF'S WORK, WE SAW A NUMBER OF TONS
19 GOING TO THIS FACILITY, WHICH DOES NOT -- THE FACILITY
20 ITSELF, THE ONE THAT YOU WANT THE PERMIT FOR, WHICH DOES
21 NOT CURRENTLY DO A WHOLE LOT OF DIVERSION.

22 WE KNOW DIVERSION 16.8 AND OTHER FRACTIONS
23 OF THAT DIVERSION ARE DONE BY OTHER PROGRAMS. THE
24 PROBLEM WAS. SINCE YOU ARE PLANNING TO STUDY THE
25 FEASIBILITY OF A MRF, AND NOW YOU HAVE ALSO TOLD US THAT

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1 YOU ARE PLANNING TO RENEGOTIATE A CONTRACT WITH, PERHAPS.
2 RECYCLE AMERICA, IN ORDER TO ACHIEVE MORE DIVERSION AND
3 MEET THE 25 PERCENT, SOME OF THE WASTE THAT YOU ARE
4 HANDLING AT THIS TRANSFER STATION EITHER CAN'T GO THERE
5 OR IT HAS TO GET LOOPED AROUND AND COME BACK TO THE
6 TRANSFER STATION.

7 SO THAT WHAT WE WERE LOOKING AT -- MR.
8 HUFF'S QUESTION IS BASED ON LANGUAGE THAT'S IN THIS ITEM.
9 IS THAT THE WASTE SEEMS TO BE GOING TO ONE FACILITY WHERE
10 YOU ACKNOWLEDGE YOU'RE NOT GOING TO DO THE DIVERSION.

11 IT SEEMS TO ME, TO REBUT THAT CONCERN,
12 YOU'VE GOT TO SAY THAT A FACILITY THAT YOU BUILT TO
13 HANDLE 400 TONS A DAY, WHEN YOU HAVE YOUR OTHER PLANS IN
14 PLACE, IS GOING TO ACTUALLY -- EVEN THOUGH PLANNED TO
15 OPERATE AT 400 TONS A DAY -- HAVE TO RECEIVE LESS IN
16 ORDER TO HAVE THE WASTE THAT'S NECESSARY TO GET TO 25
17 PERCENT PROCESSED BY A FACILITY OR IN A MANNER THAT WOULD
18 ACHIEVE THE SEPARATION. AND THAT'S WHAT -- WE WERE ONLY
19 FACED WITH THOSE FACTS WHEN WE WROTE THIS ITEM.

20 I'M TRYING TO GET YOU TO RESPOND TO WHAT'S
21 GOING TO HAPPEN TO THE WASTE THAT YOU WANT A
22 400-TON-A-DAY PERMIT, AND WE'RE ASKING YOU: ARE YOU
23 GOING TO CONTINUE TO OPERATE IT AT 400 TONS A DAY, OR
24 WHERE'S THAT WASTE GOING TO GO IN ORDER TO ACHIEVE THE
25 DIVERSION?

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1 MR. DEVER: I THINK I CAN ANSWER YOUR QUESTION
2 PROBABLY BY REPEATING ONE THING I SAID EARLIER. WE DO
3 EXPECT AN INFLUX OF PRIVATE HAULERS WHO CURRENTLY OPERATE
4 IN THE CITY NOW.

5 I'M WORKING AT 300 TONS A DAY ALMOST RIGHT
6 TO THE NUMBER EVERY DAY. IF THESE HAULERS -- WE HAVE
7 LANDFILLS CLOSING NOW AT 10:30 AND 11:00 IN THE MORNING.
8 AND IF THESE HAULERS CHOOSE NOT TO GO THERE ANYMORE, I
9 MIGHT WIND UP WITH THEIR TRASH, WHICH WE HAVE IN OUR SRRE
10 SUBMITTAL, OUR WASTE CHARACTERIZATION STUDY, WE HAD
11 PINPOINTED THIS AT POSSIBLY 60 OR 70 TONS. I'M AT 300
12 NOW. 370, 400, THERE'S NOT THAT MUCH DIFFERENCE.

13 NOW, WE CAN INCREMENTALLY BEGIN OUR
14 DIVERSION FROM THERE; AND, HOPEFULLY, BY 1995, WITH ALL
15 THESE OTHER PLANS WE HAVE IN MOTION, IT WILL BE DOWN TO
16 325 TONS, BUT THAT CAN'T HAPPEN OVERNIGHT.

17 CHAIRMAN HUFF: ANY OTHER QUESTIONS?

18 ITEM'S BEFORE US. IS THERE A MOTION?

19 BOARD MEMBER RELIS: MY MOTION WOULD BE I WOULD
20 BE CONSISTENT WITH THE EARLIER ACTION, THAT THERE'S
21 SUFFICIENT AMBIGUITY HERE. AND I WOULD SAY I COULDN'T
22 SUPPORT THE MOTION UNTIL WE HAVE A CLEAR OPINION FROM
23 OUR -- BOTH -- I'M GOING TO ASK THIS BE FRAMED FROM OUR
24 LEGAL STAFF AND STAFF IN GENERAL.

25 THIS IS A LARGE POLICY ISSUE. OUR BOARD --

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1 WE'RE CAUGHT IN BETWEEN THE POINT OF IMPLEMENTING 939 AND
2 PERMITS IN PROGRESS.

3 AND SO I'M GOING TO ASK THAT THE PERMIT BE
4 DENIED SUBJECT TO CLARIFICATION FROM OUR STAFF AT OUR
5 FULL BOARD MEETING, THAT WOULD SHOW CONSISTENCY IN HOW
6 WE'RE GOING TO TREAT THESE ISSUES WITH THE INTERFACE.

7 CHAIRMAN HUFF: OKAY. WELL, THEN, WHY DON'T WE
8 LET SAM MAKE THE MOTION. WE'LL HAVE THE SAME VOTE.

9 BOARD MEMBER EGIGIAN: WELL, MY MOTION WOULD NOT
10 BE THE SAME, MR. CHAIRMAN.

11 CHAIRMAN HUFF: OH, IT WOULDN'T.

12 BOARD MEMBER EGIGIAN: NO. MY MOTION IS THAT
13 THIS BOARD SHOULD DO EVERYTHING IT CAN TO HELP, WHETHER
14 IT'S A PRIVATE HAULER OR A CITY, TO PUT INTO PLACE
15 FACILITIES THAT WILL BE ABLE TO CARRY THEM ON THROUGH THE
16 YEAR 2000 TO IMPLEMENT WHAT THEY HAVE TO DO.

17 MY MOTION WOULD BE TO PASS ON THIS PERMIT
18 AND GIVE THEM A PERMIT.

19 CHAIRMAN HUFF: YEAH. THAT'S WHAT I'M SAYING.
20 YOU MAKE THE MOTION.

21 BOARD MEMBER EGIGIAN: I SO MOVE THAT WE PASS ON
22 THIS PERMIT.

23 CHAIRMAN HUFF: OKAY. MOTION IS MOVING STAFF
24 RECOMMENDATION.

25 LET'S HAVE A ROLL CALL.

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1 COMMITTEE SECRETARY: BOARD MEMBER EGIGIAN?

2 BOARD MEMBER EGIGIAN: AYE.

3 COMMITTEE SECRETARY: RELIS?

4 BOARD MEMBER RELIS: NO.

5 COMMITTEE SECRETARY: CHAIRMAN HUFF?

6 CHAIRMAN HUFF: A VERY RELUCTANT AYE, JUST TO
7 MOVE IT ON TO BOARD.

8 THE CLERK: CONSENT?

9 CHAIRMAN HUFF: NO, THIS WAS TWO TO ONE.

10 OKAY. IT'S A VERY SIMILAR ISSUE IN TERMS
11 OF ITEM 8. AND WHAT WE NEED TO DO, STAFF, IS PURSUE --
12 AND I WOULD LIKE TO HAVE ON THE NEXT COMMITTEE AGENDA AN
13 ITEM RELATIVE TO HOW TO DEAL WITH THIS TRANSITION TO
14 IMPLEMENTING 939 VIS-A-VIS WHAT'S GOING ON WITH THESE
15 PERMITS.

16 IT MAY TAKE A CHANGE IN REGULATION. WE MAY
17 NEED TO IDENTIFY WHO AT THE LOCAL LEVEL IS GOING TO CARE
18 ENOUGH ABOUT 25-PERCENT DIVERSION THAT THEY CAN COME
19 BEFORE THIS COMMITTEE AND SAY THIS MEETS AND THIS
20 DOESN'T, TO GIVE THIS COMMITTEE SOME -- BECAUSE WE'RE
21 LACKING INFORMATION.

22 THE LAW SAYS WE'RE SUPPOSED TO MAKE A
23 DETERMINATION AS TO WHETHER 939 GOALS WOULD BE IMPAIRED.
24 WE DON'T HAVE THE INFORMATION UPON WHICH TO MAKE THAT
25 DETERMINATION. SOMEONE NEEDS TO TELL US THAT

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1 INFORMATION. AND I THINK THAT PERSON NEEDS TO BE THE
2 LOCAL PERSON.

3 BOARD MEMBER RELIS: MR. CHAIRMAN, IN TERMS OF
4 TIME FRAME, WE HAVE A BOARD MEETING IN MONTEREY NEXT WEEK
5 WHERE WE NEED TO MAKE A FULL BOARD VOTE ON BOTH THESE
6 MATTERS.

7 WHAT IS THE PROSPECT OF ACCELERATING SOME
8 FURTHER INSIGHT ON THIS PRIOR TO THAT MEETING? I WOULD
9 SURE LIKE THAT FOR PURPOSES OF WHAT I SAID EARLIER.

10 CHAIRMAN HUFF: WELL, ANY INFORMATION THAT
11 ASSISTS YOU WITH YOUR VOTE OUGHT TO BE PROVIDED BY LOCAL
12 TASK FORCE MEMBERS, OPERATORS, AND STAFF ACTING TO
13 RESPOND TO YOUR QUESTIONS.

14 MR. WALLACE: MR. CHAIRMAN.

15 CHAIRMAN HUFF: YES.

16 MR. WALLACE: WE CERTAINLY INTEND, UPON
17 RETURNING TO SACRAMENTO, TO GET THE APPROPRIATE STAFF
18 TOGETHER TO ADDRESS THIS ISSUE. WE DO REALIZE THAT NEXT
19 WEEK YOU HAVE DECISIONS TO MAKE ON THE TWO ISSUES BEFORE
20 YOU. AND WE SHOULD DO THE BEST WE CAN TO RESOLVE, IN
21 PARTICULAR THOSE TWO, BUT HOPEFULLY HAVE AN OVERALL
22 RESOLUTION OF HOW TO DEAL WITH THIS ISSUE IN THE FUTURE.

23 BOARD MEMBER RELIS: OKAY. SO PERHAPS AT THE
24 MONTEREY MEETING, WE CAN TREAT BOTH THESE ITEMS, 8 AND
25 12, AS VIRTUALLY SIMILAR ITEMS FOR POLICY AND VOTE

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1 PURPOSES.

2 CHAIRMAN HUFF: I THINK SO.

3 BOARD MEMBER RELIS: THANK YOU.

4 CHAIRMAN HUFF: TAKES US TO SUNSHINE CANYON.

5 MS. VASQUEZ: GOOD AFTERNOON. I'M MARTHA
6 VASQUEZ, MANAGER OF THE BOARD'S PERMITS BRANCH.

7 THIS ITEM REGARDS CONCURRENCE IN THE
8 REVISE -- OR THE NEW PERMIT FOR THE SUNSHINE CANYON
9 SANITARY LANDFILL EXTENSION.

10 SOLID WASTE HAS BEEN DISPOSED OF IN
11 SUNSHINE CANYON SINCE 1958. WASTE WAS DEPOSITED IN THE
12 SUNSHINE CANYON LANDFILL UNTIL SEPTEMBER 1991. AT THAT
13 TIME THE CONDITIONAL USE PERMIT EXPIRED. THAT FACILITY
14 WAS ENTIRELY WITHIN THE BOUNDARIES OF THE CITY OF L.A.

15 THE PROPOSED PERMIT BEFORE THE COMMITTEE
16 TODAY IS FOR THE ISSUANCE OF A NEW PERMIT. THIS PERMIT
17 WOULD ALLOW LANDFILL OPERATIONS TO OCCUR ON A 215-ACRE
18 AREA WITHIN A 1,066-ACRE FACILITY.

19 AND I WANT TO MAKE IT CLEAR THAT THIS IS A
20 NEW PERMIT FOR A NEW LANDFILL. IT IS NOT FOR AN
21 EXPANSION OF THE OLD INACTIVE FACILITY.

22 THE LEA FOR THIS PROPOSED FACILITY IS THE
23 LOS ANGELES COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH.
24 THE OPERATOR IS BROWNING-FERRIS INDUSTRIES. DEAN WISE IS
25 THE GENERAL MANAGER -- OR WILL BE THE GENERAL MANAGER OF

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1 THE FACILITY. BFI DID OPERATE THE OLD INACTIVE LANDFILL
2 THAT IS ADJACENT TO THIS PROPOSED FACILITY.

3 MR. GEBRE-HAWARIAT WILL PROVIDE THE
4 BACKGROUND ON THIS FACILITY, AND THEN I WILL DISCUSS SOME
5 OF THE CONCERNS WE HAVE REGARDING BOARD CONCURRENCE.

6 MR. GEBRE-HAWARIAT: GOOD AFTERNOON. THE
7 PROPOSED PERMIT IS FOR A LANDFILL OPERATION AT THE, WHAT
8 IS CALLED, GROSS TONNAGE LIMIT OF 9,000 TONS PER DAY.
9 AND THIS GROSS TONNAGE LIMIT IS TO REMAIN IN EFFECT UNTIL
10 SUCH TIME THAT THE OPERATOR HAS CONSTRUCTED TRAFFIC
11 IMPROVEMENTS AS PER THE CONDITIONS OF THE CONDITIONAL USE
12 PERMIT FOR THE FACILITY AND A DOCUMENT HAS BEEN PREPARED
13 BY THE CITY OF LOS ANGELES TO THE LEVEL OF THE TRAFFIC
14 THAT MAY ENTER THE SITE.

15 AT THAT TIME, THEN, THE LEA WILL MAKE A
16 DETERMINATION OF WHAT THE PERMITTED LEVEL OF WASTE
17 RECEIPT AT THIS FACILITY WILL BE. THE LEVEL OF WASTE
18 RECEIPT THAT THE LEA WOULD ALLOW WILL, IN NO CASE, EXCEED
19 17,500 TONS PER DAY. AND THIS IS STATED IN THE
20 ENVIRONMENTAL DOCUMENT THAT WAS PREPARED FOR THIS
21 PROJECT.

22 THE PUBLIC RESOURCES CODE REQUIRES AN
23 OPERATOR OF A SOLID WASTE FACILITY TO FILE AN APPLICATION
24 WITH THE ENFORCEMENT AGENCY. THE APPLICATION MUST BE
25 ACCOMPANIED WITH A REPORT OF DISPOSAL SITE INFORMATION



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1 AND ALL NECESSARY APPROVALS FROM ALL REGULATORY AGENCIES.
2 THE REQUIREMENTS OF THE CALIFORNIA
3 ENVIRONMENTAL QUALITY ACT, CEQA, HAVE BEEN PREPARED AND
4 CERTIFIED AS APPROVED BY THE LEAD AGENCY. THE LOS ANGELES
5 COUNTY DEPARTMENT OF REGIONAL PLANNING, ON FEBRUARY 19,
6 1991.

7 BOARD STAFF REVIEWED THE ENVIRONMENTAL
8 DOCUMENTATION AND HAVE DETERMINED THAT CEQA HAS BEEN
9 COMPLIED WITH AND THE NOTICE OF DETERMINATION IS ADEQUATE
10 AND APPROPRIATE FOR THE BOARD'S USE IN EVALUATING THE
11 PROPOSED PERMIT.

12 THE LEA HAS MADE THE FINDING THAT THE
13 COUNTY DEPARTMENT OF REGIONAL PLANNING HAS FOUND THIS NEW
14 LANDFILL IS AN APPROPRIATE INTERIM USE WITHIN A HILLSIDE
15 MANAGEMENT, NON-URBAN HILLSIDE AND RESIDENTIAL ZONE AND,
16 THEREFORE, COMPATIBLE WITH THE SURROUNDING LAND USE. AND
17 BOARD STAFF AGREES WITH THIS FINDING.

18 THE LEA HAS CERTIFIED THAT THE FACILITY'S
19 FINDING OF CONFORMANCE WITH THE COUNTY WASTE MANAGEMENT
20 PLANS BY THE LOS ANGELES COUNTY SOLID WASTE MANAGEMENT
21 COMMITTEE ON AUGUST 15, 1991. BOARD STAFF AGREES WITH
22 THE CERTIFICATION.

23 THE LEA HAS MADE THE FINDING THAT THE
24 FACILITY DESIGN AND OPERATIONAL PARAMETERS ARE IN
25 COMPLIANCE WITH STATE MINIMUM STANDARDS FOR SOLID WASTE

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1 HANDLING AND DISPOSAL BASED UPON THE REVIEW OF THE
2 SUBMITTED REPORT OF DISPOSAL SITE INFORMATION. AND BOARD
3 STAFF AGREES WITH THIS FINDING.

4 NOW, MS. VASQUEZ WILL DISCUSS SOME OF THE
5 REQUIREMENTS OF REGULATION AND CONCERNS.

6 MS. VASQUEZ: THERE ARE TWO OUTSTANDING ISSUES
7 THAT NEED RESOLUTION BEFORE STAFF COULD MAKE A
8 RECOMMENDATION OF EITHER CONCURRENCE OR OBJECTION.

9 THE FIRST IS THE REQUIREMENT THAT THE
10 OPERATOR SHOW THE ABILITY TO CLOSE THIS FACILITY, CLOSE
11 AND MAINTAIN THE FACILITY PROPERLY. THIS IS DONE BY
12 ESTABLISHING A TRUST FUND OR SOME OTHER EQUIVALENT
13 FINANCIAL ARRANGEMENT THAT'S ACCEPTABLE TO THE BOARD.

14 THE OPERATOR HAS PROVIDED STAFF WITH SOME
15 DOCUMENTATION. IT ARRIVED LATE FRIDAY AFTERNOON. THAT
16 WOULD BE FRIDAY, FEBRUARY THE 14TH. WE HAVE NOT HAD
17 AMPLE OPPORTUNITY TO REVIEW THE DOCUMENT, SO WE HAVE NO
18 DETERMINATION AS TO ITS ACCURACY OR -- AND CONSISTENCY
19 WITH THE CLOSURE PLAN AT THIS TIME.

20 THE FINANCIAL MECHANISM INFORMATION SHOULD
21 HAVE BEEN PROVIDED WHEN THE OPERATOR APPLIED TO BECOME
22 THE OPERATOR OF THIS NEW FACILITY. THE LEA SHOULD HAVE
23 REJECTED THE APPLICATION AS INCOMPLETE AND DID NOT.

24 THE SECOND CONCERN REGARDS DAILY TONNAGE
25 LANGUAGE IN THE PERMIT. TAD DESCRIBED THERE ARE A NUMBER

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1 OF FIGURES GIVEN IN THE PERMIT. THE PERMIT HAS A MAXIMUM
2 OF 9,000 TONS PER DAY INITIALLY OF THE 6600 COULD BE
3 DISPOSED OF. THAT NUMBER COULD RISE TO 8800 WITH THE
4 APPROVAL OF THE BOARD OF SUPERVISORS AFTER PETITIONING BY
5 THE LEA AND PUBLIC WORKS. THAT NUMBER COULD INCREASE TO
6 17,500 GROSS WASTE AFTER SOME TRAFFIC IMPROVEMENTS AND
7 ROAD IMPROVEMENTS HAVE BEEN MADE.

8 THE POTENTIAL PROBLEMS THAT STAFF SEES WITH
9 THE PROPOSED LANGUAGE ARE, NO. 1, THE ACHIEVEMENT OF
10 WASTE DIVERSION GOALS. THE PROPOSED PERMIT AS IT'S
11 SUBMITTED WOULD APPEAR TO IMPAIR THE MANDATED WASTE
12 DIVERSION REQUIREMENTS.

13 ITEM 5 OF THE PERMIT LIMITS THE FACILITY TO
14 9,000 TONS WITH 6600 DISPOSABLE. THIS WOULD BE ABOUT 27
15 PERCENT POTENTIAL OF DIVERSION OF WASTE.

16 IF THE FACILITY IS ALLOWED TO INCREASE TO
17 8,800 WITH THE CAP OF 9,000 MAX, THIS WOULD DECREASE
18 POTENTIAL DIVERSION OF WASTE TO 2 PERCENT. THIS
19 DECREASES THE AMOUNT OF WASTE DIVERTED FROM THE LANDFILL
20 FROM 2,400 TO 200 TONS PER DAY.

21 UNLESS ALL OTHER FACILITIES IN THIS
22 JURISDICTION OPERATING AT PEAK EFFICIENCY MAKE A DRAMATIC
23 DECREASE IN DIVERSION, IT WOULD APPEAR THAT DIVERSION
24 GOALS WOULD BE IMPAIRED.

25 THE SECOND CONCERN THAT STAFF HAS REGARDING

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1 THIS VERY FLEXIBLE PERMIT LANGUAGE IS THE ESTABLISHMENT
2 OF A PRECEDENT. THE SUBMITTED PROPOSED PERMIT WITH ITS
3 BUILT-IN TONNAGE EXPANSIONS DECREASES THE BOARD'S
4 AUTHORITY OR BOARD OVERSIGHT IN THE PERMIT. IT ENTIRELY
5 RELEGATES THE CONSIDERATION OF THIS INCREASE IN TONNAGE
6 TO THE LOCAL LEVEL, TO THE BOARD OF SUPERVISORS.

7 THE AMOUNT OF WASTE THAT COULD BE ADDED TO
8 THE OPERATION IS 25 PERCENT OF DISPOSABLE WASTE AND 49
9 PERCENT GROSS TONNAGE, QUITE A SIGNIFICANT AMOUNT.

10 THE THIRD CONCERN STAFF HAS REGARDING THIS
11 TONNAGE LANGUAGE IS THE ENFORCEABILITY OF THE TERMS AND
12 CONDITIONS OF THE PERMIT. THE PERMIT HAS VARIOUS NUMBERS
13 IN IT, AS YOU'VE HEARD. AND THERE ARE SEPARATE APPROVALS
14 THAT ARE REQUIRED LOCALLY TO GET TO THOSE HIGHER NUMBERS
15 AND GIVES A PERPETUALLY MOVING TONNAGE THAT WOULDN'T BE
16 CLEARLY IDENTIFIED AT ANY ONE POINT IN TIME. THIS PERMIT
17 DOES NOT DELINEATE ANY TONNAGE THAT IS CLEAR AND
18 ENFORCEABLE.

19 NOW, STAFF HAS NOT INCLUDED A
20 RECOMMENDATION ON THIS PERMIT. THERE ARE A NUMBER OF
21 POLICY DETERMINATIONS TO BE MADE REGARDING THIS PERMIT.
22 AND IT WAS DETERMINED THAT THEY SHOULD BE CONSIDERED BY
23 THE COMMITTEE AND BY THE BOARD. AND THERE IS NO
24 RECOMMENDATION FROM STAFF AT THIS TIME.

25 THIS CONCLUDES OUR FORMAL STAFF

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1 PRESENTATION. I KNOW THERE ARE A NUMBER OF PEOPLE
2 PRESENT THAT WISH TO SPEAK TO THIS ITEM.

3 CHAIRMAN HUFF: OKAY. APPARENTLY THE AUDIENCE
4 IS HAVING A HARD TIME HEARING YOU. WE'RE BACK TO THE
5 MICROPHONE PROBLEM THAT WE HAD THIS MORNING. SO I WOULD
6 ASK THAT ANYONE WHO SPEAKS AT THAT TABLE REALLY GET UP
7 CLOSE AND PERSONAL WITH THE MICROPHONE. OKAY. THAT'S
8 THE BEST I CAN DO.

9 OKAY. ARE THERE QUESTIONS OF STAFF?

10 BOARD MEMBER EGIGIAN: I HAVE A COUPLE OF
11 QUESTIONS HERE.

12 CHAIRMAN HUFF: PROCEED.

13 BOARD MEMBER EGIGIAN: MR. CHAIRMAN, ON PAGE
14 284 -- ON PAGE 284, STARTING AT ABOUT THE SIXTH LINE,
15 "THIS CONDITION REQUIRES OPERATOR NOT TO LANDFILL MORE
16 THAN THE DISPOSABLE NET CAPACITY WITHOUT OBTAINING
17 APPROVAL FROM LOS ANGELES COUNTY BOARD OF SUPERVISORS."
18 THE SUPERVISORS, PERIOD. "THE BOARD OF SUPERVISORS MAY,
19 UPON JOINT RECOMMENDATION OF THE LEA AND THE COUNTY
20 DEPARTMENT OF PUBLIC WORKS, APPROVE AN INCREASE IN THE
21 DISPOSABLE DAILY CAPACITY."

22 GOES DOWN A LITTLE FURTHER.

23 THEN IF YOU TURN TO PAGE 295, IN THE THIRD
24 PARAGRAPH SAYS, "LOCAL ENFORCEMENT AGENCY AND THE LOS
25 ANGELES COUNTY DIRECTOR OF PUBLIC WORKS, IN CONSULTATION



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1 WITH THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD,
 2 THAT AN INCREASE IS NECESSARY TO APPROPRIATELY MANAGE THE
 3 OVERALL WASTESTREAM WITHIN THE COUNTY OF L.A."

4 NOW, ONE LEAVES OUT THE INTEGRATED WASTE
 5 MANAGEMENT BOARD; THE OTHER LEAVES IT TO THE SUPERVISORS
 6 AND THE LEA. JUST WHAT IS INTENDED HERE?

7 MS. VASQUEZ: I BELIEVE IF YOU LOOK AT THE
 8 LAST -- LOOKING AT THE PERMIT ON PAGE 295, THAT SECOND
 9 PARAGRAPH, THE LAST SENTENCE INCLUDES THE BOARD OF
 10 SUPERVISORS.

11 THAT NEXT PARAGRAPH THAT YOU READ WAS
 12 INCLUDED BY THE LEA TO SATISFY STAFF'S CONCERNS THAT THE
 13 BOARD, THE WASTE MANAGEMENT BOARD, WOULD BE CONSULTED OR
 14 IN SOME WAY INCLUDED IN THE DECISION, BUT IT DOES NOT
 15 GIVE THE BOARD ANY BASIS TO HEAR THE PERMIT WHEN THAT
 16 TONNAGE IS INCREASED.

17 BOARD MEMBER EGIGIAN: IT DOES NOT GIVE --

18 MS. VASQUEZ: THAT'S CORRECT.

19 BOARD MEMBER EGIGIAN: -- THE BOARD, THE L.A.

20 BOARD?

21 MS. VASQUEZ: THAT'S RIGHT. IT GIVES THE BOARD
 22 OF SUPERVISORS THE AUTHORITY AND NOT THE INTEGRATED WASTE
 23 MANAGEMENT BOARD.

24 BOARD MEMBER EGIGIAN: WELL, DO BOTH THESE
 25 PARAGRAPHS SAY THE SAME THING OR IS ONE INCORRECT?

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1 MS. VASQUEZ: YES, THEY -- ONE PORTION OF THE
2 PERMIT DOES; AND THAT IS THAT LAST SENTENCE IN THAT
3 SECOND PARAGRAPH. IT SAYS, "UNTIL SUCH TIME WHEN THE LOS
4 ANGELES COUNTY BOARD OF SUPERVISORS MAY EXPLICITLY ALLOW
5 AN INCREASE OF THE NET WEEKLY TONNAGE TO 4800 AND A DAILY
6 MAX NET TONNAGE TO 8800."

7 BOARD MEMBER EGIGIAN: STILL DOESN'T PENETRATE
8 MY HEAD.

9 CHAIRMAN HUFF: WELL, I THINK, SAM, YOUR
10 QUESTION -- AND I DON'T THINK IT'S DIRECTED AT STAFF. I
11 THINK IT MUST BE DIRECTED AT THE OPERATOR IN THIS CASE.
12 YOUR QUESTION IS WHAT DOES "IN CONSULTATION WITH" MEAN.

13 BOARD MEMBER EGIGIAN: THAT'S CORRECT.

14 CHAIRMAN HUFF: THAT'S YOUR QUESTION?

15 BOARD MEMBER EGIGIAN: THAT'S THE QUESTION.

16 CHAIRMAN HUFF: AND STAFF IS READING THAT IT
17 MEANS JUST THAT. IT MEANS A PHONE CALL AND THAT WE DON'T
18 HAVE A VETO. AND THE LEA AND THE OPERATOR MAY OR MAY NOT
19 AGREE.

20 BOARD MEMBER EGIGIAN: OKAY.

21 MS. VASQUEZ: THAT'S CORRECT. THAT WAS OUR
22 INTERPRETATION OF IT.

23 CHAIRMAN HUFF: BUT IT'S A QUESTION THAT YOU
24 NEED TO ASK OF OTHER FOLKS OTHER THAN STAFF.

25 BOARD MEMBER EGIGIAN: OKAY. GOOD ENOUGH.

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1 BOARD MEMBER RELIS: I HAVE A QUESTION REGARDING
2 THE POSTCLOSURE INFORMATION YOU JUST SAID. YOU'RE SAYING
3 THAT STAFF HAVE NOT HAD TIME TO REVIEW THIS. IT JUST
4 CAME IN FRIDAY?

5 MS. VASQUEZ: WE WERE FAX'D A COPY FRIDAY
6 AFTERNOON ABOUT BETWEEN 3 AND 4 O'CLOCK.

7 BOARD MEMBER RELIS: THAT'S A FAIRLY SUBSTANTIAL
8 MATTER FOR US.

9 MS. VASQUEZ: YES, IT IS.

10 BOARD MEMBER RELIS: WHAT'S -- HOW LONG DOES IT
11 TAKE STAFF TO REVIEW THAT AND COME BACK TO US WITH YOUR
12 OPINION REGARDING THAT?

13 MS. VASQUEZ: I BELIEVE WE WOULD HAVE A
14 DETERMINATION BY THE BOARD MEETING NEXT WEEK.

15 BOARD MEMBER RELIS: OKAY. AND THEN REGARDING
16 THE QUESTION THAT WAS -- OR THE FINDING BY STAFF, PERHAPS
17 THE OPINION OF STAFF, RATHER, WOULD BE THE WAY TO PUT IT,
18 REGARDING THE DIVERSION, YOUR CONCERNS ABOUT DIVERSION
19 UNDER THE PROPOSED PERMIT, COULD YOU ELABORATE ON THAT
20 AGAIN?

21 MS. VASQUEZ: THE PERMIT INITIALLY ALLOWS A
22 FACILITY TO RECEIVE 6600 TO LANDFILL WITH A CAP OF 9,000
23 GROSS. THAT'S ABOUT 27-PERCENT DIVERSION.

24 NOW, IF THE BOARD OF SUPERVISORS ALLOWS THE
25 FACILITY TO GO UP TO 8800 AND THE CAP REMAINS AT 9,000

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1 AND ONLY 2 PERCENT WOULD BE DIVERTED. AND THAT MAY
2 IMPAIR ABILITY TO REACH DIVERSION GOALS.

3 BOARD MEMBER RELIS: SO ARE YOU SAYING, THOUGH,
4 THAT THE 66 -- 9,000/6600 EQUATION WOULD BE CONSISTENT
5 WITH OUR DIVERSION MANDATE? IS THAT WHAT -- AND THAT THE
6 OTHER MAY NOT BE?

7 MS. VASQUEZ: THAT'S RIGHT.

8 CHAIRMAN HUFF: BUT THE KEY TO THAT ALL IS THE
9 ASSUMPTION THAT THEY WILL START TAKING IMMEDIATELY 9,000,
10 AND THAT THEY'LL HAVE TO DIVERT 2400 TO KEEP WITHIN THE
11 6600, RIGHT?

12 MS. VASQUEZ: CORRECT.

13 CHAIRMAN HUFF: SOUNDS LIKE THE STUFF OF REVENUE
14 ESTIMATES, YOU KNOW. I RECOGNIZE THIS MATH. GOT BURNED
15 ON IT BEFORE. THAT -- THAT'S THE KEY ASSUMPTION. I
16 MEAN, IF THEY ARE ONLY RECEIVING 6700 TONS AND THEY'RE
17 LANDFILLING 6600, THEN THEY'RE ONLY DIVERTING 100.

18 MR. GEBRE-HAWARIAT: I'M SORRY. I'LL ASK YOU TO
19 REPEAT THAT. THE LANGUAGE IN THE PERMIT IS THE 9,000
20 TONS IS A LIMIT AND 66 FOR DISPOSAL AND 2400 WOULD BE
21 DIVERTED?

22 CHAIRMAN HUFF: YEAH. THAT'S ONLY TRUE IF THEY
23 ACTUALLY GET 9,000 COMING IN THE DOOR.

24 MR. GEBRE-HAWARIAT: THAT'S TRUE.

25 CHAIRMAN HUFF: YEAH. SOMETHING WE DON'T KNOW.

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1 MS. VASQUEZ: PERMIT DOES HAVE SOME VERY
2 SPECIFIC REQUIREMENTS AS FAR AS DIVERSION OF GREEN WASTE
3 AND OTHER NONDISPOSABLE WASTE. THEY'RE ON TWO SEPARATE
4 SCALES, ONE FOR LANDFILLABLE WASTE AND THE OTHER FOR
5 GREEN WASTE AND CONSTRUCTION DEMO, INERT TYPE OF WASTE.
6 SO THERE WILL BE SOME DIVERTED, AND I'M NOT CERTAIN WHAT
7 PORTION OF THE WASTESTREAM THAT IS.

8 CHAIRMAN HUFF: OKAY. ANY OTHER QUESTIONS?

9 BOARD MEMBER RELIS: WHAT WAS THE HISTORICAL
10 TONNAGE GOING INTO SUNSHINE?

11 MS. VASQUEZ: A MAXIMUM OF 8,000 TONS PER DAY.

12 BOARD MEMBER RELIS: WHAT WAS THE AVERAGE
13 DISPOSAL, 8,000?

14 MS. VASQUEZ: A MAXIMUM OF 8,000. IT WENT UP TO
15 8,000 ON SOME OCCASIONS. THEY WERE PERMITTED TO RECEIVE
16 3,000 CUBIC YARDS PER DAY.

17 BOARD MEMBER RELIS: SO THE MAXIMUM WAS 8,000
18 TONS --

19 MS. VASQUEZ: YES.

20 BOARD MEMBER RELIS: --- PER DAY?

21 BOARD MEMBER EGIGIAN: MR. CHAIRMAN, DO WE HAVE
22 A PLANNING COMMITTEE HERE, OUR PLANNING COMMITTEE?
23 PLANNING STAFF, ANYBODY FROM PLANNING STAFF?

24 CHAIRMAN HUFF: JOHN.

25 BOARD MEMBER EGIGIAN: JOHN, ON PAGE NO. 352,

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1 THE LAST PARAGRAPH.

2 MR. SMITH: I'D JUST LIKE TO SAY, I DIDN'T WRITE
3 THE CONCLUSIONS HERE, SO --

4 BOARD MEMBER EGIGIAN: IS IT GOOD?

5 ATTORNEY CONHEIM: JOHN, YOU CAN'T BE HURT, NOT
6 AT ALL.

7 MR. SMITH: I DIDN'T WRITE THE CONCLUSIONS, SO I
8 CAN'T MAKE ANY JUDGMENT ABOUT THE 9,000 NUMBER AND THE
9 6,000 NUMBER. WHAT I CAN SAY IS THAT WHEN WE LOOKED AT
10 THIS FINDING, WE LOOKED TO SEE WHAT THE COUNTY OF LOS
11 ANGELES UNINCORPORATED AREA HAD PROJECTED FOR THEIR
12 DISPOSAL NEED. THIS FACILITY WAS CONSISTENT WITH THAT.

13 HOWEVER, WE DID NOT HAVE THE FUTURE
14 DISPOSAL NEED FOR THE CITY OF L.A., WHICH IS A MAJOR
15 CONTRIBUTOR FOR THIS FACILITY. ALSO, THERE WERE A NUMBER
16 OF JURISDICTIONS WITHIN SAN FERNANDO VALLEY, WHICH WE
17 HAVE NOT ALREADY RECEIVED SOURCE REDUCTION/RECYCLING
18 ELEMENTS FOR.

19 SO STAFF, IN THEIR MEMO PREPARED FOR THIS,
20 FELT THAT THERE REALLY WASN'T ENOUGH INFORMATION TO
21 DECIDE EITHER WAY ON THIS ISSUE. AND I THINK WHEN WE'RE
22 LOOKING AT THIS, WE'RE NOT LOOKING AT NECESSARILY 25
23 PERCENT AT EACH DISPOSAL FACILITY OR 25 AND 50 PERCENT AT
24 EACH DISPOSAL FACILITY OR EACH TRANSFER FACILITY.

25 WE HAVE TO LOOK AT IT IN TERMS OF WHAT



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1 THESE INDIVIDUAL PROGRAMS ARE SAYING AND WITH A REGIONAL
2 FACILITY HOW THAT ALL FITS IN.

3 SO IF ALL OF THE SOURCE REDUCTION/RECYCLING
4 ELEMENTS WERE IN, OUR JOB WOULD BE A LOT EASIER TO CHECK
5 WHAT -- HOW FACILITIES FIT IN WITH SRRE'S. AND AGAIN,
6 THIS IS THE COMPLICATION YOU EXPRESSED THIS MORNING IN
7 WHICH YOU WILL WORK TOWARDS MONITORING TO SEE IF THERE'S
8 A BETTER WAY OF DOING THIS.

9 BOARD MEMBER EGIGIAN: ISN'T THIS A COUNTY
10 PERMIT THAT WE'RE LOOKING AT? WHAT'S THE CITY OF LOS
11 ANGELES GOT TO DO WITH THEIR PLANS?

12 MR. SMITH: THEY'LL BE A MAJOR CONTRIBUTOR IN
13 TERMS OF WASTE TO THIS SITE.

14 BOARD MEMBER EGIGIAN: SO THEN IT WOULD BE VERY
15 IMPORTANT THAT WE DON'T DELAY THIS ANYMORE, THAT WE MOVE
16 AHEAD WITH IT ONE WAY OR ANOTHER.

17 IF THEY'RE A MAJOR CONTRIBUTOR AND THEY'RE
18 NOT DOING ANYTHING TO HELP THIS THING ALONG, CERTAINLY IF
19 THE COUNTY HAS GOT LONG-RANGE ABILITY TO SEE THESE
20 THINGS, AND I'M REALLY CONCERNED ABOUT THE 15-YEAR
21 CAPACITY SITUATION THAT WE'RE CONFRONTED WITH HERE, THE
22 CITY OF L.A. IS CERTAINLY NOT MEETING THESE REQUIREMENTS,
23 AS I SEE IT, UP TO THIS POINT IN TIME.

24 AND SO I DON'T THINK WE OUGHT TO PUT IT OFF
25 TILL THE BOARD MEETING. I THINK THIS COMMITTEE SHOULD

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1 ACT ON IT IN SOME WAY, EITHER YES OR NO, AND FIND OUT
2 WHERE WE'RE GOING ON THIS.

3 MR. SMITH: IN TERMS OF THE CITY OF LOS ANGELES,
4 MR. CHAIRMAN, THEIR SRRE WILL PROBABLY NOT BE DONE UNTIL
5 EARLY SPRING, SO THAT DOES LEAVE A BIG MISSING PART OF
6 THIS PUZZLE.

7 CHAIRMAN HUFF: FURTHER QUESTIONS?

8 LET ME DO SOME HOUSEKEEPING. FIRST OF ALL,
9 FOR THE RECORD, I HAVE A LETTER IN HAND FROM PAULA
10 BOLAND, MEMBER OF THE ASSEMBLY'S 38TH DISTRICT, IN
11 OPPOSITION TO SUNSHINE CANYON.

12 I DON'T HAVE IT IN MY HAND; I HAVE IT, I
13 THINK, BACK IN MY OFFICE, A LETTER FROM RICHARD KATZ, A
14 MEMBER OF THE ASSEMBLY FROM SOME OTHER DISTRICT. I DON'T
15 KNOW WHICH DISTRICT SUNSHINE CANYON IS IN -- OH, HERE IT
16 IS. NO, THAT'S -- RICHARDS.

17 RICHARDS IS 39TH DISTRICT. HE'S ALSO
18 OPPOSED TO -- ACTUALLY HE ASKS THAT THE HEARING BE
19 POSTPONED IS WHAT HE DID BEFORE MAKING A RECOMMENDATION,
20 POSTPONED PENDING THE OUTCOME OF THE COURT CASE.

21 I HAVE A LETTER FROM MIKE ANTONOVICH, AND
22 HE ASKED FOR POSTPONEMENT PENDING JUDICIAL DECISION.

23 WE WILL COMMUNICATE WITH THOSE PEOPLE
24 PARTICULARLY WHO ASKED FOR POSTPONEMENT BECAUSE OF
25 JUDICIAL DECISION, INFORMING THEM THAT THE LAW DOESN'T

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1 PERMIT US THAT COURSE. IT MIGHT BE AN EASY COURSE FOR US
 2 TO TAKE, AS A MATTER OF FACT, BUT THE LAW SAYS THAT WE
 3 MUST CONSIDER THIS PERMIT AS IF THE ENVIRONMENTAL REVIEW
 4 EVALUATION WAS ACCEPTABLE.

5 SO THAT DECISION WILL BE MADE IN COURT AND
 6 THAT'S WHERE IT WILL STAY AND WE WILL HAVE TO, BY LAW,
 7 PROCEED.

8 BUT ANYWAY, THOSE WERE THE LETTERS I HAD
 9 FROM ELECTED OFFICIALS, ANTONOVICH, KATZ, AND BOLAND.

10 ALSO FOR THE RECORD, WHEN DID WE GET THE
 11 PERMIT?

12 MS. VASQUEZ: THE PERMIT WAS RECEIVED ON JANUARY
 13 1ST. THE LAST DAY THE BOARD COULD ACT ON THIS PERMIT IS
 14 MARCH 2, 1992.

15 CHAIRMAN HUFF: SO IF WE DON'T ACT BY MARCH 2,
 16 1992, THIS PERMIT'S APPROVED, DEEMED APPROVED BY THE LAW
 17 OF THE STATE OF CALIFORNIA?

18 MS. VASQUEZ: CORRECT.

19 CHAIRMAN HUFF: OKAY. I WANT EVERYONE TO
 20 UNDERSTAND THAT. WHAT IT TAKES IS THIS BOARD OBJECTING,
 21 NOT THIS COMMITTEE, BUT THE FULL BOARD OBJECTING TO THE
 22 PERMIT WITH A MINIMUM OF FOUR VOTES.

23 OKAY. JUST WANT TO MAKE THOSE THINGS
 24 CLEAR.

25 NOW, WE'LL PROCEED IN THE FOLLOWING ORDER:

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1 WE'LL HEAR FROM THE LEA, IF HE WISHES TO SAY OR DO
2 ANYTHING. WE WILL THEN HEAR FROM THE OPERATOR AND
3 PROPONENTS, AND THEN WE'LL HEAR FROM THE OPPONENTS. I
4 ALWAYS TAKE THE PROPONENTS, AND THE OPPONENTS GET TO
5 SPEAK LAST.

6 MR. HANSON: RICHARD HANSON, LOCAL ENFORCEMENT
7 AGENCY, LOS ANGELES COUNTY. SEEMS LIKE WE'RE ALWAYS
8 INVOLVED IN THESE SORTS OF THINGS. I'LL BE LOOKING
9 FORWARD TO AN L.A. CITY TYPE CONCURRENCE ONE OF THESE
10 DAYS.

11 THERE'S JUST A FEW THINGS THAT I WOULD LIKE
12 TO SAY PRIOR TO RESPONDING TO SOME OF YOUR SPECIFIC
13 QUESTIONS. ONE IS THAT THE LEA HAS VERY LITTLE LATITUDE
14 ON SETTING LIMITS. WE HAVE TO GO BY OTHER DOCUMENTS
15 PRIMARILY WHICH ARE SUBMITTED TO US.

16 IN THIS CASE, THE AREA OF CONCERN IS THE
17 VARIABLE TONNAGE LIMIT, WHICH IS EXPLICITLY STATED IN THE
18 CONDITIONAL USE PERMIT. MANY OF THE CONDITIONS IN THAT
19 CONDITIONAL USE PERMIT, IN FACT, THE VAST MAJORITY, ARE
20 NOT BROUGHT FORWARD INTO THE PERMIT. ALL I'VE DONE IS
21 JUST SIMPLY REITERATED THEM IN A WAY THAT I FELT WE COULD
22 ENFORCE.

23 I DISAGREE STRONGLY THAT THIS IS NOT AN
24 ENFORCEABLE PERMIT. IT IS WHETHER OR NOT WE ARE THERE.
25 WE ARE REQUIRED TO BE THERE BY THE CONDITIONAL USE PERMIT

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1 CONSTANTLY. SO IT'S NOT AS THOUGH SOME OF THESE THINGS
2 COULD HAPPEN AND WE WOULDN'T BE AWARE OF IT.

3 AS FAR AS ALLOWING THE FACILITY TO INCREASE
4 FROM 6600 TONS A DAY TO 8800 TONS A DAY, THAT WOULD BE AT
5 THE INSTIGATION OF THE LEA AND THE DIRECTOR OF THE
6 DEPARTMENT OF PUBLIC WORKS IN CONSULTATION WITH THE WASTE
7 BOARD. AND BY CONSULTATION IS THAT WE WOULD ASK THEM
8 WHAT THEIR OPINION WAS OF WHAT WE WOULD LIKE TO DO.

9 AS I SEE IT, THAT -- THIS WOULD BE IN
10 RESPONSE TO A TEMPORARY CONDITION IN THE COUNTY THAT
11 WOULD REQUIRE ADDITIONAL CAPACITY FOR A SHORT PERIOD OF
12 TIME.

13 THE CUP ALLOWS 313 DAYS OVER THE
14 6600-TON-A-DAY LIMIT FOR THE TERM OF THE CONDITIONAL USE
15 PERMIT. THAT COULD BE NINE OR TEN YEARS. 313 DAYS IS
16 ONE OPERATING YEAR, SO IT'S NOT AS THOUGH THIS WOULD BE
17 GIVEN -- THIS APPROVAL WOULD BE GIVEN TO THE OPERATOR TO
18 OPERATE FOR ONE CONTINUOUS YEAR. IT COULD BE FOR A
19 SPECIFIC PERIOD OF TIME, ONE WEEK, TWO WEEKS, WHATEVER,
20 TO RESPOND TO THE PROBLEMS.

21 BOARD STAFF HAS RECOMMENDED THAT I SET SOME
22 SORT OF LIMIT, EITHER 66, 88, AND I DON'T THINK THAT THAT
23 WOULD BE IN KEEPING WITH THE INTENT OF THE CONDITIONS IN
24 THE CUP.

25 I BELIEVE THAT THERE HAS TO BE SOMETHING IN

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1 PLACE, A PROCEDURE, THAT ALLOWS THE COUNTY TO RESPOND
2 IMMEDIATELY TO AN IMMEDIATE PROBLEM. WE COULDN'T, UNDER
3 THE CURRENT REVISION -- PERMIT REVISION PROCESS, WE COULD
4 NOT RESPOND QUICKLY TO AN IMMEDIATE PROBLEM.

5 IT'S ALSO BEEN SUGGESTED THAT THIS
6 PROCEDURE WOULD BE AMENDED IN ORDER TO ALLOW THIS TO GO
7 FORWARD QUICKLY, THE REVISION PROCESS. WELL, IF IT GOES
8 FORWARD SO QUICKLY AND SO SWIFTLY AND IS ESSENTIALLY
9 RUBBER STAMPED, WHAT'S THE PURPOSE OF IT IN THE FIRST
10 PLACE?

11 THE 9,000 TONS IS DERIVED, AT LEAST, MY
12 FIRST VIEW OF IT WAS IN THE MITIGATION MONITORING
13 IMPLEMENTATION SCHEDULE. BOARD STAFF WANTS SOME SORT OF
14 LIMITS SOMEPLACE. WE ALREADY HAVE A REFUSE LIMIT OF 66
15 OR 8800 TONS PER DAY. WHAT IS GOING TO BE THE TOTAL
16 AMOUNT OF MATERIALS COMING THROUGH THE GATE?

17 MOST LANDFILLS NOW DO NOT MAKE A
18 DISTINCTION BETWEEN THE INERT MATERIAL AND THE REGULAR
19 REFUSE. SOME MATERIAL IS ALLOWED TO COME IN IN SOME
20 FACILITIES AND IT'S NOT WEIGHED AT ALL BECAUSE IT'S GOING
21 TO BE UTILIZED FOR SOME PURPOSE ON THE LANDFILL, AND IT
22 DOESN'T COUNT TOWARDS THEIR LIMIT. THIS ONE DOES.

23 THERE WOULDN'T BE A CONSTANTLY CHANGING
24 AMOUNT. IT WILL EITHER BE 9,000 TONS OR WHATEVER THE
25 CITY OF LOS ANGELES COMES UP WITH, WHATEVER LIMIT THAT

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1 THEY SET EITHER BY VEHICLES OR BY AN EXPLICIT TONNAGE
2 RATE. AND THAT WOULD BE IT. THAT WOULD BE ONE CHANGE.

3 THE 66 TO 8800, I GUESS I COULD HAVE JUST
4 WRITTEN 8800 AND JUST ALLOWED THE LOCAL PROCESS TO TAKE
5 CARE OF THE OTHER RESTRICTIONS, AS WE TAKE CARE OF SO
6 MANY OTHER RESTRICTIONS THAT ARE NOT EXPLICITLY
7 IDENTIFIED IN THIS PERMIT.

8 THERE WAS ANOTHER COMMENT THAT THE LEA
9 SHOULD HAVE REJECTED THE APPLICATION BECAUSE IT DID NOT
10 FIND THE PRELIMINARY CLOSURE/POSTCLOSURE PLAN TO BE
11 COMPLETE.

12 MY RESPONSE TO THAT IS THAT I DON'T REALLY
13 KNOW WHAT A COMPLETE CLOSURE/POSTCLOSURE, PRELIMINARY
14 CLOSURE/POSTCLOSURE PLAN IS. I'VE NEVER SEEN ONE. WE'VE
15 NEVER RECEIVED ANY TRAINING. WE REQUESTED TRAINING FROM
16 BOARD STAFF ON CLOSURE PROCEDURES MANY, MANY TIMES. WE
17 HAVE YET TO RECEIVE ANY. SO I WOULD NEED SOME SORT OF
18 DIRECTION AS TO EXACTLY WHAT CONSTITUTES COMPLETE AS
19 OPPOSED TO ACCEPTED. I SUPPOSE OVER A PERIOD OF TIME BY
20 VIEWING BOARD'S DOCUMENTS THAT THEY DEEM COMPLETE, WE'LL
21 GET AN IDEA AS TO WHAT'S ACCEPTABLE, WHICH WE DO NOW IN
22 MANY CASES WITH PERMITS.

23 I DON'T HAVE ANY OTHER --

24 CHAIRMAN HUFF: ANY QUESTIONS?

25 BOARD MEMBER RELIS: I'D LIKE TO ASK IF THERE'S



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1 A RESPONSE FROM STAFF TO THE CONCERN OR TO THE POINT
2 RAISED THAT -- ABOUT CONFERENCING WITH OUR STAFF, WHAT --
3 YOU'VE TAKEN A STRONG POSITION THAT THAT ISN'T WHAT YOU
4 NEED, RIGHT, CONCERNING RELIANCE ON THE LEA AND COUNTY --
5 AND THE COUNTY CONCERNING THE 8800 TONS ADJUSTMENT.

6 MS. VASQUEZ: YES. IN OUR EVALUATION OF THE
7 CUP, THE CONDITIONAL USE PERMIT ALLOWS THIS FACILITY TO
8 DISPOSE OF UP TO 6600 TONS PER DAY. IN ORDER TO GO TO
9 8800, ADDITIONAL APPROVAL IS NECESSARY FROM THE BOARD OF
10 SUPERVISORS.

11 IT IS OUR OPINION THAT ONCE THAT APPROVAL
12 HAS BEEN GRANTED, THE PERMIT WOULD COME BACK TO THE BOARD
13 FOR CONSIDERATION. TO ALLOW A PERMIT THAT GREATER
14 AMOUNT -- A GREATER AMOUNT THAN THEY ARE APPROVED TO
15 RECEIVE WOULD BE IN CONFLICT WITH HOW WE HAVE
16 TRADITIONALLY APPROVED PERMITS.

17 SOLID WASTE FACILITY PERMIT IS GENERALLY
18 THE LAST PERMIT TO BE ISSUED IN THE WHOLE SERIES OF
19 PERMITS THAT ARE REQUIRED.

20 BOARD MEMBER RELIS: SO THERE'S A LONG-STANDING
21 HISTORY BEHIND THIS. THIS WOULD BE A DEPARTURE, IS THAT
22 CORRECT?

23 MS. VASQUEZ: THAT'S CORRECT.

24 I SHOULD ALSO SAY THAT MR. HANSON MAYBE
25 SHOULD HAVE WRITTEN THE PERMIT TO ALLOW 8800. IF HE HAD

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1 DONE THAT, WE WOULD HAVE RECOMMENDED OBJECTION BECAUSE --
2 OR A NONRECOMMENDATION BECAUSE THE FACILITY DOES NOT HAVE
3 THE AUTHORITY TO GO TO 8800. THE CUP PROHIBITS THAT
4 UNTIL THEY GET APPROVAL FROM THE BOARD OF SUPERVISORS.

5 BOARD MEMBER EGIGIAN: MR. CHAIRMAN, IT APPEARS
6 TO ME THAT, EVEN THOUGH IT'S NOT THE WAY WE'VE BEEN
7 WORKING, THAT WE HAVE ACTUALLY BEEN INVOLVED IN THESE
8 EXPANDABLE SITUATIONS. AND WE HAD ONE THIS MORNING WHERE
9 THEY'RE TAKING A LOT MORE IN THAN THEY'RE PERMITTED FOR.

10 SO I DON'T THINK THIS IS A NEW CONCEPT.
11 I'D LIKE TO SEE SOME OF OUR PLANNING TO TAKE THIS INTO
12 CONSIDERATION, ALTHOUGH WE HAVEN'T DONE ANYTHING SINCE
13 I'VE BEEN ON THIS BOARD THAT ALLOWS THIS DOUBLE STANDARD
14 OR DOUBLE TONNAGE RATE.

15 I FEEL THAT THERE'S A LOT OF UNKNOWN OUT
16 THERE. AND THE DIFFERENCE IN TONNAGE REALLY SHOULD NOT
17 BE THE FACTOR THAT WE SAY YES OR NO TO A SITUATION ON AS
18 LONG AS IT'S REASONABLE. AND THIS TO ME LOOKS VERY
19 REASONABLE BASED ON WHAT THAT LANDFILL WAS TAKING IN
20 BEFORE.

21 AND SO IF NOTHING NEW CAME IN, THEN THE
22 8800 -- 8800 TONS WOULD BE JUST THE AMOUNT THAT THEY HAD
23 BEFORE, IF I UNDERSTAND CORRECTLY.

24 SO THIS DOESN'T DISTURB ME TOO MUCH,
25 ALTHOUGH I CAN UNDERSTAND MAYBE THE STAFF WOULD BE A

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1 LITTLE BIT CONCERNED ABOUT THIS AND MAYBE SOME OF THE
2 MEMBERS ON THIS BOARD WOULD BE CONCERNED ABOUT THIS
3 BECAUSE THIS HASN'T BEEN THE NORMAL THING FOR US TO DO.

4 I FEEL THAT THIS IS NOT A PROBLEM IN MY WAY
5 OF LOOKING AT IT. WE CAN GO AHEAD ON THIS THING AT THE
6 6600 TON OR THE 8800 TON, AND EITHER WAY IT'S NOT A BIG
7 PROBLEM BECAUSE THERE'S NOT THAT MUCH DIFFERENCE IN
8 TONNAGE WHEN YOU SEE WHAT THE OTHER LANDFILLS THAT ARE
9 NOT PERMITTED TO DO THIS ARE DOING. OKAY.

10 SO I'D LIKE TO HEAR FROM THE PEOPLE.

11 CHAIRMAN HUFF: YEAH. IT'S TIME TO MOVE ON.

12 YOU NEED NEW PAPER IN YOUR MACHINE.

13 (A BREAK WAS TAKEN.)

14 CHAIRMAN HUFF: OKAY. WE'VE HEARD FROM THE LEA.
15 LET'S HEAR FROM THE PROPONENTS.

16 MR. APREA: MR. CHAIRMAN, MR. RELIS, MR.
17 EGIGIAN, MY NAME IS MARC APREA, AND I AM DIRECTOR OF
18 EXTERNAL AFFAIRS FOR BROWNING-FERRIS INDUSTRIES IN THE
19 PACIFIC REGION. WE ARE PLEASED TO APPEAR BEFORE YOU
20 TODAY REGARDING THE MATTER OF THE SUNSHINE CANYON

21 LANDFILL.

22 WITH ME TODAY, OVER MY RIGHT SHOULDER,
23 MAKING HIS PRESENTATION IS THE DISTRICT MANAGER FOR THE
24 SUNSHINE CANYON LANDFILL, DEAN WISE.

25 MR. WISE HAS BEEN WITH BFI AND IN THE

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1 LANDFILL BUSINESS FOR OVER 14 YEARS. HE HAS BEEN THE
2 DISTRICT MANAGER AT SUNSHINE CANYON SINCE 1982.

3 HIS PRESENTATION TODAY WILL PROVIDE YOU A
4 BRIEF BACKGROUND AND OVERVIEW OF SUNSHINE CANYON. HE
5 WILL DESCRIBE FOR YOU THE CONDITIONAL USE PERMIT AND HIS
6 PLAN FOR COMPLIANCE. AND FINALLY, HE WILL PROVIDE YOU A
7 DESCRIPTION OF THE DESIGN AND OPERATION OF SUNSHINE
8 CANYON LANDFILL, INCLUDING THE WASTE DIVERSION AND
9 RECYCLING ACTIVITY AT THE FACILITY.

10 ALSO WITH ME HERE REPRESENTING BFI, TO MY
11 LEFT, IS SHARON RUBALCAVA. SHE IS A PARTNER IN THE
12 MCCLINTOCK WESTON LAW FIRM HERE IN LOS ANGELES
13 SPECIALIZING IN ENVIRONMENTAL PERMITTING. MS. RUBALCAVA
14 HAS REPRESENTED BFI FOR MORE THAN FIVE YEARS AND HAS
15 REPRESENTED THIS FACILITY BEFORE THE SOUTH COAST AIR
16 QUALITY MANAGEMENT DISTRICT AND REGIONAL WATER QUALITY
17 CONTROL BOARD.

18 HER PRESENTATION WILL ADDRESS THE ISSUE OF
19 THE ENVIRONMENTAL REVIEW PROCESS. SECOND, SHE WILL
20 DEMONSTRATE THAT THIS FACILITY AND THE PERMIT BEFORE YOU
21 FULLY COMPLIES WITH AND AIDS THE COUNTY OF LOS ANGELES IN
22 ACHIEVING ITS AB 939 GOALS, AND, FINALLY, THAT THIS
23 FACILITY AND ITS PERMIT ARE CONSISTENT WITH THE STATE
24 STANDARDS. AT THE SAME TIME SHE WILL ADDRESS THE
25 CONCERNS REFLECTED BY THE STAFF REPORT.

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1 WE WILL BE PLEASED TO ANSWER ANY QUESTIONS
2 AT ANY TIME DURING THE PRESENTATION.

3 AT THIS TIME, I'D LIKE TO HAND IT OVER TO
4 MR. WISE, WHO WILL THEN DESCRIBE FOR YOU THE FACILITY.

5 MR. WISE: THANK YOU. MY NAME IS DEAN WISE,
6 DISTRICT MANAGER OF SUNSHINE CANYON. WHAT I'D LIKE TO DO
7 IS GIVE YOU SOME GENERAL BACKGROUND AND I HOPE EVERYONE
8 CAN SEE.

9 THIS IS AN AERIAL PHOTO OF THE VICINITY OF
10 WHICH SUNSHINE CANYON IS LOCATED. THE GREEN LINE
11 REPRESENTS OUR PROPERTY OWNERSHIP. THE YELLOW LINE IS
12 THE CITY/COUNTY BOUNDARY. AND THE ORANGE LINE IS OUR
13 PROPOSED AREA OF WHICH TO DEPOSIT WASTE. THE BLUE LINE
14 DOWN AT THE BOTTOM REPRESENTS O'MELVENY PARK, WHICH IS A
15 CITY OWNED PARK TO THE SOUTH OF US.

16 TO THE NORTH IS THE INTERSTATE 14 LEADING
17 UP TO THE ANTELOPE VALLEY. THIS IS INTERSTATE 5. THIS
18 IS THE VAN NORMAN RESERVOIR OF WHICH WATER COMES FROM THE
19 OWENS VALLEY VIA PIPELINE AND IS THEN PROCESSED, TREATED
20 THERE AND SENT OUT TO THE LOS ANGELES AREA.

21 AS MARTHA HAD MENTIONED EARLIER, THE
22 LANDFILL WAS IN EXISTENCE SINCE 1958 AND HAS BEEN IN
23 CONFORMANCE WITH THE COUNTY SOLID WASTE MANAGEMENT PLAN
24 EVER SINCE THAT TIME.

25 THE LANDFILL, WHICH I'LL SHOW YOU ON

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1 ANOTHER MAP, AFTER MANY YEARS OF ENVIRONMENTAL
2 PROCESSING, THE VARIOUS AGENCIES WE HAD TO GO THROUGH,
3 THEIR COMMITTEE GROUPS AND HEARINGS, WE FINALLY GOT TO A
4 POINT OF WHERE A JUDGE HAS GONE AND SPENT FOUR MONTHS OF
5 COURT TIME AND REVIEWING OUR ENVIRONMENTAL IMPACT REPORT
6 AND HAS NOW COMPLETED THAT PROCESS AND HAS TAKEN THE CASE
7 UNDER SUBMISSION, OF WHICH I AM EXTREMELY ANXIOUSLY
8 AWAITING HIS DECISION, WHETHER IT BE GOOD OR BAD. I'M
9 OPTIMISTIC THAT IT WILL BE GOOD.

10 IN ANTICIPATION OF THAT, WE ALSO NEED TO
11 OBTAIN A PERMIT FROM YOU FOLKS. THE PERMITS, AND I WON'T
12 GO THROUGH EVERY ONE OF THEM, WE'VE OBTAINED AIR QUALITY
13 PERMIT, WATER QUALITY PERMIT, ARMY PERMIT, FISH AND GAME,
14 AND OTHERS. AND I WANT TO GO INTO HOW WE'RE GOING TO
15 COMPLY WITH THOSE VARIOUS PERMITS, AS WELL AS THE ONE WE
16 HOPE TO OBTAIN FROM YOU TODAY.

17 TO GIVE A LITTLE MORE BACKGROUND ABOUT
18 SUNSHINE CANYON, THIS IS THE ACCESS ROAD LEADING OFF OF
19 SAN FERNANDO ROAD. SAN FERNANDO ROAD THEN CONNECTS WITH
20 THE FREEWAYS. THE TRUCKS WOULD COME INTO A QUEUING AREA
21 OF SOME 400 FEET THAT IS LOCATED WITHIN THE COUNTY
22 PROPERTY.

23 WE HAVE FIVE SCALES THAT ARE OPERATED BY
24 COMPUTER. EACH AND EVERY ONE OF THE SCALES HAS VIDEO
25 CAMERA, BOTH WITHIN AND WITHOUT, TO MONITOR THE TYPES OF

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1 WASTE. IT'S ALSO A REVENUE CONTROL TYPE OF THING TO
2 MONITOR THE TRANSACTION.

3 THE PINK AREA, HERE, IS THE ENVIRONMENTAL
4 CONTROL AND PROCESS CENTER, WHICH I'LL GET INTO A LITTLE
5 MORE DETAIL IN A SECOND. THE GREEN AREA, THAT IS OUR
6 WOODWASTE AND GREEN WASTE PROCESSING AREA, WHICH AS THE
7 TRUCKS COME IN THROUGH THE SCALE HOUSE, THE WASTE THAT
8 CAN BE DIVERTED WILL GO TO THAT LOCATION THERE.

9 WE'VE ESTIMATED THROUGH PREVIOUS STUDIES AT
10 SUNSHINE CANYON ON TYPICAL TYPE OF WASTESTREAM IS THAT
11 ABOUT 10 PERCENT OF THE WASTE THAT CAN BE DIVERTED IS
12 GREEN WASTE AND ANOTHER 5 PERCENT MAKES UP THE INERT TYPE
13 OF MATERIAL, ROCK, RUBBLE, AND OTHER DEMOLITION TYPES OF
14 MATERIALS.

15 THE BLUE AREA, HERE, IS OUR SEDIMENTATION
16 BASIN. THE BROWN IS THE TOE BERM AND THE PURPLE IS THE
17 OUTLINE OF THE FOOTPRINT OF THE LANDFILL.

18 THE LANDFILL AS PERMITTED BY THE COUNTY IS
19 ABLE TO RECEIVE SOME 17,000 TONS OF WASTE IN TOTAL, AND
20 THAT SHOULD LAST AN ESTIMATED TEN YEARS, POSSIBLY MORE.

21 THE INTENT OF WHAT WE'RE TRYING TO DO WITH
22 THE PINK AREA, HERE, THIS IS OUR ENVIRONMENTAL CONTROL
23 AREA WHICH I'D KIND OF LIKE TO SHOW YOU WHAT WE'RE TRYING
24 TO DO WITH THIS. THIS IS A NEW CONCEPT -- I DON'T KNOW
25 THAT THE CONCEPT IS NEW, BUT IT'S AN IDEA THAT I HAD AND

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1 OTHERS THAT WE PUT TOGETHER. AND WHAT WE WANTED TO BE
2 ABLE TO DEMONSTRATE TO THE COUNTY, TO THE STATE, AND ALL
3 OTHER AGENCIES CONTROLLING US IS THAT WE WANT TO BE ABLE
4 TO GIVE THEM INFORMATION, A LOCATION. AS MR. HANSON HAD
5 MENTIONED, WE'RE GOING TO HAVE AN INSPECTOR HERE
6 CONSTANTLY.

7 THE INSPECTOR WILL HAVE AN ABILITY TO COME
8 ON SITE, GO TO THIS ROOM. HE WILL BE ABLE TO MONITOR THE
9 LANDFILL AS A FIRST STOP HERE FROM THE ROOM. NOW, THIS
10 ROOM WILL CONSIST OF INFORMATION COMING IN FROM GAS
11 PROCESSING, LEACHATE TREATMENT, METEOROLOGICAL, SLIGHT
12 OVERVIEW FROM VIDEO CAMERA FROM STRATEGIC LOCATIONS,
13 PRINTED DATA ON THE VARIOUS SYSTEMS REGARDING MONITORING
14 WELLS, SENSORS, AND LEACHATE COLLECTION PIPES.

15 AND AS YOU KNOW, THE SUNSHINE CANYON
16 LANDFILL DOES HAVE ALL STATE-OF-THE-ART ENVIRONMENTAL
17 SYSTEMS, COMPOSITE LINER, ALONG WITH GAS COLLECTION. AND
18 WHAT I FELT WAS IMPORTANT, AND TO GO WITH THE SPIRIT OF
19 BFI'S COMMITMENT TO COMPLIANCE WITH THE LAWS THAT DO
20 GOVERN US, THAT THIS WAS THE BEST TOOL THAT I COULD
21 UTILIZE IN ORDER TO ASSURE MYSELF, THE PEOPLE IN THE
22 AREA, AND THE PEOPLE THAT GOVERN US THAT WE CAN COMPLY
23 WITH THE LAW.

24 NOW, I'M NOT HERE TO GET INTO THE EXTREME
25 TECHNICAL ASPECT OF THIS, BUT, SIMPLY PUT, THIS

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1 INFORMATION IS TRANSMITTED VIA RADIO, TRANSMITTED INTO
2 THE FIELD THROUGH RADIO TELEMETRY, THE SIGNAL IS SENT
3 BACK THROUGH OUR COMPUTER COMMAND CENTER. THE
4 INFORMATION IS THEN COLLECTED THROUGH THE COMPUTER AND
5 CAN BE PRINTED OUT IN VARIOUS FORMS THAT YOU'D LIKE TO
6 HAVE.

7 THE DESIGN OF THE THING, HOW IT'S GOING TO
8 BE LAID OUT, THERE WILL BE AUTOMATIC SHUTOFFS FOR
9 ENVIRONMENTAL CONTROLS THAT ARE GOING TO BE IN PLACE.

10 FOR EXAMPLE, THE GAS COLLECTION SYSTEM,
11 LEACHATE PROCESSING FACILITY -- ALTHOUGH WE DON'T
12 ANTICIPATE HUGE AMOUNTS OF LEACHATE BEING GENERATED AT
13 THIS FACILITY, OUR DESIGN DOES TAKE INTO CONSIDERATION
14 THAT IT'S CERTAINLY POSSIBLE THAT IT WILL BE GENERATED.

15 IN THE EVENT THAT IT DOES, IT WILL BE
16 PROCESSED THROUGH A SERIES OF LEACHATE COLLECTION PIPING.
17 THE THING GOES THROUGH A CARBON PROCESSING, FILTERED, AND
18 THEN ABLE TO REUTILIZE IT ON THE LANDFILL IN WAY OF DUST
19 CONTROL AND/OR LANDSCAPE IRRIGATION.

20 NOW, WHEN DESIGNING THIS FACILITY, I ASKED
21 THE ENGINEERS THAT I WAS WORKING WITH A COUPLE OF THINGS
22 I WANTED TO ACHIEVE. NO. 1 IS I WANT TO BE ABLE TO
23 REALISTICALLY IN REAL TIME KNOW WHAT MY DIFFERENT SYSTEMS
24 ARE DOING. HE SAID OKAY.

25 AND I WANTED TO KEEP THE COST DOWN. I



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1 DON'T WANT TO INVENT BRAND NEW TECHNOLOGY THAT'S GOING TO
2 COST \$150 MILLION. HE SAID OKAY.

3 AND SO HE SAID, WELL, THERE'S SOME SYSTEMS
4 OUT THERE THAT ARE UTILIZED TO MANAGE THE HIGH-RISE
5 ENVIRONMENTAL SYSTEMS FOR HEATING, AIR CONDITIONING, AND
6 SO ON. AND -- WHICH THAT'S THE TYPE OF TECHNOLOGY WE'RE
7 UTILIZING.

8 SO WHAT WE'RE TRYING TO DO IS APPLY THE
9 TECHNOLOGY. ALL THE SYSTEMS THAT I'VE OUTLINED IN BRIEF
10 OVERVIEW IS IT'S BASICALLY UNDER A PRICE OF A TRACTOR.
11 THAT'S WHAT I WANTED TO TRY TO ACHIEVE, THAT THE --
12 ALMOST ANY LANDFILL OPERATOR CAN AFFORD THIS TYPE OF
13 TECHNOLOGY.

14 AS I SHOWED YOU BRIEFLY ON THE FIRST MAP
15 WAS THE PINK AREA. THE -- THIS IS WHERE THE
16 ENVIRONMENTAL CONTROL CENTER IS TO BE LOCATED, CENTRALLY
17 LOCATED TO THE LANDFILL. THIS IS THE BUILDING IN WHICH
18 IT WILL BE LOCATED. THIS IS OUR LEACHATE PROCESSING AREA
19 OR TANKS LOCATED HERE. COME IN AND WE GO IN AND RECEIVE
20 ANY OF THE WATER, SO CLOSED PIPELINES.

21 AND -- CARL, CAN YOU GIVE ME THE FIRST ONE,
22 AGAIN?

23 NOW, ONE THING THAT I WANT TO MENTION IS
24 THAT WITH ALL THE VARIOUS PERMITS THAT WE HAVE, THE WATER
25 PERMIT, AIR PERMIT, AND FACILITIES PERMIT, AND ALL THE



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1 OTHER ONES THAT ARE ABLE TO CONTROL THIS SITE, THE ONE
2 THING THAT WE'RE -- THAT I WAS IN HOPES TO DO WAS THAT
3 EACH PERMIT IS CONSISTENT WITH ANOTHER TO THE BEST OF
4 EVERYBODY'S ABILITY SO THAT I COULD IN REAL LIFE HAVE A
5 PERMIT THAT I CAN WORK WITH AND PEOPLE ARE -- IT'S CLEAR,
6 IT'S CONCISE.

7 AND PERMITS OF THE PAST, ALTHOUGH THEY SEEM
8 TO GIVE YOU SOME ABILITY TO DO LOTS OF THINGS, THAT IT'S
9 BEEN MY EXPERIENCE TO REALLY GET YOU INTO TROUBLE. AND
10 SO WHAT WE'RE HOPING IS THAT EVERYTHING THAT WE'RE TRYING
11 TO DO IS CONSISTENT WITH OUR CUP, WHICH IS THE DOCUMENT
12 THAT HAD A TREMENDOUS AMOUNT OF WORK. AND THEY'RE
13 GETTING EVERYBODY THE ABILITY, INCLUDING THE OPERATOR, TO
14 DO WHAT THE LAW REQUIRES.

15 SO THAT CONCLUDES MY INFORMATION.

16 CHAIRMAN HUFF: THANK YOU.

17 MS. RUBALCAVA: GOOD AFTERNOON. MY NAME IS
18 SHARON RUBALCAVA. I'M WITH THE MCCLINTOCK WESTON LAW
19 FIRM. I'M HERE TODAY JUST TO SPEAK BRIEFLY ABOUT -- CAN
20 YOU HEAR ME NOW? -- ABOUT SOME OF THE ISSUES THAT HAVE
21 BEEN RAISED IN CONJUNCTION WITH WHAT WE HOPE TO BE THE
22 CONCURRENCE BY THIS COMMITTEE WITH THE PERMIT PROPOSED BY
23 THE LEA. AND WE'RE HERE TODAY ASKING THAT YOU DO GIVE
24 YOUR CONCURRENCE WITH THIS PERMIT.

25 AS MR. HANSON MENTIONED, THE PERMIT IS

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1 BASED ON THE CUP ISSUED BY THE LOS ANGELES COUNTY BOARD
2 OF SUPERVISORS. AND THAT PARTICULAR CUP AROSE OUT OF A
3 VERY, VERY LENGTHY PROCESS THAT'S BEEN ONGOING FOR MORE
4 THAN SIX YEARS, DURING WHICH THIS PARTICULAR PROPOSED
5 PROJECT, THE EXPANSION OF THE SUNSHINE CANYON LANDFILL,
6 HAS UNDERGONE A SCRUTINY THAT IS PROBABLY GREATER THAN
7 VIRTUALLY ANY OTHER LANDFILL WITHIN THE STATE.

8 THERE HAS BEEN AN EXHAUSTIVE ENVIRONMENTAL
9 REVIEW DONE OF THIS PARTICULAR PROJECT. THE RESULT OF
10 THAT REVIEW HAS PRODUCED A PROJECT THAT HAS SUPERIOR
11 ENVIRONMENTAL PROTECTION FEATURES. AND MR. WISE HAS
12 SPOKEN TO YOU ABOUT THOSE FEATURES TODAY.

13 THE PROCESS THROUGH THE CUP STAGE RESULTED
14 IN AN ADMINISTRATIVE RECORD OF OVER 21,000 PAGES IN
15 LENGTH. A VERY LARGE EIR IN EXCESS OF 4,000 PAGES WAS
16 EVENTUALLY PRODUCED AND CERTIFIED BY THE BOARD OF
17 SUPERVISORS.

18 ALL OF THIS HAS LED TO A VERY, VERY
19 DETAILED CUP, WHICH CONTAINS NUMEROUS CONDITIONS TO
20 CAREFULLY MONITOR EVERY ASPECT OF THIS LANDFILL
21 OPERATION. AND IT IS THAT CUP WHICH FORMS THE BASIS OF
22 THE PERMIT WHICH YOU'RE CONSIDERING TODAY.

23 MR. WISE MENTIONED TO YOU THAT IN ORDER TO
24 COMPLY WITH THE CUP AND ALL THE OTHER PERMITS THAT HAVE
25 BEEN ISSUED, HE NEEDS ESSENTIALLY A COMMAND CONTROL

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1 CENTER. AND THAT'S WHAT HE'S PUT TOGETHER.

2 I THINK YOU'VE SEEN THE CUP. IT'S A
3 LENGTHY DOCUMENT. THE PERMIT THAT YOU PROPOSED -- THAT'S
4 BEEN PROPOSED HERE IS LENGTHY. WE HAD EQUALLY LENGTHY
5 DOCUMENTS IN THE WASTE DISCHARGE REQUIREMENTS AND THE
6 PERMITS ISSUED BY THE SOUTH COAST AIR QUALITY MANAGEMENT
7 DISTRICT.

8 NOW, WHEN WE GET TO THE ISSUE OF
9 ENVIRONMENTAL PROTECTIONS, THOSE, I THINK, ARE CLEARLY
10 SPELLED OUT. YOUR STAFF HAS RECOGNIZED THAT MAKING THE
11 FINDING IN TERMS OF CEQA COMPLIANCE IS NOT A PROBLEM
12 BECAUSE THE EIR WAS CERTIFIED BY THE BOARD OF
13 SUPERVISORS. AND THE FACT OF THE LITIGATION IS REALLY
14 IRRELEVANT HERE.

15 IT APPEARS AT THIS POINT THAT THE ONLY
16 FINDING THAT THE STAFF IS HAVING ANY DIFFICULTY MAKING,
17 OR I GUESS IS REALLY NEUTRAL ON, IS A QUESTION OF THE
18 FLEXIBLE TONNAGE REQUIREMENT.

19 I THINK WHAT YOU NEED TO DO IS TAKE INTO
20 CONSIDERATION THE FACT THAT THE BOARD OF SUPERVISORS
21 DRAFTED A PERMIT WITH THE IDEA OF MAKING IT FLEXIBLE
22 ENOUGH TO, ONE, ADDRESS THE PRESSING NEED FOR LANDFILL
23 CAPACITY IN LOS ANGELES COUNTY TODAY, AS WELL AS TO BE
24 FLEXIBLE ENOUGH TO TAKE INTO ACCOUNT THE RECY- -- THE
25 GREATER ROLE OF RECYCLING IN THE FUTURE AS PART OF THEIR

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1 PLAN THAT THEY'RE ADOPTING.

2 AND THEY HAVE WRITTEN A PERMIT THAT'S --
3 THAT WILL ALLOW THEM TO DEAL WITH SHORT-TERM CRISIS WHERE
4 IT MIGHT BE THEY MIGHT NEED TO TEMPORARILY INCREASE THE
5 TONNAGE AT SUNSHINE CANYON.

6 THEY'VE ALSO WRITTEN A PERMIT THAT'S VERY
7 STRONG IN THE RECYCLING COMPONENT. AND I THINK THAT THIS
8 PARTICULAR PERMIT CLEARLY COMPLIES WITH AB 939.

9 NOW, WE -- THERE'S BEEN A LOT OF TALK ABOUT
10 WHAT EXACTLY IS MEANT BY THE REQUIREMENTS THAT THERE MUST
11 BE SUBSTANTIAL EVIDENCE IN THE RECORD TO SUPPORT THE
12 ISSUANCE OF THE PERMIT. AND LET ME READ TO YOU THAT LINE
13 BECAUSE I THINK IT'S IMPORTANT HERE TO FOCUS ON IT.

14 THE LANGUAGE SAYS, "UNTIL A COUNTYWIDE
15 INTEGRATED WASTE MANAGEMENT PLAN HAS BEEN APPROVED, THE
16 BOARD MAY OBJECT TO A PERMIT ONLY IF THE BOARD
17 DETERMINES, BASED ON SUBSTANTIAL EVIDENCE IN THE RECORD,
18 THAT ISSUANCE OF THE PERMIT WOULD PREVENT OR
19 SUBSTANTIALLY IMPAIR ACHIEVEMENT OF THE REQUIREMENTS OF
20 SECTION 41780."

21 THAT'S A KIND OF A DIFFERENT STANDARD THAN
22 THE BOARD'S BEEN TALKING ABOUT TODAY. IN OTHER WORDS,
23 THE BOARD HAS TO FIND THAT THE ISSUANCE OF THE PERMIT
24 WOULD PREVENT OR SUBSTANTIALLY IMPAIR. AND I SUBMIT TO
25 YOU THAT THERE REALLY IS NO EVIDENCE IN THE RECORD THAT



1 WOULD ALLOW YOU TO MAKE THAT PARTICULAR FINDING.

2 FIRST OFF, AB 939, AND IT'S AN IMPORTANT
3 POINT TO REMEMBER, DOES NOT APPLY TO INDIVIDUAL
4 LANDFILLS. THE REQUIREMENTS OF THAT PARTICULAR BILL GO
5 TO THE OBLIGATIONS OF CITIES AND COUNTIES TO COME UP WITH
6 PLANS FOR PROVIDING ADEQUATE LANDFILL CAPACITY WITHIN
7 THEIR JURISDICTION AND ALSO PLANS FOR DIVERTING WASTE AND
8 INCREASING RECYCLING. IT'S VERY IMPORTANT TO REMEMBER
9 THAT WITH REGARD TO THE FIRST ISSUE, THAT OF SUFFICIENT
10 LANDFILL CAPACITY.

11 THE SUNSHINE CANYON IS AN IMPORTANT PART OF
12 THE COUNTY OF LOS ANGELES' EFFORT TO PROVIDE 15 YEARS OF
13 LANDFILL CAPACITY AS REQUIRED BY AB 939 AND THAT IT
14 CLEARLY SATISFIES 939 IN THAT REGARD.

15 SECONDLY, WITH THE REQUIREMENT FOR THE
16 WASTE REDUCTION TARGETS, THOSE TARGETS ARE NOT DIRECTED
17 AT INDIVIDUAL LANDFILLS. THERE'S NOTHING IN AB 939 THAT
18 SAYS EACH INDIVIDUAL LANDFILL, TRANSFER STATION,
19 WHATEVER, WITHIN AN AREA MUST MEET THOSE SPECIFIC
20 TARGETS.

21 WHAT THAT LEGISLATION SAYS IS THAT IT'S UP
22 TO THE COUNTY AND THE CITIES WITHIN -- WITH THEIR BEST
23 KNOWLEDGE OF WHAT THE LOCAL CONDITIONS ARE, TO DETERMINE
24 WHAT IS AN APPROPRIATE WAY TO MEET THOSE GOALS. OKAY?

25 A CITY OR THE COUNTY HAS THE FLEXIBILITY IN

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1 DEVELOPING ITS OWN PLAN TO COME UP WITH WHATEVER STRATEGY
2 MAKES SENSE TO THE CITY OR COUNTY. AND IF THAT CAN BE
3 SUPPORTED, THEN THE BOARD NEEDS TO CONCUR IN THAT
4 DECISION.

5 IDEALLY, IT MIGHT MAKE SOME LOGICAL SENSE
6 TO SAY THAT EACH AND EVERY FACILITY WITHIN THE COUNTY
7 MIGHT TRY TO ACHIEVE THE GOALS, BUT THAT'S NOT WHAT THE
8 LEGISLATION SAYS. AND THE BOARD HAS TO APPLY THE
9 LEGISLATION.

10 NOW, ALSO, WE HAVE -- I WOULD LIKE TO
11 DIRECT THE BOARD'S ATTENTION TO THE QUESTION OF WHAT WAS
12 MEANT BY THE LEGISLATION AND ALSO AB 2296, WHICH ATTEMPTS
13 TO DEAL WITH THE GAP PERIOD WHILE YOU ARE STILL
14 CONSIDERING FACILITY PERMITS AND SOME OF THE PLANS HAVE
15 NOT BEEN APPROVED YET.

16 I HAVE A LETTER THAT WAS PREPARED BY
17 DOMINIC CORTESE WHICH DISCUSSES THE INTENT OF THAT
18 PARTICULAR LEGISLATION, WHICH I'D LIKE TO BRING FORWARD
19 TO EACH OF THE BOARD MEMBERS, IF I MAY.

20 CHAIRMAN HUFF: OF COURSE, YOU ARE AWARE HOW
21 MUCH WEIGHT THE COURTS GIVE TO LETTERS WRITTEN BY
22 LEGISLATORS AND FILED IN THE DAILY JOURNALS THAT HOUSES
23 THE QUESTION.

24 MS. RUBALCAVA: YES. I'M AWARE OF THAT, BUT
25 WHEN YOU'RE TALKING ABOUT WHAT THE LEGISLATION MEANS, THE



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1 OPINION OF LEGISLATORS IS SOMETHING THAT NEEDS TO BE
2 CONSIDERED. HOW MUCH WEIGHT YOU CHOOSE TO GIVE TO IT IS
3 UP TO YOU.

4 CHAIRMAN HUFF: OKAY.

5 MS. RUBALCAVA: I WOULD DIRECT YOUR ATTENTION ON
6 THIS PAGE TO -- THE LETTER STARTS HERE AT THE BOTTOM ON
7 THE RIGHT-HAND COLUMN. AND I WOULD READ TO YOU FROM THE
8 SECOND PAGE OF THE LETTER. AND IF YOU'LL INDULGE ME
9 HERE, I'LL READ A FEW OF PARAGRAPHS WHICH I THINK REALLY
10 SPEAK DIRECTLY TO THE QUESTIONS THE BOARD WAS GRAPPLING
11 WITH TODAY.

12 "IT IS NOT THE INTENT OF AB 2296 TO
13 AUTHORIZE OR ENCOURAGE THE BOARD TO ARBITRARILY OVERRULE
14 LOCAL APPROVAL OF A SOLID WASTE FACILITY OR TO IMPOSE
15 SPECIAL PERMIT CONDITIONS ON THE MAJORITY OF FACILITIES
16 THAT WILL BE REVIEWED BY THE BOARD.

17 "RATHER, AB 2296 SHOULD BE USED JUDICIOUSLY
18 BY THE BOARD TO INTERVENE IN THE PERMITTING OF A FACILITY
19 WHICH WILL PREVENT OR SUBSTANTIALLY IMPAIR THE ABILITY OF
20 A LOCAL GOVERNMENT TO ACHIEVE THE SOURCE REDUCTION AND
21 RECYCLING GOALS REQUIREMENTS PROSCRIBED BY ASSEMBLY BILL
22 939."

23 AND BELOW THAT THEY GIVE EXAMPLES OF SUCH
24 FACILITIES, SUCH INSTANCES WHERE A FACILITY WOULD IMPAIR.
25 AND THEY GIVE THE EXAMPLE OF FLOW CONTROL CONTRACTS.

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1 THEY GIVE THE EXAMPLE OF LOCAL GOVERNMENT FINANCING
2 ARRANGEMENTS.

3 THE LETTER THEN GOES ON TO STATE, "THE
4 BOARD SHOULD RECOGNIZE THAT THE DESIGN OF INDIVIDUAL
5 SOLID WASTE FACILITIES REQUIRES AN INTIMATE KNOWLEDGE OF
6 LOCAL POLITICAL, ECONOMIC, AND ENVIRONMENTAL CONDITIONS.
7 TO THE EXTENT A PROPOSED PROJECT DOES NOT PREVENT OR
8 SUBSTANTIALLY IMPAIR THE ACHIEVEMENTS OF STATE MANDATED
9 SOURCE REDUCTION AND RECYCLING RATES, IT IS MOST
10 APPROPRIATELY HANDLED AT THE LOCAL LEVEL.

11 "IN ADDITION, THE BOARD MUST RECOGNIZE THAT
12 AN INDIVIDUAL FACILITY MAY ONLY REPRESENT ONE PORTION OF
13 A LOCAL PLAN OR A PROGRAM DESIGNED IN RESPONSE TO BOTH
14 THE AB 939 RECYCLING REQUIREMENTS AND THE DISPOSAL
15 CAPACITY REQUIREMENTS.

16 "THUS, AN INDIVIDUAL FACILITY UNDER
17 CONSIDERATION BY THE BOARD MAY NOT BE INTENDED TO REDUCE
18 A SIGNIFICANT CONTRIBUTION TO RECYCLING OR COMPOSTING
19 RATES MANDATED BY AB 939, BUT MAY BE ESSENTIAL TO MEETING
20 LOCAL DISPOSAL NEEDS. AND ON THAT BASIS ALONE SHOULD NOT
21 BE DEEMED BY THE BOARD TO PREVENT OR SUBSTANTIALLY IMPAIR
22 ACHIEVEMENT OF AB 939 RECYCLING REQUIREMENTS.

23 "FINALLY, IT IS NOT THE INTENT OF THE
24 LEGISLATURE IN EXPANDING THE RESPONSIBILITY OF THE BOARD
25 TO CONCUR OR OBJECT TO SOLID WASTE FACILITY PERMITS TO

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1 INCLUDE WITHIN THE EXTENDED RESPONSIBILITY ANY AUTHORITY
2 TO, ONE, REQUIRE MODIFICATIONS TO PERMITS THAT ARE
3 ESSENTIAL FOR THE CITY OR COUNTY TO MEET THE RECYCLING
4 REQUIREMENTS OR, TWO, OBJECT TO PERMITS FOR NEW OR
5 EXPANDED DISPOSAL CAPACITY UNLESS SPECIFIC PERMIT
6 CONDITIONS, FLOW CONTROL AGREEMENTS, FINANCING
7 ARRANGEMENTS, OR SIMILAR AGREEMENTS HAVE BEEN SHOWN TO
8 PREVENT OR SUBSTANTIALLY IMPAIR THE ABILITY OF A CITY OR
9 COUNTY TO MEET SOURCE REDUCTION AND RECYCLING
10 REQUIREMENTS."

11 I APOLOGIZE FOR BEING SO HALTING IN READING
12 THIS. I THINK I NEED NEW GLASSES. IN FACT, THE COPY IS
13 NOT VERY GOOD.

14 I THINK THAT LANGUAGE IS HELPFUL IN
15 CONSIDERING WHAT WAS MEANT HERE AND WHAT IS THE BOARD'S
16 OBLIGATION IN MAKING THIS PARTICULAR FINDING. AND I
17 THINK WHAT WE HAVE HERE IS AN AFFIRMATIVE RESPONSIBILITY.
18 IT'S NOT A QUESTION OF SHIFTING THE BURDEN, BUT IS THERE
19 EVIDENCE IN THE RECORD, IS THERE SOMETHING UNEQUIVOCAL
20 THAT WOULD CAUSE THE BOARD TO REACH THAT CONCLUSION,
21 THAT, YES, THIS PERMIT WOULD SUBSTANTIALLY IMPAIR OR
22 PREVENT A COUNTY FROM MAKING REQUIREMENTS.

23 I THINK IF YOU EXAMINE THE RECORD IN THIS
24 PARTICULAR CASE, THERE IS NO SUCH EVIDENCE IN THE RECORD.
25 IF YOU LOOK AT YOUR STAFF REPORT, YOUR STAFF HAS NOT COME

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1 OUT AND SAID, YES, IT WILL IMPAIR. IT SAID IT MAY. AND
2 IT RAISES ONE POSSIBLE SCENARIO THAT COULD LEAD TO THAT
3 CONCLUSION.

4 IF YOU CHECK ON IN YOUR STAFF PACKET OR
5 YOUR BOARD PACKET ON PAGE 351, THERE'S A MEMORANDUM
6 PREPARED BY MR. DILLON, AND HE MAKES THE STATEMENT THAT
7 YOU CAN'T TELL EITHER WAY WITHOUT THE COUNTY'S PLAN IN
8 FRONT OF YOU.

9 SO THE STAFF HAS NOT COME OUT AND CLEARLY
10 PRESENTED EVIDENCE THAT IT CONTENDS IS DISPOSITIVE OF
11 THIS ISSUE. IF YOU LOOK AT THE STAFF'S ANALYSIS HERE
12 WITH REGARD TO WHAT THEY ESSENTIALLY HAVE AS A WORST-CASE
13 SCENARIO; THAT IS, THAT THE DISPOSAL TONNAGE IS 8800, BUT
14 THE GROSS TONNAGE IS 9,000.

15 ALL THAT IS IT'S A WORST-CASE SCENARIO, BUT
16 TO REACH THAT SCENARIO AND TO REACH THE CONCLUSION THAT
17 THAT WOULD RESULT IN 2-PERCENT DIVERSION, THEY HAVE TO
18 IGNORE SOME OTHER VERY IMPORTANT CONDITIONS THAT ARE
19 PRESENT IN THEIR OWN PERMIT AND IN THE CUP.

20 I'D LIKE TO DIRECT YOUR ATTENTION TO THE
21 PROPOSED PERMIT ON PAGE 12, CONDITION 13, WHICH SAYS,
22 "ALL DRIVERS OF WASTE HAULING VEHICLES THAT WEIGH IN AT
23 THE SCALE SHALL BE QUESTIONED AND DATA RECORDED AS TO THE
24 TYPES OF MATERIALS BEING HAULED.

25 "IF IT IS DETERMINED THAT THE QUANTITY AND



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1 TYPE OF MATERIAL ARE SUCH THAT THE LOAD MAY BE READILY
 2 RECYCLED/DIVERTED, THE DRIVER WILL BE GIVEN LOCATIONS OF
 3 RECYCLERS THAT UTILIZE OR ACCEPT SUCH MATERIALS."

4 CONDITION 14, "THE OPERATOR SHALL UTILIZE
 5 ALL GREEN WASTE DELIVERED TO THE SITE THROUGH THE EXEMPT
 6 SCALE. UTILIZATION MAY TAKE PLACE ON THE COUNTY SIDE, ON
 7 THE CITY SITE, OR EXPORTED OFF-SITE FOR REUSE.

8 "NO WASTE" -- AND THIS IS THE IMPORTANT
 9 SENTENCE -- "NO WASTE WHICH HAS BEEN DETERMINED TO BE
 10 EXEMPT WASTE (REUSABLE OR RECYCLABLE) SHALL BE DISPOSED
 11 AS REFUSE AT THE WORKING FACE OF THE LANDFILL."

12 THAT IS A COMPLETE MANDATE THAT RECYCLABLE
 13 WASTE CANNOT BE DISPOSED OF AT THE LANDFILL.

14 THERE ARE SIMILAR REQUIREMENTS IN THE CUP.
 15 DIRECT YOUR ATTENTION TO PAGE 5, CONDITION 10(K) --- I'M
 16 SORRY. I DON'T HAVE THE FULL PACKAGE, SO I DON'T HAVE
 17 YOUR SUPRA NUMBERING IN HERE.

18 "NOTWITHSTANDING ANY OTHER PROVISION OF
 19 THIS GRANT, THE PERMITTEE SHALL NOT KNOWINGLY DEPOSIT
 20 WASTE INTO THE LANDFILL WHICH IS REQUIRED TO BE DIVERTED
 21 OR RECYCLED IN ACCORDANCE WITH CITIES' AND COUNTIES'
 22 SOURCE REDUCTION AND RECYCLING ELEMENTS, THE COUNTY
 23 INTEGRATED WASTE MANAGEMENT PLAN ADOPTED PURSUANT TO
 24 DIVISION 30 OF THE PUBLIC RESOURCES CODE, AND THE
 25 AGREEMENT ENTERED INTO BETWEEN THE COUNTY AND PERMITTEE

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1 PURSUANT TO PART 2 OF THE ATTACHED MONITORING PROGRAM."

2 AGAIN, THIS MAKES RECYCLING MANDATORY FOR
3 BFI. SO TO ARGUE THAT SOMEHOW IF THERE'S A LIMIT AT
4 9,000 AND THEY'RE TAKING IN 8800 TONS OF REFUSE, THAT
5 ONLY 200 WILL BE DIVERTED WOULD MEAN THAT THEY WOULD HAVE
6 TO BE IN VIOLATION OF THESE OTHER PERMIT CONDITIONS.
7 THESE CONDITIONS APPLY; THEY AFFECT WHAT WILL BE DONE
8 THERE. SO YOUR SCENARIO, YOU KNOW, IF THEY TOOK IN 8900
9 AND ONLY 100 WAS DIVERTED, THEY CAN ONLY DO THAT IF
10 THERE'S NO RECYCLING MATERIAL COMING IN. AND THAT WOULD
11 NOT BE THE CASE.

12 ALSO, I'D LIKE TO POINT OUT, TOO, THAT
13 CONDITION 3 OF YOUR ENCLOSED PERMIT INCORPORATES THE
14 CONDITIONS OF THE CUP. SO THIS LANGUAGE THAT I JUST READ
15 TO YOU IS PART OF THE PROPOSED PERMIT BY THE LEA.

16 I THINK THESE REASONS --- THE CONDITIONS OF
17 THE PERMIT ARE REASONS THAT ARE OVER AND ABOVE THE
18 REQUIREMENTS OF 939 AS TO WHY IT WOULD NOT BE POSSIBLE TO
19 MAKE A PARTICULAR FINDING HERE THAT THIS PERMIT WOULD
20 PREVENT OR SUBSTANTIALLY IMPAIR ACHIEVEMENT OF THE
21 REQUIREMENTS OF AB 939.

22 NOW, ANOTHER ISSUE THAT'S BEEN RAISED TODAY
23 GOES TO THE QUESTION OF VARIABLE LIMITS. AND I BELIEVE
24 MR. HANSON MADE A NUMBER OF VERY GOOD ARGUMENTS IN TERMS
25 OF WHY WE REALLY DON'T HAVE ANY UNENFORCEABLE LIMITS BY

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1 THE WAY THAT THE CUP IS DRAFTED. AND I WOULD CONCUR WITH
2 HIS COMMENTS THERE.

3 I THINK IT'S IMPORTANT HERE THAT THE BOARD
4 REMEMBER THAT ITS ROLE IS TO BE CONSISTENT OR THAT THE
5 PRIMARY RESPONSIBILITY FOR WASTE MANAGEMENT IS AT THE
6 LOCAL LEVEL. THE COUNTY HERE HAS BELIEVED THAT IT NEEDS
7 THE ABILITY TO HAVE A SMALL -- YOU KNOW, AN INCREASE OF
8 2200 TONS PER DAY SHOULD AN EMERGENCY ARISE. THAT SEEMS
9 TO ME TO BE A LEGITIMATE EXERCISE OF LOCAL AUTHORITY TO
10 DEAL WITH WASTE MANAGEMENT ISSUES. AND TO THE EXTENT
11 THAT IT DOESN'T CONFLICT WITH ANYTHING IN YOUR
12 REGULATIONS OR POLICIES, IT WOULD SEEM TO ME THAT THE
13 BOARD SHOULD BE WILLING TO CONCUR IN THAT.

14 IN TERMS OF YOUR REGULATIONS, I WOULD NOTE
15 THAT SECTION 18208, WHICH TALKS TO THE DESIGN --- THE
16 ISSUE OF DESIGN AND CONDITIONS OF LANDFILLS, IN THE
17 COMMENT TO THAT REGULATION, IT STATES, "CONDITIONS SHOULD
18 BE DRAFTED TO ACCOMMODATE FLUCTUATIONS WITHOUT REQUIRING
19 A PERMIT REVISION SO LONG AS SUCH CHANGES DO NOT
20 NECESSITATE ADDITIONAL MEASURES TO CONTROL ENVIRONMENTAL
21 EFFECT."

22 HERE THE ENVIRONMENTAL EFFECTS HAVE BEEN
23 TAKEN INTO CONSIDERATION BY THE COUNTY. AND THEY HAVE
24 DETERMINED THAT THIS LEVEL OF DISPOSAL WOULD BE
25 APPROPRIATE FOR THE LIMITED DURATION THAT THEY HAVE

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1 PROVIDED FOR IN THE PERMIT.

2 WE HAVE REVIEWED YOUR MANUALS AND YOUR
3 INFORMAL POLICY GUIDELINES WITH REGARD TO THE ISSUE OF
4 FIXED VERSUS FLEXIBLE PERMITS. WE SEE NOTHING IN THOSE
5 GUIDELINES OR POLICIES THAT WOULD PROHIBIT THIS TYPE OF A
6 PERMIT CONDITION.

7 ALSO, WE LOOKED OVER SOME OF THE PERMITS
8 THAT YOU'VE ISSUED IN THE LAST SIX TO EIGHT MONTHS. AND
9 WE NOTE THAT THERE ARE A NUMBER OF LANDFILLS WHERE THERE
10 HAVE BEEN PERMITS THAT HAVE CONDITIONS THAT ALLOW
11 INCREASES OVER TIME.

12 THE ANDERSON SOLID WASTE LANDFILL HAD
13 MAXIMUM PERMITTED CAPACITY SET WITH A GRADUATED STEP
14 GOING UP EACH YEAR FOR THE NEXT FIVE YEARS. SIMILARLY,
15 THERE WAS A GRADUATED DISPOSAL CAPACITY AT GUADALUPE
16 DISPOSAL SITE AND, AGAIN, COVERING THE PERIOD OF 1991 TO
17 '96; IN OTHER WORDS, EACH YEAR THE TONNAGE WENT UP BY
18 SOME PERCENTAGE.

19 THE GUADALUPE DISPOSAL SITE PERMIT ACTUALLY
20 CONTAINS LANGUAGE THAT SAYS -- IN ADDITION TO THE
21 GRADUATED LIMIT, IT CONTAINS LANGUAGE SAYING OR SUCH OR
22 MAXIMUM AMOUNTS SPECIFIED BY THE LEA. NOW, THAT
23 OBVIOUSLY GIVES DISCRETION TO THE LEA TO ADJUST THE
24 PARTICULAR MAXIMUM TONNAGE AT THAT SITE.

25 I THINK THE FLEXIBLE PERMIT AS PROPOSED BY

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1 THE LEA HERE IS CLEARLY ENFORCEABLE. THE ONE POINT THAT
2 I THINK THAT'S VERY, VERY CLEAR HERE IS THAT, TO THE
3 EXTENT THE MAXIMUM TONNAGE GOES OVER 6600, IT IS AT THE
4 REQUEST OF THE LEA AND THE BOARD OF SUPERVISORS. AND
5 IT'S TO DEAL WITH THE SITUATION OF AN EMERGENCY. BFI
6 DOES NOT HAVE THE ABILITY TO INCREASE ITS TONNAGE ABSENT
7 SUCH A REQUEST FROM THE LEA AND ABSENT APPROVAL BY THE
8 BOARD OF SUPERVISORS.

9 WE'RE TALKING ABOUT A LIMITED DURATION
10 HERE. THE MAXIMUM AMOUNT WOULD BE 313 DAYS OVER THE
11 TEN-YEAR PERIOD OF THE PERMIT. IT COULD BE SHORT PERIODS
12 OF TIME WITHIN THE TEN YEARS, A COUPLE WEEKS HERE, A
13 COUPLE WEEKS THERE, OR IT COULD BE THE WHOLE 313 DAYS AT
14 ONE TIME. THAT WOULD BE UP TO THE BOARD OF SUPERVISORS
15 BASED UPON THEIR DETERMINATION THAT A NEED FOR THAT
16 ADDITIONAL DISPOSAL CAPACITY EXISTED AT BFI.

17 WITH REGARD TO WHETHER IT'S ENFORCEABLE OR
18 NOT, THE LEA IN ENFORCING THE CONDITION NEED ONLY HAVE
19 BEFORE HIM THE APPROVAL OF THE BOARD OF SUPERVISORS AND
20 THE DETAILED RECORDS THAT ARE REQUIRED TO BE KEPT AT THE
21 FACILITY OF WHAT'S COMING IN AND BEING DISPOSED OF.

22 THAT'S WHAT THOSE TWO PIECES OF
23 INFORMATION, THAT'S ALL ONE NEEDS TO DO TO BE ABLE TO
24 ENFORCE THAT PARTICULAR PERMIT.

25 IF YOU HAVE ANY QUESTIONS, WE'D BE HAPPY TO

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1 ANSWER THEM. BUT I BELIEVE THAT THE BOARD -- THAT IT'S
2 CLEAR HERE THAT THERE IS NO CONFLICT WITH AB 939. THIS
3 CONDITION OR THIS PERMIT AS PROPOSED IS CONSISTENT; IT
4 MEETS THE NEED FOR DISPOSAL CAPACITY.

5 THERE IS NOTHING IN THIS PERMIT THAT
6 CONFLICTS WITH RECYCLING OR DIVERSION GOALS. IN FACT,
7 THIS PARTICULAR PERMIT IS VERY AGGRESSIVE IN SAYING THAT
8 BFI WILL NOT DISPOSE OF WASTE THAT COULD BE RECYCLED. I
9 DON'T THINK YOU CAN GET MUCH CLEARER THAN THAT.

10 THANK YOU.

11 CHAIRMAN HUFF: THANK YOU. ANY QUESTIONS?

12 OKAY. I NEGLECTED TO -- TURN ON MY
13 MICROPHONE. I NEGLECTED TO MENTION THAT I ALSO HAD A
14 LETTER FROM STATE SENATOR NEWT RUSSELL RELATIVE TO
15 SUNSHINE CANYON. ALTHOUGH HIS LETTER IS FOCUSED MORE ON
16 THE RESTORATION OF STREAMS AND RIPARIAN HABITAT THAN IT
17 IS ON THE PERMIT DIRECTLY.

18 OKAY. AT THIS POINT, HAVING HEARD FROM THE
19 OPERATORS, I WOULD ASK THAT WE -- WE GOT A SECOND LETTER
20 FROM ASSEMBLYPERSON BOLAND CORRECTING A TYPO IN THE FIRST
21 LETTER.

22 OTHER PROPONENTS, PLEASE. OTHER
23 PROPONENTS. AND IF YOU'RE NOT ORGANIZED, I'LL START
24 CALLING OUT NAMES FROM THE INDICATION I HAVE OF
25 PROPONENTS.

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1 FIRST ONE I HAVE IS BARBARA B-A-E-R-G, IS
2 THAT -- SHE HAD TO LEAVE. OKAY.

3 THEN I HAVE SHERRY BUCKY. IS SHE HERE?
4 SHE'S NOT HERE. OKAY.

5 I HAVE A PAUL FEIST.

6 MR. FEIST: HERE. I MUST CONFESS -- OH, BY THE
7 WAY, I AM REPRESENTING THE SUN VALLEY AREA CHAMBER OF
8 COMMERCE. WE WANTED TO EXPRESS OUR APPROVAL OF THIS
9 PROJECT.

10 I MUST CONFESS THAT THE DISCUSSION TODAY
11 HAS GONE INTO DETAILS WHICH WE WERE NOT PREPARED TO
12 ADDRESS. HOWEVER, IN GENERAL, WE DO FEEL THAT THE
13 VARIOUS AGENCIES INVOLVED CAN HANDLE THIS.

14 IN THE FIRST PLACE, OUR REASONS FOR
15 ENDORSING THIS ARE, NO. 1, THE OBVIOUSLY -- THE OBVIOUS
16 NEED FOR ADDITIONAL LANDFILL CAPACITY DUE TO THE GROWTH
17 OF THE AREA, THE POPULATION GROWTH, AND THAT WE MUST
18 CERTAINLY PROVIDE MORE SPACE FOR LANDFILL. THE AREA
19 ITSELF HAS THE ADVANTAGE OF BEING QUITE REMOTE AND
20 SHIELDED FROM THE VIEW OF NEIGHBORS LARGELY BY RIDGES AND
21 THE GENERAL TERRAIN. THE VISUAL IMPACT SHOULD BE
22 MINIMAL.

23 THE MEASURES -- THE STANDARD MEASURES FOR
24 LANDFILLS, WHICH I BELIEVE WILL BE FOLLOWED HERE,
25 INCLUDING LEACHATE PROTECTION, THE MONITORING OF THIS

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1 SITUATION, THE MEMBRANES, THE OVERALL MEASURES TAKEN TO
 2 PREVENT THE VARIOUS FORMS OF CONTAMINATION, THE PUMPING
 3 OF THE GAS, THE METHANE, AND OTHER GAS GENERATED, AND,
 4 PRESUMABLY, THE SALE OF THESE GASES, ALL SUBJECT TO
 5 CONTROL BY THE PROPER AUTHORITIES, MAKE THIS A --
 6 POSSIBLY WHAT YOU MIGHT CONSIDER A NECESSARY EVIL.

7 BUT, NEVERTHELESS, IT IS MITIGATED. IT'S
 8 SOMETHING THAT WE MUST HAVE. AND I THINK IT'S OUR
 9 FEELING -- THE CHAMBER OF COMMERCE IN SUN VALLEY FEELS
 10 THAT THIS IS ONE OF THE MORE USABLE, MORE IDEAL SPOTS FOR
 11 THIS. AND WE CERTAINLY DO URGE THAT THE PERMIT BE
 12 GRANTED WITHOUT ANY MORE THAN -- ANY FURTHER DELAY,
 13 INSOFAR AS POSSIBLE, SUBJECT TO, OF COURSE, THE
 14 MONITORING AND INSPECTION PROCEDURES THAT WILL GO ALONG
 15 WITH THIS.

16 THANK YOU.

17 CHAIRMAN HUFF: ANY QUESTIONS?

18 IF I MISPRONOUNCE OR MISREAD THESE NAMES
 19 IT'S BECAUSE OF MY EYESIGHT, NOT YOUR HANDWRITING.

20 ANN --- I DON'T KNOW, BOY, SORRY --- K-I-M ---

21 UNIDENTIFIED SPEAKER: CANCEL. SHE HAD TO
 22 LEAVE, BUT SHE LEFT HER WRITTEN TESTIMONY.

23 CHAIRMAN HUFF: ALL RIGHT. I HAVE A JAMES
 24 STEWART.

25 MR. STEWART: GOOD AFTERNOON, MY NAME IS JAMES



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1 STEWART. I'M A RESIDENT OF PANORAMA CITY. I'M HERE
2 REPRESENTING THE 1100 MEMBERS OF THE MID-SAN FERNANDO
3 VALLEY CHAMBER OF COMMERCE, WHICH IS THE LARGEST CHAMBER
4 IN THE VALLEY.

5 WE SUPPORT THE CONTINUED OPERATION AND
6 EXPANSION OF SUNSHINE CANYON. THERE ARE NO REASONABLE
7 ALTERNATIVES AT THIS POINT. NONE OF US REALLY WANT
8 LANDFILLS, BUT WE HAVEN'T GOT ANY OPTION AT THIS POINT.
9 WE FEEL THE PERMITTING AND ENFORCEMENT PROCESS THAT
10 CURRENTLY IS EXISTENT IS SUFFICIENT. AND TO DENY THIS
11 PERMIT WOULD CREATE AN INCREASE IN REFUSE DISPOSAL COSTS
12 WHICH THE BUSINESSES OF THIS CITY COULD ILL AFFORD
13 BECAUSE OF A FLIGHT OF BUSINESS FROM THIS CITY, AND THIS
14 WILL BE ONE MORE NAIL IN THE COFFIN.

15 THANK YOU.

16 CHAIRMAN HUFF: OKAY. I BELIEVE IT IS A JUANITA
17 TATE. DID I MISS IT COMPLETELY OR IS SHE HERE?

18 LAST PROPONENTS, AT LEAST THE LAST
19 INDICATION I HAVE OF A PROPONENT, IS JACK MICHAEL. DO
20 YOU HAVE ANY OTHER?

21 MR. MICHAEL: CHAIRMAN HUFF, COMMITTEE MEMBERS
22 RELIS AND EGIGIAN, I'M JACK MICHAEL, REPRESENTING THE
23 COUNTY OF LOS ANGELES.

24 I'D LIKE TO COMMENT TODAY ON A COUPLE
25 ISSUES RAISED BY YOUR STAFF IN THEIR PRESENTATION AND SEE



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1 IF POSSIBLY I CAN REFOCUS SOME OF THOSE COMMENTS IN
2 ADDITION TO THE OPERATOR'S RESPONSE TO THOSE SAME
3 COMMENTS.

4 THE ISSUE, AS I SEE IT, THAT IS OF CONCERN
5 TO THIS COMMITTEE AS EXPRESSED BY THE STAFF IS, FIRST,
6 THE NOTION OF A VARIABLE MAXIMUM TONNAGE LIMIT. AND
7 WITHIN THAT NOTION, THE LOSS OF CONTROL OR THE RELEGATION
8 OF TOTAL AUTHORITY FROM THIS BOARD TO THE LOCAL AGENCIES,
9 AS WELL AS THE NOTION THAT PASSING THAT AUTHORITY ON
10 SOMEHOW COULD BE INTERPRETED TO RESULT IN IMPEDING OR
11 IMPAIRING ACCOMPLISHMENT OF DIVERSION GOALS.

12 I THINK WHAT NEEDS TO BE STRESSED IN THE
13 VARIABLE PERMIT LIMIT WAS THE BASIS, IN PART, FOR THE
14 LOCAL LAND USE DECISION. WE, IN THE COUNTY OF LOS
15 ANGELES, ARE CERTAINLY COMMITTED TO ACHIEVEMENT OF AB 939
16 GOALS, WHICH INCLUDED, IN OUR OPINION, THE NECESSITY TO
17 ASSURE 15 YEARS OF DISPOSAL CAPACITY.

18 WE'RE ALSO FACED, AT THIS POINT IN TIME,
19 WITH SOMETHING LESS THAN FIVE YEARS OF DISPOSAL CAPACITY
20 AND OCCURRENCE FROM TIME TO TIME AT OTHER SITES THAT
21 OPERATE WITHIN THE COUNTY THAT RESULT IN SHORTFALLS OF
22 CAPACITY AT PARTICULAR SITES, SITUATIONS WHERE REFUSE
23 VEHICLES HAVE NO PLACE TO DISPOSE OF THEIR WASTE.

24 SO THE CONCERN OF OUR BOARD OF SUPERVISORS
25 AND PLANNING COMMISSION WAS NOT TO ASSUME SOME AUTHORITY

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1 TO RAISE A DAILY LIMIT SOME WAY, IN SOME WAY SUBVERTING
2 ANY SORT OF STATE AUTHORITY, BUT SIMPLY WITH OUR
3 RESPONSIBILITY OF PROTECTING PUBLIC HEALTH AND SAFETY,
4 HAVING THE ABILITY, PRIMARILY IN AN EMERGENCY SITUATION,
5 TO BE ABLE TO TAKE CARE OF PROBLEMS WITHIN THE COUNTYWIDE
6 WASTE DISPOSAL SYSTEM.

7 I THINK IT'S VERY IMPORTANT TO UNDERSTAND
8 THAT THE LIMIT OF THAT ADDITIONAL CAPACITY, AS WAS STATED
9 EARLIER, IS 313 DAYS OVER A NINE- OR TEN-YEAR LIFE. THAT
10 WAS VERY SPECIFICALLY INCLUDED SO THAT THE GRANTING OF
11 ANY ADDITIONAL TONNAGE WOULD, IN FACT, BE TO DEAL WITH AN
12 EMERGENCY AND NOT BE VIEWED AS SOME LOCAL AUTHORITY TO
13 INCREASE DAILY CAPACITY.

14 IN CONNECTION WITH THAT, IF IT IS
15 UNDERSTOOD THAT THAT IS SIMPLY A VERY LIMITED FLEXIBILITY
16 TO DEAL WITH AN EMERGENCY SITUATION, I THINK IT'S
17 IMPORTANT TO UNDERSTAND, THEN, THAT IN OUR OPINION THE
18 BOARD IS NOT REALLY GIVING AWAY OR RELEGATING ANY
19 AUTHORITY. THEY ARE VERY DELIBERATELY AT THIS POINT
20 DETERMINING THAT UNDER EMERGENCY SITUATIONS THAT, FOR A
21 LIMITED TIME, DAILY TONNAGE COULD BE INCREASED FROM 6600
22 TO 8800 PEAK LOADING DAILY LIMITS.

23 SO YOU ARE NOT REALLY GIVING ANYTHING AWAY.
24 YOU'RE APPROVING A PROCESS THAT WOULD ENABLE US TO DEAL
25 WITH AN EMERGENCY.

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1 AS WELL, WITHIN THAT UNDERSTANDING OF A
2 VERY LIMITED ABILITY TO INCREASE THAT DAILY TONNAGE, I
3 THINK IT'S IMPORTANT TO POINT OUT THAT YOUR STAFF'S
4 ANALYSIS OF HOW INCREASING THAT LIMIT WOULD IMPEDE OR
5 IMPAIR DIVERSION GOALS MUST UNDERSTAND THAT, OVER THE
6 LIFE OF THAT PERMIT, THE NUMBER OF DAYS THAT THE DAILY
7 TONNAGE WOULD INCREASE IS SOMETHING LESS THAN 10 PERCENT.

8 SO, IN FACT, IF YOU LOOK AT THE AMOUNT OF
9 DIVERSION BASED ON THE NUMBERS GAME, THE DIVERSION REALLY
10 DECREASES FROM ABOUT 27 PERCENT TO ABOUT 23 PERCENT IF
11 YOU FACTOR IN ONLY THOSE NUMBER OF DAYS THAT THAT
12 INCREASE CAN TAKE PLACE OVER THE LIFE OF A PERMIT.

13 BEYOND THE NUMBERS GAME, HOWEVER, I DON'T
14 BELIEVE THAT THE LIMIT OR THE DISCUSSION REALLY HAS ANY
15 RELEVANCE TO IMPEDING OR IMPAIRING DIVERSION. REALLY,
16 WHAT THE PERMIT CONDITIONS ESTABLISH IS THAT NO EXEMPT
17 WASTE, AS DEFINED IN THE PERMIT, THAT BASICALLY BEING
18 WOOD, GREEN WASTE, ROCKS, RUBBLE, DIRT, ARE ALLOWED TO BE
19 DISPOSED.

20 AND, IN FACT, AS INDICATED BY THE OPERATOR
21 IN READING SECTIONS OF THE PERMIT, DIVERSION WILL TAKE
22 PLACE AND NOT NECESSARILY JUST AT THAT SITE. SO THE FACT
23 THAT THERE IS A PROVISION FOR EXEMPT WASTE AND AN UPPER
24 LIMIT WAS SIMPLY BASED ON WHAT WAS NECESSARY, IN OUR
25 OPINION, TO MEET ENVIRONMENTAL MITIGATION FACTORS.

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1 SO I THINK, IN CONCLUSION, IT'S CLEAR THAT
2 WITH THE COMMITMENT AND THE MANDATE TO MEET AB 939 GOALS
3 THROUGHOUT THE UNINCORPORATED AREA, AND THAT SAME MANDATE
4 HAS A RESPONSIBILITY ON EVERY CITY IN OUR COUNTY, THAT IT
5 IS CLEAR THAT THIS FACILITY IN NO WAY IMPEDES OR IMPAIRS
6 MEETING THOSE GOALS AND, IN FACT, IS ESSENTIAL IN MEETING
7 THE OTHER REQUIREMENTS OF 939 TO ASSURE 15 YEARS OF
8 DISPOSAL CAPACITY.

9 BE HAPPY TO ANSWER ANY QUESTIONS THAT YOU
10 MAY HAVE.

11 CHAIRMAN HUFF: QUESTIONS OF MR. MICHAEL? WE
12 HAVE NONE.

13 MR. MICHAEL: THANK YOU.

14 CHAIRMAN HUFF: OKAY. IT IS MY UNDERSTANDING
15 THAT THAT IS ALL OF THE PROPONENTS WHO WISH TO SPEAK. I
16 WILL TAKE THE OPPONENTS NOW. AND I HAVE A GROUP OF
17 OPPONENTS THAT ALL CAME TO ME IN A PAPER CLIP. AND I
18 UNDERSTAND THAT THEY KNOW WHICH ORDER, SO I DON'T NEED TO
19 SIT HERE AND PLAY TRAFFIC COP.

20 AHEAD OF THEM, HOWEVER, I WOULD SIMPLY LIKE
21 TO ASK, BECAUSE THESE ARE PEOPLE WHO REPRESENT VARIOUS
22 OTHER PUBLIC OFFICIALS, JOHN DAVIS, WHO REPRESENTS
23 ASSEMBLYMEMBER PAULA BOLAND, DOES HE WISH TO --

24 MR. DAVIS: YOU ALL HAVE THE LETTER WITH THE
25 TYPO FIXED? NICE BIG CHANGE. I'D LIKE TO READ THE

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1 LETTER SO EVERYONE COULD HEAR IT.

2 CHAIRMAN HUFF: WE'VE READ IT.

3 MR. DAVIS: OKAY. YOU'VE ALL READ IT. OKAY.
4 THERE ARE A COUPLE OF POINTS THAT I WOULD LIKE --

5 CHAIRMAN HUFF: THAT WOULD BE FINE.

6 MR. DAVIS: OKAY. I THINK THE MAIN -- OR A
7 COUPLE OF THE MAIN POINTS. DUST CREATED BY THE HIGH
8 WINDS IN THE AREA WILL CONTINUE TO BE A PROBLEM MANY
9 TIMES THROUGH THE YEARS. I PERSONALLY HAVE SEEN DUST AND
10 SOOT THAT HAS BLOWN OFF THE LANDFILL SITE COVERING HOMES
11 AND CARS IN GRANADA HILLS.

12 IT IS IMPORTANT TO NOTE THAT IN HIS LETTER
13 OF SEPTEMBER 1, 1988, MR. PARKER STATED, IN THE CONTEXT
14 OF THE STRONG WINDS WHICH BLOW FROM THE NORTH, THIS
15 LANDFILL IS PROBABLY IN A BAD OR IN A POOR LOCATION.

16 SINCE ALL RESIDENTIAL DEVELOPMENT IN THE
17 AREA AND THE VAN NORMAN RESERVOIR BOTH LIE IMMEDIATELY TO
18 THE SOUTH OF THE LANDFILL, RUBBISH AND DUST BLOWING FROM
19 THE PROPOSED LANDFILL EXPANSION MAY LITTER OUR STREETS
20 AND POLLUTE THE SINGLE MOST IMPORTANT SOURCE OF DRINKING
21 WATER FOR LOS ANGELES. IN THIS TIME OF SEVERE DROUGHT
22 AND REDUCED DELIVERIES FROM THE COLORADO RIVER, IT IS
23 IMPERATIVE THAT WE DO ALL IN OUR POWER TO PROTECT OUR
24 PRECIOUS WATER RESOURCES.

25 CHAIRMAN HUFF: TO SAY NOTHING OF REDUCED

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1 SUPPLIES FROM THE DELTA.

2 MR. DAVIS: YES. AND YOU ALL HAVE THE LETTER.
3 THANK YOU.

4 CHAIRMAN HUFF: OKAY. CHRIS FOSTER,
5 REPRESENTING CITY OF LOS ANGELES.

6 MR. FOSTER: GOOD AFTERNOON, MR. CHAIRMAN,
7 COMMITTEE MEMBERS. MY NAME IS CHRISTOPHER FOSTER. I'M A
8 LAWYER WITH THE MANATT PHELPS LAW FIRM, AND I'M HERE
9 REPRESENTING THE CITY OF LOS ANGELES.

10 MY COMMENTS ARE EXTREMELY BRIEF. THE CITY
11 JUST WANTS TO ENSURE THAT THE COMMITTEE AND, IN TURN, THE
12 BOARD IS AWARE OF THE CITY'S OPPOSITION TO THIS PROJECT
13 AS PROPOSED.

14 IF I CAN ANSWER ANY QUESTIONS, I'D BE HAPPY
15 TO.

16 CHAIRMAN HUFF: ANY QUESTIONS? OKAY. NO
17 QUESTIONS OF THE CITY OF LOS ANGELES TODAY.

18 MR. FOSTER: THANK YOU.

19 CHAIRMAN HUFF: MY EYESIGHT IS BEGINNING TO GO.
20 GREIG SMITH, COUNCILMAN BERNSON'S OFFICE?

21 MR. SMITH: YES. MR. CHAIRMAN, MEMBERS OF THE
22 COMMITTEE, MY NAME IS GREIG SMITH. I'M CHIEF DEPUTY FOR
23 COUNCILMAN HAL BERNSON, CITY OF LOS ANGELES.

24 MR. BERNSON REPRESENTS THE AREA IN WHICH
25 BROWNING-FERRIS INDUSTRIES OPERATES THE SUNSHINE CANYON

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1 LANDFILL.

2 YOU HAVE BEFORE YOU HIS WRITTEN STATEMENT.
3 I WILL SUMMARIZE PORTIONS OF IT IN THE INTEREST OF TIME
4 AS WELL AS EXPAND UPON A FEW OTHER ISSUES.

5 YOUR FIRST ISSUE THAT HE ASKED YOU TO
6 CONSIDER, YOU'VE ALREADY ADDRESSED AND THAT IS DEALING
7 WITH THE ISSUE OF THE CITY SUING BROWNING-FERRIS
8 INDUSTRIES AND THE COUNTY OVER THIS EXPANSION, AND THAT
9 IT WOULD BE INAPPROPRIATE AT THIS TIME TO RULE ON IT. I
10 UNDERSTAND YOU HAVE NO CHOICE AND YOU DO NEED TO RULE, SO
11 WITH THAT IN MIND, I'LL CONTINUE.

12 THE IMPORTANT THING I WANT TO BRING TO YOUR
13 ATTENTION IS THE INCREDIBLE MISERABLE RECORD THAT
14 BROWNING-FERRIS INDUSTRIES HAS HAD IN ITS OPERATION OF
15 SUNSHINE CANYON LANDFILL IN THE CITY OF LOS ANGELES.

16 AS WE SIT HERE TODAY, THERE ARE 15
17 CONDITIONS GOING BACK AS FAR AS SOME OF THEM TO 1966, ITS
18 ORIGINAL GRANT, THAT HAVE NOT BEEN MET. WE'VE HAD
19 REVOCATION HEARINGS. WE HAVE HELD ONE ZONING APPEALS
20 HEARING. WE'VE HAD PROBABLY ABOUT A DOZEN HEARINGS OVER
21 THE LAST THREE YEARS ON BROWNING-FERRIS OPERATIONS AND
22 THEIR UNWILLINGNESS TO COOPERATE.

23 I THINK IF YOU LOOK AT THE LAST PAGE OF
24 THAT DOCUMENT, YOU'D SEE SOME COMMENTS BY ONE OF OUR
25 ZONING COMMISSIONERS AT A RECENT HEARING WHERE HE SAID HE

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1 WOULD BE VERY UNWILLING TO GIVE THEM ANYTHING IN THE
2 FUTURE BASED ON THE WAY THEY'VE OPERATED IN THE PAST.

3 AN IMPORTANT ELEMENT, WHICH MR. WISE MISSED
4 WHEN HE TALKED TO YOU ABOUT THE WAY THE DUMP IS GOING TO
5 BE CONFIGURED, HE SAID THERE'S A STACKING ROAD. HE
6 DIDN'T MENTION TO YOU THAT THE ENTRANCE TO THE LANDFILL
7 IS IN THE CITY OF LOS ANGELES, AND THEY HAVE NO PERMIT AT
8 THIS TIME TO USE THAT ROAD.

9 OUR ZONING ADMINISTRATOR NOTIFIED THEM LAST
10 YEAR THEY NEED TO APPLY FOR A ZONING APPROVAL TO USE THE
11 ROAD, AND THEY HAVE NOT DONE SO.

12 I CAN GUARANTEE YOU THE CITY OF LOS ANGELES
13 WILL NOT PERMIT THEM TO USE THAT ROAD BASED ON THE FACT
14 THEY HAVE SUCH A MISERABLE RECORD WITH US AT THIS TIME.
15 WITH 15 OUTSTANDING UNMET CONDITIONS, WE'RE NOT GOING TO
16 GIVE THEM ANY NEW PERMITS.

17 I WOULD SHOW YOU SECONDLY, NEXT TO THE LAST
18 PAGE OF THAT, IS SOME OF THE TESTIMONY BY BROWNING-FERRIS
19 ATTORNEYS AT THE MOST RECENT ZONING APPEALS HEARING, IN
20 WHICH THEY SAID THEY DIDN'T WANT TO COMPLY WITH SOME OF
21 THE CONDITIONS BECAUSE IT COST TOO MUCH. BECAUSE IT COST
22 TOO MUCH. NOT BECAUSE THE CITY WAS UNREASONABLE. JUST
23 COST TOO MUCH. AND THEY DIDN'T SEE A REASON FOR SPENDING
24 THAT KIND OF MONEY.

25 WITH THAT KIND OF DISREGARD FOR A PUBLIC

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1 AGENCY'S RULES, I DON'T KNOW HOW THIS COUNTY OR THIS
2 STATE BOARD COULD ALLOW THEM A PERMIT TO EXPAND.

3 THEY ARE NOT HONEST OPERATORS. THEY ARE
4 NOT GOOD OPERATORS. THEY'VE BEEN A MISERABLE NEIGHBOR TO
5 THE GRANADA HILLS COMMUNITY. THEY'VE SPENT MORE MONEY ON
6 LOBBYISTS AND ATTORNEYS THAN THEY WOULD TO FIX THE
7 PROBLEMS AT THAT LANDFILL. BUT INSTEAD OF FIXING IT,
8 THEY CONTINUE TO FIGHT.

9 RECENTLY AT THE HEARING WHEN WE ASKED THEM
10 ABOUT WHY THEY WERE APPEALING SOME OF THE CONDITIONS THAT
11 WE PUT ON THEM RECENTLY, THEY SAID BECAUSE THEY HAVE TO
12 EXTEND THEIR APPEALS RIGHTS SO THEY COULD GO TO COURT TO
13 FIGHT US. SO THEY'RE GOING THROUGH THE ADMINISTRATIVE
14 PROCESS, WASTING OUR TIME, JUST SO THEY CAN GO TO COURT
15 AND FIGHT US AGAIN. THESE ARE NOT HONEST OPERATORS.

16 YOU TALKED BRIEFLY OF THE -- THE COUNTY
17 REPRESENTATIVE TALKED ABOUT THE DAILY TONNAGE AND THE
18 DIVERSION PERCENTAGES, AND HOW THE CITY'S NONANSWER TO
19 THE PERMIT WOULD CHANGE THOSE NUMBERS.

20 I POINT OUT THAT THE REASON THAT THE CITY
21 OF LOS ANGELES IS SUING THE COUNTY OVER THIS LANDFILL IS
22 THE VERY FACT THAT THE COUNTY PERMIT EXCLUDES THE CITY'S
23 PARTICIPATION. WE HAD AGREED AS A CITY TO A CONDITION
24 THAT SAID IF WE DON'T EXPAND THE DUMP BACK INTO THE CITY,
25 THEN WE COULDN'T USE IT AS A CITY. AND WE SAID, FINE, WE

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1 AGREE TO THAT.

2 THE PERMIT THE COUNTY ISSUED SAYS THAT NO
3 REFUSE HAULER IN THE CITY OF LOS ANGELES PICKING UP
4 REFUSE, WHETHER IT'S MUNICIPAL OR NOT, CAN USE SUNSHINE
5 CANYON. THAT EXCLUDES EVERYBODY. ONE-THIRD OF THIS
6 COUNTY POPULATION COULD NOT USE THAT LANDFILL BY THIS
7 PERMIT. AND THAT IS WRONG.

8 AND TO SAY THAT THE CITY'S NONPARTICIPATION
9 COULD CHANGE THOSE DIVERSION NUMBERS OR THE TONNAGE
10 NUMBERS IS FALLACIOUS BECAUSE WE CAN'T PARTICIPATE BY
11 THEIR OWN PERMIT.

12 THE BFI CORPORATION RECENTLY RECEIVED A
13 CONDITIONAL APPROVAL ON CONDITION NO. 13 OF THE GRANT,
14 WHICH SAID THAT THE CITY HAD TO APPROVE OF THEIR
15 TRANSPORTATION ELEMENT.

16 WHEN WE APPROACHED OUR TRANSPORTATION
17 ENGINEERS, WHO GAVE THAT MINISTERIAL APPROVAL ON WHY THEY
18 DID IT, THEY MERELY SAID ALL WE DID IS LOOK AT THE ROAD
19 DESIGN AND HOW THE TRUCKS COULD GET IN THERE AND WE GAVE
20 THEM PERMIT -- WHAT WE CALL A B PERMIT IN THE CITY TO CUT
21 INTO THE CURBWAY.

22 THEY DID NOT EVER, EVER ANALYZE THE AMOUNT
23 OF TONNAGE, NUMBER OF TRUCKS, WHERE THEY'LL BE COMING
24 FROM, OR WHERE THEY'RE GOING.

25 WHEN WE PRESENTED THEM ADDITIONAL

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1 INFORMATION ON THOSE ELEMENTS, AND THAT THEY ARE NOW
2 CONSIDERING REVOKING THE PREVIOUS LETTER AND POSSIBLY
3 REVOKING THE TRANSPORTATION ELEMENT OF CONDITION 13 OF
4 THE COUNTY'S PERMIT.

5 AND FINALLY, I WANT TO POINT OUT THAT ONE
6 OF THE COMMISSIONERS MENTIONED SOMETHING ABOUT NOT --
7 ABOUT GIVING A FLEXIBLE PERMIT AND SAYING SOME PEOPLE GO
8 OVER THE ALLOCATIONS THAT ARE ALLOWED IN THEIR TONNAGE.

9 IF WE TOOK THAT KIND OF PHILOSOPHY, I SAY
10 WHY DO WE HAVE LAWS. IF WE DON'T PUT CAPS ON THINGS AND
11 EXPECT PEOPLE TO FOLLOW THEM, WHY EVEN HAVE LAWS? WHY DO
12 WE HAVE A SPEED LAW ON THE FREEWAY IF WE SAY, WELL,
13 PEOPLE AREN'T PAYING ATTENTION TO IT, SO LET'S NOT
14 ENFORCE IT?

15 NO. YOU HAVE TO PUT A CAP ON THIS. IF
16 YOU'RE GOING TO PUT A PERMIT HERE, WHICH WE HOPE YOU
17 WON'T, IT SHOULDN'T BE FLEXIBLE. YOU SHOULDN'T GIVE THEM
18 THAT KIND OF AUTHORITY. THEY HAVE HAD -- THEY'VE HAD
19 MORE THAN ENOUGH FLEXIBILITY IN THE CITY OF L.A. AND
20 THEY'VE USED US AND ABUSED US.

21 IF YOU GIVE THEM A FLEXIBLE PERMIT, I
22 GUARANTEE YOU YOU'LL BE ABUSED JUST LIKE THE CITY OF L.A.
23 WAS.

24 I CAN ONLY POINT OUT TO YOU THE LAST
25 SENTENCE IN MR. BERNSON'S LETTER, AND THAT IS DON'T MAKE

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1 THE MISTAKE WE, AS A CITY, MADE. WE'VE LEARNED FROM OUR
2 MISTAKES. THEY WILL NOT GET ANY MORE PERMITS FROM US TO
3 OPERATE. I HOPE THEY DON'T GET ONE FROM YOU.

4 AND I'LL BE HAPPY TO ANSWER ANY QUESTIONS
5 YOU HAVE.

6 CHAIRMAN HUFF: QUESTIONS?

7 BOARD MEMBER EGIGIAN: YES. CAN YOU TELL ME
8 WHAT PROVISIONS THE CITY OF LOS ANGELES HAS TO MEET ITS
9 REQUIREMENTS FOR LANDFILL CAPACITY?

10 MR. SMITH: WE HAVE -- WE HAVE A SANITATION
11 OFFICIAL THAT MIGHT BE BETTER TO ANSWER THAT, BUT WE HAVE
12 A PERMIT REQUESTING FOR EXPANSION OF OUR SUNSHINE --
13 EXCUSE ME -- OUR LOPEZ CANYON.

14 WE HAVE ALSO ENTERED INTO A COUNTY
15 AGREEMENT WITH THE ELSMERE CORPORATION AND THE COUNTY OF
16 L.A. OVER THE USE OF THE ELSMERE LANDFILL, WHICH WILL BE
17 OUR ANSWER FOR THE FUTURE. WE ARE NEGOTIATING A RAIL
18 HAUL SYSTEM WHICH WE LOOK FORWARD IN THE FUTURE. WE ARE
19 ALSO COMPLYING WITH AB 939 AND DOING A GOOD JOB OF
20 GETTING THOSE NUMBERS WHERE THEY BELONG.

21 WE ARE RECYCLING. WE'RE PUTTING A GREEN
22 WASTE PROGRAM ON LINE. WE'RE DOING A LOT TO BRING OUR
23 NUMBERS IN COMPLIANCE WITH 939 IN ADDITION TO PROVIDING A
24 FUTURE PLACE TO DISPOSE OF THAT REFUSE WHICH IS NOT
25 RECYCLABLE.

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1 BOARD MEMBER EGIGIAN: DO YOU HAVE ANY IDEA WHAT
2 YOUR CAPACITY IS TODAY?

3 MR. SMITH: FROM THE MUNICIPAL POINT OF VIEW,
4 WHAT OUR CAPACITY IS AT SUNSHINE?

5 BOARD MEMBER EGIGIAN: YES.

6 MR. SMITH: PENNY, WHAT'S OUR CURRENT PERMIT?

7 MS. PENNY: FOR WHAT?

8 MR. SMITH: FOR LOPEZ.

9 MS. PENNY: LOPEZ CANYON, COUNTY PERMIT, 4,000.

10 MR. SMITH: 4,000 TONS A DAY. WE'RE NOT USING
11 THAT. WE'RE NOT USING 4,000 TONS A DAY.

12 BOARD MEMBER EGIGIAN: YOU DIDN'T GET MY
13 QUESTION. WHAT'S YOUR CAPACITY PROBLEM -- WHAT'S YOUR
14 CAPACITY FIGURES FOR THE LANDFILLS THAT YOU HAVE IN PLACE
15 NOW? HOW MANY YEARS CAN YOUR OWN LANDFILLS TAKE CARE OF
16 THE CITY OF LOS ANGELES?

17 MR. SMITH: IF ELSMERE IS PERMITTED --

18 BOARD MEMBER EGIGIAN: IS THAT IN THE CITY OF
19 LOS ANGELES?

20 MR. SMITH: IT'S ON OUR BORDER AND WE ARE
21 PARTICIPATING IN THE CONSTRUCTION.

22 BOARD MEMBER EGIGIAN: OKAY. BUT I'M TALKING
23 ABOUT TODAY, NOT IF. BECAUSE ELSMERE MAY NEVER COME TO
24 BE. OKAY.

25 MR. SMITH: I REALLY DON'T KNOW THE ANSWER TO

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1 THAT. I'M NOT A SANITATION OFFICIAL.

2 BOARD MEMBER RELIS: NOT GETTING THE QUESTIONS.

3 WHAT --

4 MR. SMITH: WHAT DOES THAT HAVE TO DO WITH
5 SUNSHINE IF WE CAN'T USE IT ON --

6 BOARD MEMBER EGIGIAN: ARE YOU AWARE THAT WE
7 HAVE A LANDFILL CAPACITY PROBLEM?

8 MR. SMITH: YEAH, AND I DON'T BELIEVE IT.
9 THERE'S AN ELEMENT THAT WILL BE PRESENTED LATER ON WHERE
10 COUNTY ADMINISTRATOR SAYS THAT, TOO.

11 YOU ARE ASKING A QUESTION ABOUT THE CITY'S
12 CAPACITY. IT HAS NOTHING TO DO WITH SUNSHINE CANYON. WE
13 ARE NOT ALLOWED TO USE THIS LANDFILL. SO WHAT DOES THE
14 CITY'S CAPACITY HAVE TO DO WITH IT? IF THE CITY CLOSED
15 LOPEZ CANYON TOMORROW, WE'D HAVE A TREMENDOUS PROBLEM.
16 WE COULDN'T GO TO SUNSHINE. WE COULD NOT GO TO SUNSHINE.
17 SO WHAT'S THAT GOT TO DO WITH THIS ISSUE?

18 BOARD MEMBER EGIGIAN: WELL, IT'S GOT A LOT TO
19 DO WITH IT. BECAUSE IF THE CITY OF LOS ANGELES DOES NOT
20 HAVE 15-YEAR CAPACITY TODAY, BASED ON WHAT THE LAW SAYS,
21 THEN THERE IS A PROVISION IN 939 THAT WILL START TO FINE
22 YOU PEOPLE, OKAY.

23 NOW, IT'S BEST THAT YOU THINK ABOUT FINDING
24 OUT WHERE YOUR REFUSE IS GOING.

25 MR. SMITH: WE HAVE. THAT'S WHY WE ENTERED THE

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1 ELSMERE AGREEMENT. THAT'S WHY WE'RE NEGOTIATING A RAIL
2 HAUL AGREEMENT. WE ARE LOOKING FOR THE FUTURE.

3 BOARD MEMBER EGIGIAN: THE RAIL HAUL MAY NEVER
4 HAPPEN. THERE'S MORE PEOPLE SCREAMING ABOUT THE RAIL
5 HAUL THAN EVER WAS. YOU'RE TALKING ABOUT SOMETHING
6 THAT'S NOT HERE. I'M JUST WANTING TO FIND OUT WHAT
7 TODAY.

8 NOW, I'LL TELL YOU ONE THING. I HAULED
9 TRASH IN THE CITY OF LOS ANGELES 40 YEARS AGO. CITY OF
10 LOS ANGELES, SINCE THEY SHUT DOWN THAT INCINERATOR, AND
11 THEY -- MISSION CANYON HAS NEVER HAD A LANDFILL THAT THE
12 PEOPLE THAT HAUL REFUSE IN THE CITY OF LOS ANGELES COULD
13 USE.

14 NOW, YOU SHOULD CONSIDER THIS BEFORE YOU
15 START KNOCKING SOME OTHER LANDFILLS AND TELL US HOW
16 INADEQUATE AND HOW DISHONEST A PARTICULAR COMPANY IS.

17 MR. SMITH: WE HAVE. AND THAT'S WHY WE'VE
18 ENTERED THE ELSMERE AGREEMENT. THAT'S WHY WE'RE
19 PROVIDING A FUTURE FOR THIS COUNTY AND FOR YOU, AS A
20 HAULER.

21 BOARD MEMBER EGIGIAN: WHAT IF ELSMERE DOESN'T
22 HAPPEN?

23 MR. SMITH: THEN WE'LL HAVE TO LOOK ELSEWHERE.
24 AND SUNSHINE MAY THEN BE THE ANSWER. THAT'S FOR
25 TOMORROW. BUT WE'RE DOING THINGS TODAY. WE'RE DOING

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1 THINGS TODAY TO PLAN FOR THE FUTURE. WE ARE NOT TURNING
 2 OUR BACK ON TODAY OR THE FUTURE. WE'RE DOING IT TODAY.
 3 WE'RE OUT THERE NEGOTIATING THESE AGREEMENTS. SUNSHINE
 4 IS NOT THE ANSWER, THOUGH.

5 BOARD MEMBER EGIGIAN: THANK YOU.

6 CHAIRMAN HUFF: ANY OTHER QUESTIONS?

7 NOW, YOU'RE UP.

8 MS. BERGER: MY NAME IS RONA BERGER. MR.
 9 CHAIRMAN, COMMITTEE, THANK YOU FOR HEARING US AND HEARING
 10 OUR PART OF THIS.

11 I'M WITH THE NORTH VALLEY COALITION. I'M
 12 AN OPPONENT TO THIS PROJECT. AND TODAY WE WILL PRESENT
 13 YOU WITH INFORMATION REGARDING THE REASONS WHY WE FEEL
 14 SUNSHINE CANYON LANDFILL SHOULD NOT BE PERMITTED AND
 15 EXPANDED AND THE PERMIT SHOULD NOT BE GRANTED.

16 WE WILL DISCUSS WITH YOU IMPORTANT ISSUES
 17 FOR YOUR CONSIDERATION, SUCH AS THE ADVERSE EFFECTS THAT
 18 THE AMOUNTS WILL HAVE ON THE AREA, SUCH AS THE AIR, THE
 19 WATER, AND PREVIOUS PROBLEMS WE'VE HAD IN THE PAST, ETC.

20 ONE THING I JUST VERY BRIEFLY WANT TO SAY
 21 IS I HOPE THAT, IN LISTENING TO OUR INFORMATION, THAT YOU
 22 PLEASE TAKE INTO CONSIDERATION A COUPLE THINGS.

23 FIRST OF ALL, THIS SITUATION IS AN
 24 EXPANSION. I HAD HEARD EARLIER THAT IT WAS A WHOLE NEW
 25 PROJECT. BUT IN THEIR ENVIRONMENTAL IMPACT REPORT, BFI

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1 DOES STATE THAT IT IS AN EXPANSION. IN FACT, IN THEIR
2 LITIGATION -- THIS WAS TAKEN FROM THEIR BRIEF.

3 IN THE CURRENT COURT LITIGATION, THEY SAY,
4 INDEED, BFI INTENDS TO USE AND EXTEND THE INFRASTRUCTURE
5 AT THE EXISTING LANDFILL IN CONNECTION WITH OPERATIONS IN
6 THE COUNTY PORTION AND EVENTUALLY THE ADDITIONAL CITY
7 PORTION OF THE LANDFILL. THIS INCLUDES PUBLIC UTILITIES
8 SUCH AS ELECTRICITY, WATER, POWER, AND TELEPHONE LINES,
9 AS WELL AS BFI'S EXISTING STRUCTURES, MANAGEMENT, AND
10 EQUIPMENT.

11 SO THIS IS ALL A CONTINUATION, AND THAT'S
12 ONE THING I THINK IS IMPORTANT TO REMEMBER WHEN HEARING
13 THIS.

14 ALSO, AS YOU HEARD, WE HAVE -- WELL, YOU
15 DIDN'T HEAR THIS -- WE HAVE NOT SEEN THE PERMIT. WE HAVE
16 NOT SEEN IT. THEY HAD MENTIONED IT JUST CAME OUT ON
17 FRIDAY, BUT WE HAVEN'T EVEN SEEN IT. AND WE ARE GIVING
18 TESTIMONY REGARDING WHAT WE KNOW, BUT THAT IS -- ONE OF
19 OUR SITUATIONS IS THAT WE HAVEN'T BEEN GIVEN THAT
20 INFORMATION.

21 ALSO, WE WEREN'T TOLD ABOUT THIS UNTIL TWO
22 WEEKS AGO, AND THEN THAT WAS ONLY TO ONE PERSON. AND THE
23 OTHER FEW OF OUR GROUP THAT RECEIVED INFORMATION ABOUT
24 TODAY'S HEARING RECEIVED IT ON THE 13TH. SO IT'S BEEN
25 VERY DIFFICULT FOR US TO GET OUR PEOPLE TOGETHER AND OUR

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1 CASE TOGETHER.

2 THANK YOU VERY MUCH FOR HEARING US. AND
3 NOW ROSEMARY WOODLOCK WILL SPEAK.

4 MS. WOODLOCK: MY NAME IS ROSEMARY WOODLOCK.
5 I'M THE ATTORNEY FOR THE NORTH VALLEY COALITION.

6 EVEN THOUGH THE NORTH VALLEY COALITION WAS
7 JOINTLY SUING THE COUNTY OF LOS ANGELES WITH THE CITY, I
8 WOULD LIKE TO MAKE IT CLEAR THAT WE ARE NOT APOLOGISTS
9 FOR THE CITY, AND THE REASON WE WERE BOTH ON IT WAS THAT
10 OUR CASES WERE CONSOLIDATED.

11 WE HAVE SERIOUS DISAGREEMENTS WITH THE WAY
12 THE CITY HAS HANDLED ITS LANDFILL PROBLEMS, AND SO WE
13 MAKE NO APOLOGIES FOR THE FACT THAT YOU DON'T HAVE
14 INFORMATION FROM THEM.

15 ONE OF THE ANSWERS TO THE QUESTION AS TO
16 WHAT THE CITY IS DOING WAS IGNORED BY THE COUNTY. THE
17 NORTH VALLEY COALITION, EVEN THOUGH THIS WAS CLOSER TO
18 THEIR HOMES, OFFERED TO ALLOW, IF YOU RECALL, WHAT -- YOU
19 PROBABLY SAW THE PHOTOGRAPH, OR YOU'LL BE ABLE TO SEE IT
20 LATER -- THERE WAS A GRADED PORTION UP THERE THAT'S
21 WITHIN THE CITY LIMITS. THEY SUGGESTED THAT THE LAND --
22 AND IT'S ADJACENT TO THE EXISTING LANDFILL -- THE NORTH
23 VALLEY COALITION SUGGESTED THAT THAT AREA BE USED TO
24 SOLVE WHATEVER IMMEDIATE CRISIS THERE IS. AND YOU WILL
25 HEAR LATER THAT THE COUNTY HAS BACKED AWAY FROM THE FACT



1 THAT THERE IS A CRISIS.

2 AS IT TURNED OUT, WHEN THAT AREA WAS
3 FINALLY ANALYZED, IT WOULD HOLD THE SAME 17 -- ACTUALLY
4 MORE -- IT WOULD HOLD 17.5 MILLION TONS, WHERE THE AMOUNT
5 PERMITTED BY THE COUNTY WILL ONLY HOLD 17. WE FELT THIS
6 WAS A REASONABLE AND ENVIRONMENTALLY SOUND EXPANSION. SO
7 THAT'S ONE OF THE REASONS WHY THE CITY DOES NOT HAVE AN
8 ANSWER.

9 THE SECOND REASON, AND IT'S PROBABLY ONE OF
10 THE MORE UNUSUAL OBJECTIONS YOU'VE EVER HAD TO A PERMIT,
11 IS THE FACT THAT THE COUNTY DOES NOT ALLOW THE CITY TO
12 DUMP SOLID WASTE IN ITS LANDFILLS, AND THE CITY DOES NOT
13 ALLOW THE COUNTY TO DUMP IN THEIRS.

14 THE CONDITIONAL USE PERMIT VIOLATES THE
15 STATE CONSTITUTION, ARTICLE 1, SECTION 7, WHICH IS --
16 TRACKS THE COMMERCE CLAUSE OF THE U.S. CONSTITUTION, BUT
17 IS RESTRICTED TO THE CITIZENS OF CALIFORNIA IN THAT IT
18 SIMPLY STATES THAT A CITIZEN OR CLASS OF CITIZENS MAY NOT
19 BE GRANTED PRIVILEGES OR IMMUNITY NOT GRANTED ON THE SAME
20 TERMS TO ALL CITIZENS.

21 THE CONDITIONAL USE PERMIT STATES THAT IF
22 THE CITY OF LOS ANGELES DOES NOT PERMIT AN ADDITIONAL 20
23 MILLION TONS -- SO AGAIN THE STATEMENT THAT THIS IS ONLY
24 THE 17 MILLION TONS -- BY 1992 WILL BE UNABLE TO DUMP ANY
25 TRASH WHATSOEVER IN SUNSHINE CANYON.

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1 THIS BECOMES EXTREMELY IMPORTANT IF YOU
2 LOOK AT THE CONDITIONAL USE PERMIT AND CONDITION NO. 7,
3 WHICH STATES THAT IF ANY PROVISION OF THIS GRANT IS HELD
4 OR DECLARED TO BE INVALID, THIS PERMIT SHALL BE VOID.

5 SO HERE WE HAVE A SITUATION WHERE THE
6 COUNTY, IN ORDER TO PUSH THE CITY OF LOS ANGELES INTO
7 PERMITTING 20 MILLION TONS OF GARBAGE WITHIN ITS BORDERS
8 BY A CERTAIN DATE, WILL DENY ITS CITIZENS ACCESS TO WHAT
9 IS ESSENTIALLY A PUBLIC UTILITY.

10 WE FEEL THAT THAT IS WHOLLY
11 UNCONSTITUTIONAL. WE RAISED THAT ISSUE IN COURT. AND AS
12 THE JUDGE DECLARED, YOU'RE RESERVING YOUR ISSUES FOR
13 APPEAL.

14 AS I DISCUSS OTHER ISSUES TODAY, WHEN I'M
15 REFERRING TO CEQA REQUIREMENTS, I AM REFERRING TO CEQA
16 REQUIREMENTS WHETHER OR NOT THE JUDGE RULES IN OUR FAVOR.
17 AND WE FEEL THAT SINCE HE HAS HAD THIS CASE UNDER
18 SUBMISSION FOR TWO WEEKS, IT CAN ONLY BE IN OUR FAVOR.

19 SO THAT BECAUSE OF THE FACT THAT THE BOARD
20 IS A RESPONSIBLE AGENCY AND BECAUSE THE LOS ANGELES CITY
21 IS A RESPONSIBLE AGENCY, THERE ARE STILL CEQA
22 REQUIREMENTS THAT MUST BE COMPLIED WITH.

23 AS MR. SMITH STATED, THERE ARE NO APPROVALS
24 FROM THE CITY OF LOS ANGELES. AND WE FAIL TO SEE HOW YOU
25 COULD CONCUR IN THIS APPROVAL WHEN THE COUNTY -- OR THE

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1 LANDFILL OPERATOR HAS -- DOES NOT HAVE ACCESS TO THE
2 ACCESS ROAD BECAUSE IT HAS NOT BEEN APPROVED. IT HAS
3 BEEN CLOSED SINCE SEPTEMBER.

4 ADDITIONALLY, I RECEIVED A COPY OF THE
5 REPORT JUST AT THE LAST BREAK, SO I HAVEN'T HAD A CHANCE
6 TO LOOK AT ALL OF IT, BUT THERE IS A STATEMENT IN HERE
7 AND THIS, WE FEEL, IS THE DANGER OF NOT ALLOWING THE
8 PUBLIC ACCESS TO THE INFORMATION AHEAD OF TIME.

9 IT'S ON AN UNNUMBERED PAGE, AT LEAST ON MY
10 COPY, WHERE IT MAKES THE FINDINGS. AND IT HAS THE
11 DESCRIPTION OF THE FINDINGS. AND IT STATES THAT THERE'S
12 A MAIN OFFICE BUILDING, THREE SMALL VEHICLES, SCALE
13 BUILDINGS, A COMBINATION, ET CETERA, THE INFRASTRUCTURE,
14 IN SHORT, FOR THIS LANDFILL OPERATION.

15 THOSE ARE ALL LOCATED ON THE CITY OF LOS
16 ANGELES. AND THOSE ARE ALL SUBJECT TO A VARIANCE THAT
17 EXPIRED LAST YEAR. AND THERE IS NO NEW APPLICATION TO
18 ALLOW THOSE BUILDINGS TO OPERATE FOR ANY PURPOSE, LET
19 ALONE AS A LANDFILL.

20 THE ZONING ADMINISTRATOR DURING THE
21 ENVIRONMENTAL IMPACT REPORT HEARINGS STATED THAT PROBABLY
22 A GENERAL PLAN AMENDMENT AND MOST CERTAINLY A ZONE CHANGE
23 WAS REQUIRED.

24 FURTHERMORE, THE ACCESS ROAD WILL BE GOING
25 THROUGH A RIPARIAN HABITAT. THE OAK TREES OF THAT

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1 RIPARIAN HABITAT WERE NOT COUNTED IN THE EIR. THAT WAS
2 LEFT TO A SUBSEQUENT EIR BY THE CITY. AND IT WILL BE
3 SUBJECT TO AN OAK TREE PERMIT BY THE CITY. YOU ALSO HAVE
4 ADDITIONAL WETLANDS DESTRUCTION THAT HAS NOT BEEN
5 CONSIDERED.

6 CHAIRMAN HUFF: COULD I INTERJECT HERE?

7 MS. WOODLOCK: CERTAINLY.

8 CHAIRMAN HUFF: NOW, A LOT OF THOSE ARE EIR
9 ISSUES, THE REMEDY FOR WHICH DOES NOT REST WITH US.

10 MS. WOODLOCK: OH, I BEG TO DIFFER WITH YOU.

11 UNDER SECTION 44012 OF YOUR CODE, IT STATES
12 THAT THE PRIMARY CONSIDERATION MUST BE TO THE
13 ENVIRONMENT. WHILE YOUR REGULATIONS FOR THE PERMITTING
14 PROCESS ONLY REQUIRE THE CERTIFICATION DOCUMENTS FROM THE
15 COUNTY, YOU STILL, AS A RESPONSIBLE AGENCY, HAVE THE
16 RESPONSIBILITY TO CONSIDER ALL ASPECTS OF CEQA AS YOU'RE
17 PROCESSING THE APPLICATIONS BECAUSE THE COUNTY
18 SPECIFICALLY --

19 CHAIRMAN HUFF: DID YOU CATCH THAT CODE
20 CITATION, MR. CONHEIM?

21 MS. WOODLOCK: 44012.

22 ATTORNEY CONHEIM: I DID.

23 CHAIRMAN HUFF: I WILL ASK YOUR RESPONSE TO THAT
24 IN A LITTLE WHILE.

25 MS. WOODLOCK: BUT, IN ADDITION, THERE IS THIS

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1 PROBLEM AS A RESPONSIBLE AGENCY BECAUSE THE COUNTY
2 SPECIFICALLY LEFT OFF CERTAIN ANALYSES, SUCH AS
3 RECYCLING. THE TRAFFIC IMPACTS WERE ONLY DONE FOR 6600
4 TONS. THERE WAS NO ENVIRONMENTAL ANALYSIS FOR GOING
5 BEYOND THAT POINT.

6 SO THAT THE -- NOT ONLY THE PROBLEM OF THE
7 ROAD AS APPROVED BY L.A. CITY, BUT ALSO THIS PARTICULAR
8 PROBLEM THAT IF L.A. CITY DOES NOT DO A SUBSEQUENT EIR,
9 THIS AGENCY MAY BE REQUIRED TO DO SO.

10 FURTHERMORE, THE CITY OF LOS ANGELES WILL
11 PROBABLY DO AN EIR AS SOON AS THE COURT HAS FINALLY
12 DETERMINED THE ISSUE ONE WAY OR THE OTHER, UNLESS THE
13 COURT REQUIRES THE COUNTY TO REDO IT. OBVIOUSLY, THERE'S
14 NO SENSE IN STARTING THE EIR PROCESS IF THE COUNTY MAY
15 HAVE TO REDO IT.

16 UNDER THOSE CIRCUMSTANCES, THIS AGENCY
17 CANNOT ACT AS A RESPONSIBLE AGENCY. IT WOULD HAVE TO
18 ACT. IT WOULD HAVE TO WAIT UNTIL THE SUBSEQUENT EIR IS
19 COMPLETED. SO FOR THAT REASON, WE FEEL THAT THE ONLY
20 THING YOU CAN DO IS OBJECT TO THIS PERMIT AS BEING
21 PREMATURE AT THIS TIME UNTIL ALL OF THESE ISSUES ARE
22 RESOLVED.

23 I THINK MS. RUBALCAVA'S STATEMENTS WITH
24 RESPECT TO SECTION 44009 -- AND I APOLOGIZE, IN MY LETTER
25 I HAVE A TYPO ON THAT -- THE COUNTY EIR REJECTED

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1 ALTERNATIVE TECHNOLOGIES AND ANY DISCUSSION OF RECYCLING.
2 AND SHE MADE A VERY STRONG ARGUMENT AS TO WHY IT IS THE
3 LOCAL ENFORCEMENT AGENCY, AND ABSENT THE LOCAL
4 ENFORCEMENT AGENCY, THIS AGENCY'S RESPONSIBILITY TO MAKE
5 SURE THAT THIS DOES NOT PREVENT OR SUBSTANTIALLY IMPAIR
6 ACHIEVEMENT. THAT'S WHY THERE'S NOTHING IN THE RECORD TO
7 STATE THAT IT WOULD IMPAIR IT BECAUSE THERE'S ABSOLUTELY
8 NOTHING IN THE RECORD WITH RESPECT TO RECYCLING.

9 AND THIS EX PARTE JUMPING ALL OF A SUDDEN
10 FROM 6600 TO 9,000 WITHOUT ANY SUBSEQUENT ENVIRONMENTAL
11 IMPACT REVIEW BY THE LEA IS ABSOLUTELY UNHEARD OF. THEY
12 HAVE ABSOLUTELY NO RIGHT TO DO THAT UNLESS THEY ARE GOING
13 TO COMPLY WITH THE REQUIREMENTS THAT THEY DID NOT FULFILL
14 DURING THE EIR PROCESS. THIS WAS A VERY CALCULATED MOVE
15 BY THE COUNTY TO AVOID DISCUSSING THEM IN THE 4,000 PAGES
16 OF THE EIR.

17 THE FAILURE OF THE LOCAL ENFORCEMENT -- OH,
18 THE FINAL POINT WE HAVE TO MAKE IS THAT QUITE SIMPLY --
19 OH, GOING BACK TO THE LEA -- THE REQUIREMENT IN THE
20 CONDITIONAL USE PERMIT, THERE IS NO DISCUSSION OF
21 EMERGENCIES. ALL OF A SUDDEN NOW THAT'S THE
22 JUSTIFICATION AS TO WHY THEY MAY HAVE TO GO UP TO 8,000
23 TONS. THERE IS NO DISCUSSION IN THE CONDITIONAL USE
24 PERMIT THAT THAT IS WHAT THE PURPOSE OF THAT JUMP IS.

25 AND SO UNDER THOSE CIRCUMSTANCES, WE ARE

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1 VERY, VERY UNCOMFORTABLE AS TO WHY IT WAS DONE. AND I
 2 THINK THE STATEMENTS BY THE LEA, THAT HE DIDN'T REALLY
 3 UNDERSTAND IT EITHER, HE JUST CHOSE A NUMBER, ARE
 4 INDICATIVE OF THE LACK OF PLANNING, THE LACK OF
 5 FORESIGHT, AND THE LACK OF ENVIRONMENTAL REVIEW FOR THIS
 6 PROCESS.

7 THE OTHER ISSUE WITH RESPECT TO 44009 ON
 8 THE RECYCLING IS THE VERY PECULIAR ELSMERE CANYON JOINT
 9 MEMORANDUM, IN WHICH THE COUNTY REQUIRES THE CITY TO
 10 DEPOSIT 132,000 TONS PER MONTH IN ELSMERE CANYON OR BE
 11 SUBJECT TO SUBSTANTIAL FINANCIAL PENALTIES.

12 WE FEEL THAT THIS WILL DAMAGE THAT
 13 PROVISION IN TWO WAYS. ONE, IT COULD IMPAIR THE ABILITY
 14 OF THE SUNSHINE CANYON OPERATOR TO RECYCLE. RECYCLING IS
 15 AN EXPENSIVE OPERATION, AS WE KNOW. SO THAT THERE MAY BE
 16 A FINANCIAL INCENTIVE TO START CUTTING CORNERS IF THEY'RE
 17 NOT GETTING THIS EXTRA 132,000 TONS PER MONTH.

18 ON THE OTHER HAND, IN ORDER TO MEET THAT
 19 TONNAGE REQUIREMENT, THE CITY MAY START CUTTING CORNERS
 20 ON SOURCE POINT RECYCLING. AND WE ARE VERY CONCERNED
 21 ABOUT THAT. AND WE ARE VERY CONCERNED THAT THERE IS NO
 22 INTEGRATED WASTE MANAGEMENT PLAN FOR THE COUNTY OF LOS
 23 ANGELES.

24 WE HAVE HAD WARRING ENTITIES DOWN THERE,
 25 AND WE'RE LOOKING TO THIS BOARD TO TRY TO RESOLVE SOME OF



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1 THOSE ISSUES.

2 FINALLY, WE DO WANT TO MAKE A FORMAL
3 PROTEST ABOUT THE LACK OF NOTICE FOR THIS MEETING, THE
4 LACK OF ABILITY TO HAVE ACCESS TO THE FILE. AND WE ALSO
5 WOULD LIKE TO PROTEST THE REQUIREMENT THAT THE MEMBERS OF
6 THE PUBLIC NOTIFY THE LEA THAT THEY WANT TO BE NOTICED IF
7 A PERMIT IS APPLIED FOR.

8 WE DID NOT EXPECT BFI, AND THAT OBVIOUSLY
9 IS OUR FAULT, TO APPLY FOR A PERMIT PRIOR TO RECEIVING
10 THEIR CLEARANCE FROM THE CITY OF LOS ANGELES, BUT THEY
11 DID, AND WE WERE UNAWARE OF IT.

12 WE SUGGEST THAT YOU MODIFY THOSE
13 REGULATIONS SO THAT THE LEA NOTIFIES THE LIST OF PEOPLE
14 WHO PARTICIPATED IN THE ENVIRONMENTAL REVIEW PROCESS. WE
15 FEEL THAT THAT IS A FAIR STATEMENT. AND SINCE MOST OF
16 THE PEOPLE WHO WERE NOTIFIED BY MAIL LAST WEEK BY YOUR
17 AGENCY MUST HAVE COME FROM A LIST PROVIDED BY THE COUNTY,
18 WE DON'T THINK IT WOULD BE AN IMPOSSIBLE PROVISION FOR
19 THE LEA TO MEET.

20 THANK YOU VERY MUCH.

21 CHAIRMAN HUFF: OKAY. LET ME RESPOND ON ONE
22 THING.

23 YOU KNOW WHY WE'RE HERE. WE COULD HAVE
24 BEEN IN SACRAMENTO. AND, IN FACT, I WOULD HAVE BEEN MORE
25 COMFORTABLE, BUT YOU ALL WOULDN'T HAVE BEEN. AND WE

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1 THOUGHT IT WAS APPROPRIATE TO COME TO THE COMMUNITY. SO
2 WE DELIBERATELY ARRANGED THIS MEETING, WENT TO THE
3 LOGISTICAL REQUIREMENTS TO BRING OURSELVES TO YOU TO GET
4 YOUR INPUT.

5 WE'VE TRIED TO BE SOLICITOUS OF THE
6 COMMUNITY, OF ALL THE PEOPLE INVOLVED IN TERMS OF BEING
7 ACCESSIBLE. NOTICE OF THIS MEETING WAS SENT WITHIN FIVE
8 HOURS, WITHIN FIVE HOURS, OF OUR AWARENESS OF YOUR
9 REQUEST. WE CAN TALK ABOUT HOW RAPID THE MAIL GOT
10 DELIVERED. BUT WITHIN FIVE HOURS OF OUR AWARENESS OF
11 YOUR REQUEST, WE TURNED AROUND AND SENT WRITTEN NOTICE OF
12 THE MEETING.

13 SO I'M AFRAID I'M NOT TERRIBLY IMPRESSED BY
14 ARGUMENTS ABOUT PUBLIC ACCESS. WE'VE TRIED.

15 MS. WOODLOCK: NO. WE'RE NOT AS MUCH -- WE
16 UNDERSTAND THAT THERE WAS A LOGISTIC PROBLEM JUST GETTING
17 THE REPORT OUT. BUT I BELIEVE IN MY LETTER I ALSO POINT
18 OUT THE FACT THAT THE DIFFICULTY OF GAINING ACCESS TO A
19 FILE THAT ONLY EXISTS IN LOS ANGELES, AND THE FACT WITH
20 SUCH SHORT NOTICE, WE COULD NOT PHYSICALLY, WITH THE
21 RAINS LAST WEEK AND WITH THE HOLIDAYS, WE COULD NOT GET A
22 BODY TO SACRAMENTO TO LOOK AT YOUR FILES EITHER. AND WE
23 UNDERSTAND THAT PROBLEM.

24 AND I WOULD LIKE TO STATE, AS LEGISLATIVE
25 COUNSEL TO THE STATE BUSINESS TRANSPORTATION AND HOUSING

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1 AGENCY, I ARRANGE BUDGET HEARINGS FOR ALL 14 DEPARTMENTS
2 IN THREE CITIES THROUGHOUT THE STATE, SO I UNDERSTAND THE
3 LOGISTICS ENTIRELY.

4 AND WE ARE SIMPLY -- THAT'S WHY I SUGGESTED
5 THE FACT THAT IT BE MANDATORY THAT THE LEA NOTIFY THE
6 PUBLIC WHO HAS SHOWN AN INTEREST IN THE PAST AS SOON AS
7 THEY GET THAT PERMIT, SO THAT WE AND YOU COULD HAVE THE
8 LEAD TIME OF SEVERAL MONTHS, AT LEAST 120 DAYS OR
9 WHATEVER THE PERIOD IS, OF GOING ALONG WITH THE PROCESS
10 RATHER THAN TRYING TO READ SOMETHING STANDING IN THE
11 CORNER BECAUSE IT WAS ONLY HANDED TO ME 30 MINUTES
12 BEFORE.

13 I THINK IF WE HAD BEEN AWARE OF THE
14 MISSTATEMENTS, SUCH AS I JUST READ YOU, WHERE THE LEA DID
15 NOT TELL YOU THAT THOSE BUILDINGS ARE SHUT DOWN, THEY DO
16 NOT HAVE INFRASTRUCTURE FACILITIES RIGHT NOW. AND THERE
17 IS NOTHING IN YOUR REPORT THAT WOULD INDICATE THAT. YOU
18 WOULD HAVE TO HAVE READ THE 4,000 PAGES OF THE EIR TO
19 EVEN GET A SENSE OF THAT.

20 AND ONE OF OUR MAIN COMPLAINTS IN COURT WAS
21 THAT YOU COULDN'T GET ANY SENSE OUT OF THE EIR BECAUSE IT
22 WAS SO DISORGANIZED. AS I UNDERSTAND, YOU ONLY HAVE ONE
23 PERSON ANALYZING THE ENVIRONMENTAL IMPACTS. AND WITH ALL
24 THE PERMITTING YOU HAVE TO DEAL WITH, THAT'S AN UNFAIR
25 BURDEN FOR ANYONE.

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1 SO IT'S PROBABLY FAR MORE IMPORTANT THAT
2 YOU OPEN A DIALOGUE WITH THE PEOPLE WHO ARE MOST FAMILIAR
3 WITH THE OPPOSITE ARGUMENTS AND THE PROBLEMS THAN THE
4 LEA. CERTAINLY IN THIS CASE, WHERE YOU HAVE AN LEA,
5 WHO -- AND I LOVE THOSE WORDS -- INSTEAD OF REITERATING
6 THE CONDITIONS, HE RESTATED THEM. AND LOOK AT HOW MUCH
7 FELL THROUGH THE CRACKS DURING THAT RESTATEMENT.

8 AND I THINK WE ARE VERY, VERY CONCERNED
9 ABOUT THAT STANDARD THAT THE COUNTY LEA HAS HAD. AND
10 OTHER PEOPLE WILL DISCUSS OTHER ASPECTS OF OUR PROBLEMS
11 WITH THIS ISSUE. I DON'T WANT TO TAKE MORE TIME.

12 THANK YOU VERY MUCH.

13 CHAIRMAN HUFF: THANK YOU. ANY OTHER QUESTIONS?
14 WHO IS NEXT?

15 MR. HECHT: ALLEN HECHT, A MEMBER OF THE
16 COMMUNITY. I AM ALSO A MEMBER OF THE LOS ANGELES SOLID
17 WASTE CITIZEN ADVISORY GROUP, BUT I SPEAK AS AN
18 INDIVIDUAL. I ONLY MENTION THAT TO SAY THAT I'VE HAD
19 EXPOSURE TO SOME OF THE PROBLEMS RELEVANT TO SOLID WASTE
20 IN OUR COMMUNITY.

21 ON SATURDAY, THE 13TH OF FEBRUARY, I GOT A
22 VALENTINE FROM THE INTEGRATED WASTE MANAGEMENT BOARD.
23 YOU GAVE ME THREE DAYS' NOTICE TO COMMENT ON A PERMIT
24 THAT HAS NEVER BEEN SEEN BY THIS COMMUNITY.

25 I ASSUME THAT YOU GAVE BFI SIMILAR AMOUNTS

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1 OF NOTICE, AND I'M AMAZED THAT THEY CAN MUSTER SO MANY
2 PEOPLE IN SUCH A SHORT TIME.

3 IT IS SAD THAT BFI MENTIONS VAN NORMAN DAM
4 AND ITS PROXIMITY TO THE LANDFILL, BUT SOMEHOW FORGOT TO
5 MENTION THE JENSON FILTRATION PLANT, THE METROPOLITAN
6 WATER DISTRICT FACILITY, WHICH IS EVEN CLOSER TO THE
7 LANDFILL AND PROVIDES WATER, NOT NECESSARILY TO THE CITY
8 OF LOS ANGELES, BUT TO THE REST OF SOUTHERN CALIFORNIA.

9 IT IS SAD THAT OUR COMMUNITY, WHO HAS BEEN
10 EXPRESSING ITS CONCERNS SO WELL FOR SO LONG WERE NOT
11 GIVEN A HEARING AT A TIME AND IN TIME FOR ADEQUATE
12 COMMENTS.

13 IT IS SAD THAT THE LEA, WHOM THE COMMUNITY
14 IS COUNTING ON AS THE LEAD AGENCY TO PROTECT ITS
15 INTEREST, ADMITS THAT IT IS NOT QUALIFIED TO OVERSEE THE
16 CLOSING OF THE LANDFILL OR OTHER ASPECTS OF THIS
17 OPERATION.

18 THE CITY HAS OFFERED A PLAN TO EXPAND THE
19 CITY PORTION OF SUNSHINE CANYON BY 17 AND A HALF TONS,
20 MORE THAN WHAT WE'RE TALKING ABOUT FOR THE COUNTY
21 PORTION. IT WAS REFUSED.

22 THE CITY HAS BEEN IN THE PROCESS OF
23 EXPANDING LOPEZ CANYON TO ACCOUNT FOR SOME OF THE WASTE
24 FOR ITS REQUIREMENTS FOR WASTE DISPOSAL.

25 THE HISTORIC JOINT POWER AGREEMENT BETWEEN

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1 THE LOS ANGELES CITY COUNCIL AND THE COUNTY SUPERVISORS
2 FOR THE CREATION OF A LANDFILL IN ELSMERE, WHICH ALSO
3 MAKES MENTION OF, AS YOU HAVE HEARD, SUNSHINE CANYON AND
4 LOPEZ CANYON, ALL TESTIFIED TO THE FACT THAT THE CITY OF
5 LOS ANGELES IS, INDEED, LOOKING AT SOME OF ITS PROBLEMS
6 AND IS TRYING TO PREPARE FOR THE FUTURE.

7 NO MATTER WHAT YOU DO WITH SUNSHINE CANYON,
8 IT WILL NOT STAY THIS COURSE. THESE PROBLEMS WILL STILL
9 EXIST SINCE IT WILL STILL BE REQUIRED OF THE CITY OF LOS
10 ANGELES TO NOT USE THE NEW AREA IN SUNSHINE CANYON.

11 I AGREE, AS WAS SUGGESTED, THAT MAYBE IT IS
12 TRUE THAT WE DO NEED, BECAUSE OF THE TIMING AND BECAUSE
13 WE DON'T WANT THIS TO SLIP THROUGH THE CRACKS, A RUSH TO
14 JUDGMENT MAY BE NECESSARY. I ASK THAT YOU DECLINE THIS
15 PERMIT AT THIS TIME AND GIVE US TIME TO PROPERLY COMMENT,
16 GIVE YOUR OWN STAFF TIME TO PROPERLY REVIEW THOSE THINGS
17 WHICH WERE SUBMITTED TO YOU.

18 SINCE I CANNOT COMMENT ON THE DOCUMENTS
19 SUBMITTED LATE FRIDAY, IT REMAINS FOR ME TO COMMENT ONLY
20 ON FAIRNESS. BUT ALAS, IT SEEMS THAT IT MAY HAVE BEEN
21 TOO LATE TO COMMENT ON THAT.

22 THANK YOU.

23 MR. BELL: I HAVE SOME PICTURES. IS THERE ANY
24 WAY WE COULD TURN OUT THIS ONE LIGHT?

25 CHAIRMAN HUFF: SURE.



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1 MR. BELL: THAT WOULD BE BETTER. THANK YOU.

2 THESE PICTURES ARE KIND OF A BRIEF GRAPHIC
3 HISTORY OF A TALE OF NONCOMPLIANCE WITH EVERY KIND OF A
4 REGULATION THAT COULD POSSIBLY APPLY TO A LANDFILL.

5 THEY ARE ALL TAKEN A LONG TIME AGO, PRIOR
6 TO THE TIME THAT THE LOCAL CITIZENS DECIDED THAT THEY
7 WOULD PERSONALLY HAVE TO GET INVOLVED WITH ALL OF THE
8 APPLICABLE AGENCIES TO GET BFI TO COMPLY WITH THE LAW AND
9 THE CONDITIONS OF THEIR PERMIT.

10 THESE PICTURES WERE TAKEN IN THE LANDFILL
11 MOSTLY ON A SUNDAY OR AT ANY TIME THAT THE OPERATIONS HAD
12 CEASED AND THAT THE DOGS AND WHOEVER WAS IN CHARGE OF
13 SECURITY WASN'T THERE.

14 BOARD MEMBER RELIS: WHEN WERE THESE TAKEN,
15 PLEASE?

16 MR. BELL: ABOUT '87, YEAH, THEREABOUTS. A YEAR
17 OR SO EITHER SIDE.

18 THESE ARE CHEMICAL DRUMS, IN CASE YOU DON'T
19 RECOGNIZE THEM. THEY'VE BEEN RUN OVER A FEW TIMES. THIS
20 IS JUST A GENERAL PILE OF THE DAY'S -- THE DAY BEFORE'S
21 WASTE THAT HAS NOT -- I THINK YOU GUYS ARE ALL AWARE THAT
22 THEY HAVE TO COVER THIS EVERY NIGHT.

23 I SORTED THROUGH A LOT OF THIS. THERE'S A
24 LOT OF MEDICAL WASTE, INDUSTRIAL WASTE, WASTE FROM PLACES
25 LIKE PLATING PLANTS, PHOTOGRAPHIC PROCESSING

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1 LABORATORIES, PAINT COMPANIES, THINGS LIKE THAT, THAT,
2 YOU KNOW, ARE NICE TO HAVE BLOWING AROUND THE
3 NEIGHBORHOOD.

4 ALSO, THE MAINTENANCE RECORDS FOR THE B-2
5 BOMBER, I FOUND UP THERE. THIS IS JUST FROM THE BOTTOM
6 UP OF A PILE, A CELL, OR WHATEVER YOU WANT TO CALL IT.
7 IT WAS JUST LEFT THAT WAY OVER THE WEEKEND. MORE OF THE
8 SAME.

9 THIS LITTLE PILE, HERE, A LOT OF THIS IS
10 MEDICAL WASTE, JUST OLD BANDAGES AND BLOODY PIECES OF
11 WHATNOT. SAME HERE. OKAY. THIS IS JUST TO GIVE YOU AN
12 IDEA. THAT IS ALSO AN UNCOVERED CELL UP THERE.

13 THIS IS THE KIND OF SOIL THAT IS LEFT AFTER
14 THEY RUN OVER IT AND DUG IT UP. IT'S PRETTY HARD IN ITS
15 NATURAL STATE. IT'S ALMOST ROCKLIKE UNLESS YOU SCRATCH
16 ON IT. BUT AFTER YOU PULVERIZE IT, JUST BY MOVING IT, IT
17 BECOMES MORE LIKE TALCUM OR FACE POWDER. WHEN YOU WALK
18 THROUGH IT, SOMETIMES YOU SINK RIGHT UP TO YOUR ANKLES.

19 THIS IS OFF-SITE FROM THE DUMP, LOOKING
20 DOWN TOWARDS WHERE WE ALL LIVE. AND THIS IS OUTSIDE NOW,
21 OUTSIDE OF THE DUMP BY QUITE A BIT. THIS IS JUST SOME OF
22 THE WINDBLOWN TRASH THAT WAS ALL AROUND THE NEIGHBORHOOD.
23 MORE OF THE SAME. MORE OF THE SAME.

24 SOME OF THIS IS IN O'MELVENY PARK, WHICH
25 YOU NOTICE IS QUITE CLOSE TO THIS LANDFILL. THIS IS

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1 RIGHT ON THE FACE OF THE LANDFILL FACING THE COMMUNITY.
2 THAT'S THE TOP OF THE BERM, WHICH IS ALSO A VIOLATION OR
3 WAS AT ONE TIME. I THINK THEY HAD TO FINALLY LOWER IT.

4 OKAY. THIS AREA RIGHT HERE IS A CANYON
5 THAT THEY WERE NOT PERMITTED -- NOT PERMITTED TO GO INTO.
6 IT CONTAINED FLOWING WATER YEAR-ROUND, AND FISH AND GAME,
7 AND WHATEVER THE RULES THAT APPLY SAID YOU'VE GOT TO STAY
8 OUT OF THAT CANYON, BOYS. YOU DON'T GO IN THERE DIGGING
9 AND YOU DON'T PUT ANY TRASH IN THERE. THAT CANYON HAS
10 BEEN TOTALLY OBLITERATED NOW. THIS IS JUST SOME OF THE
11 BIG TREES AND THINGS THEY TORE OUT OF THAT CANYON.

12 THAT'S AN UPSIDE DOWN, UNFORTUNATELY,
13 PICTURE LOOKING INTO THAT CANYON. YOU CAN SEE SOME OF
14 THE WATER. IT WAS TAKEN FROM THE BOTTOM UP, BUT WE'LL
15 HAVE TO JUST KIND OF PASS ON THAT.

16 OKAY. THIS IS JUST THE DIRT, THIS FACE
17 POWDER-TYPE DIRT.

18 NOW, YOU'RE ALL AWARE THAT IN THIS AREA
19 WINDS FROM 35 TO 50, 60 MILES AN HOUR ARE VERY COMMON,
20 AND SOMETIMES THEY GO IN EXCESS OF 110 MILES AN HOUR UP
21 HERE IN THE DUMP.

22 THEY HAVE BEEN CITED SO MANY TIMES BY THE
23 AQMD, THAT THE LAST CITATION, BECAUSE OF A CONNECTION
24 WITH THE CITY AND A MANDATE THAT ONE MORE CITATION AND
25 YOU GUYS HAVE GOT TO BE SHUT DOWN, THAT CITATION HAD TO

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1 BE CANCELLED BECAUSE THE AQMD REALLY DIDN'T WANT TO SHUT
2 THEM DOWN.

3 THAT'S ALL ON THE RECORD. NOW, THEY'LL
4 TELL YOU -- THEY'LL TELL YOU IF THEY DO WHAT THEY DO AT
5 OTHER MEETINGS THAT THEY HAVE NEVER BEEN CITED. THEY'VE
6 NEVER HAD ANY VIOLATIONS.

7 OKAY. THIS IS A SHOT TAKEN FROM THE
8 NEIGHBORHOOD DURING ONE OF THOSE ANYWHERE FROM 50 TO 120
9 MILE-AN-HOUR WINDS, AND THAT'S SOME OF THE FACE POWDER
10 BEING DISTRIBUTED. AND THAT'S SOME OF THE TRASH AND, YOU
11 KNOW, YOU CAN SEE THAT WAS A NICE BLUE SKY. IT WAS A
12 CLEAR, WINDY, SANTA ANA DAY. OKAY. WHAT YOU SEE IS THAT
13 IT'S GRAY THERE, IT'S NOT REALLY A CLOUD, IT'S NOT STEAM,
14 IT'S JUST THAT DUST. THE DUMP IS JUST THE OTHER SIDE OF
15 THIS BERM. THIS WAS TAKEN FROM O'MELVENY PARK. AND ALL
16 THE BLACK SPECKS ARE DIRT, OKAY, BUT ALL THAT WHITE STUFF
17 IS JUST BLOWING TRASH.

18 THIS WEEKEND I WAS UP IN O'MELVENY PARK,
19 WHICH HAS BEEN REARRANGED BY MOTHER NATURE OVER THE LAST
20 WEEK. AND THE TRAIL I USED TO TRAVEL ON IS NOW A CANYON
21 ABOUT 10 FEET DEEP BY 30 FEET WIDE, AND IT WAS JUST FULL
22 OF THIS PAPER THAT HAS BEEN DREDGED UP BY THE RAIN THAT
23 WAS BLOWN OVER FROM SUNSHINE CANYON.

24 OKAY. THAT'S IT. THAT'S ONLY A FEW OF
25 MANY, BUT I KNOW HOW YOUR TIME IS.



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1 AND I JUST WANT TO LEAVE YOU WITH ONE
2 THOUGHT, GUYS. ONE OF THE MOST SERIOUS THINGS YOU CAN DO
3 WITH HISTORY IS NOT TO LEARN FROM IT. AND I'D SURE
4 APPRECIATE YOU THINKING THAT ONE OVER. THANK YOU.

5 THE REPORTER: WHAT'S YOUR NAME?

6 MR. BELL: KEN BELL, B-E-L-L.

7 CHAIRMAN HUFF: I THINK IT'S APPROPRIATE, AT
8 LEAST, TO MAKE AN OBSERVATION.

9 I SUSPECT THAT YOUR PICTURES COULD HAVE
10 ALSO BEEN TAKEN AT OTHER LANDFILLS THROUGHOUT THIS STATE.

11 MR. BELL: NO, I SWEAR TO YOU THOSE PICTURES
12 WERE TAKEN THERE, AND I HAVE PEOPLE WHO WERE WITH ME.

13 CHAIRMAN HUFF: NO. NO. LISTEN TO WHAT I'M
14 SAYING. I'M SURE THAT -- ALL RIGHT. SOMEONE ELSE COULD
15 HAVE TAKEN SIMILAR PICTURES AT OTHER LANDFILLS. I DIDN'T
16 SAY IT RIGHT.

17 SOMEONE ELSE COULD HAVE TAKEN SIMILAR
18 PICTURES AT OTHER LANDFILLS THROUGHOUT THIS STATE, '60S,
19 '70S, THE '80S, AND SEEN SOME OF THE SAME EFFECTS BECAUSE
20 THEY EXISTED. THAT'S ONE REASON WHY THIS BOARD WAS
21 RECREATED THE WAY IT WAS IN 1989 IS BECAUSE THERE WAS A
22 PROBLEM. OKAY.

23 I'M NOT SAYING THERE WASN'T A PROBLEM WITH
24 SUNSHINE CANYON. I'M SAYING YOU'VE GOT SOME PICTURES OF
25 A PROBLEM THERE.

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1 BUT I'M SAYING THAT THERE WERE PROBLEMS
2 WITH LANDFILLS UP AND DOWN THIS STATE. THAT'S WHY OUR
3 STAFF HAS EXPANDED FROM 40 TO 400. AND PART OF OUR JOB
4 IS TO MAKE SURE THAT THOSE SORTS OF PICTURES DON'T GET
5 TAKEN TODAY.

6 THAT'S WHY, AT THE BEGINNING PART OF THIS
7 MEETING, IF YOU WERE HERE, WE SPENT ALL MORNING LONG
8 GOING THROUGH COUNTY BY COUNTY ON THE FOUR DIFFERENT
9 COUNTIES, LANDFILL-BY-LANDFILL INSPECTIONS, CITATIONS,
10 PUTTING SOME LANDFILLS ON LISTS OF NONCOMPLYING
11 FACILITIES, WENT THROUGH THAT WHOLE EXERCISE THIS MORNING
12 IS BECAUSE PEOPLE WERE ABLE TO TAKE PICTURES LIKE YOURS
13 IN THE PAST.

14 MR. BELL: WELL, SIR, MAY I JUST SAY THAT
15 THERE'S A LOT MORE TO BFI'S HISTORY OF NONCOMPLIANCE,
16 PLAIN ORDINARY LAWLESSNESS, OKAY, THAT I DIDN'T -- WASN'T
17 PREPARED TO BRING HERE TODAY. THERE'S A LOT OF IT IN THE
18 RECORDS OF THE L.A. COUNTY, AND I HAVE PLENTY OF MATERIAL
19 MYSELF. MY SPECIALTY IS THEIR NAUGHTINESS.

20 I WISH YOU, ALL OF YOU, SINCERELY, THE
21 GREATEST LUCK IN THE WORLD IF YOU GET INVOLVED WITH BFI
22 BECAUSE I KNOW THEY'LL FIND A WAY TO GET AROUND YOU.
23 THAT IS PART AND PARCEL OF THEIR REASON FOR BEING IS TO
24 BEAT THE SYSTEM.

25 AND I DON'T KNOW, YOU KNOW, ENFORCEMENT --

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1 LAWS ARE ONE THING, AND I'M A LAW ABIDING CITIZEN, AND I
 2 LOVE THEM, BUT ENFORCEMENT IS ANOTHER THING AGAIN. AND
 3 OUR STREETS RIGHT NOW ARE NOT SAFE BECAUSE THE LAWS THAT
 4 WE HAVE ON THE BOOKS, WHICH ARE VERY GOOD AND VERY
 5 ADEQUATE, ARE NOT ENFORCED.

6 AND I COMMEND YOU FOR WHAT YOU ARE DOING,
 7 BUT I WANT TO LET YOU KNOW THAT YOU'RE DEALING WITH
 8 DYNAMITE HERE WITH THIS PARTICULAR GROUP OF PEOPLE.

9 I'M VERY CONCERNED THAT, IN SPITE OF YOUR
 10 BEST INTENT, THAT YOU COULD STILL BE DECEIVED AND YOU
 11 STILL WILL BE GOTTEN AROUND. AND I WILL BE ONE OF THE
 12 ONES LEFT WITH THE PROBLEM THAT YOU PERMITTED TO HAPPEN
 13 BECAUSE I WILL HAVE TO GET OUT THERE AND I WILL HAVE TO
 14 TELL YOU WHAT'S GOING ON. OR SOMEBODY -- SOME ONE OF MY
 15 SUCCESSORS.

16 CHAIRMAN HUFF: THANK YOU.

17 MS. EDWARDS: I'M MARY EDWARDS. AS KEN WAS
 18 SAYING, WE HAVE, AS A COMMUNITY, HAVE TRIED TO BE
 19 REASONABLE AND WORK WITH BFI AS AN OPERATOR, BUT IT -- I
 20 THINK ALL LAW IS ONLY A COVENANT RELATIONSHIP.
 21 YOU HAVE TO BELIEVE THAT THAT LAW -- IT
 22 CAN'T ONLY BE UP TO ENFORCEMENT. THERE WOULD NEVER BE
 23 ENOUGH ENFORCEMENT TO KEEP PEOPLE FROM SHOPLIFTING IF WE
 24 DID NOT HAVE A COVENANT WITH LAW TO AGREE TO DO THAT.

25 IT'S BEEN OUR EXPERIENCE WITH

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1 BROWNING-FERRIS INDUSTRIES THAT THEY WOULD RATHER
2 LITIGATE AND BE OBDUATE THAN TO GO FOR THE COMPROMISES
3 THAT WE OFFERED.

4 WHEN THIS WAS PROPOSED, AS MUCH AS WE, AS A
5 COMMUNITY, HATED TO SEE ANY EXPANSION BECAUSE I'VE
6 LIVED -- RAISED MY CHILDREN IN THE SHADOW OF THIS. I'VE
7 HAD MY GRANDCHILDREN LEAVE BIRTHDAY PARTIES TO GO HOME
8 BECAUSE THEY WERE AFRAID OF WHAT WAS BLOWING IN THAT
9 DUST. I'VE WATCHED AND HELD THE HANDS OF MY FRIENDS AS
10 THEY DIED OF CANCER, AND WE DON'T KNOW WHERE IT COMES
11 FROM. IT'S VERY RAMPANT IN OUR NEIGHBORHOOD.

12 BUT THE MOST FRIGHTENING THING IS THAT, NO
13 MATTER HOW WE HAVE TRIED TO BE RATIONAL, WE HAVE -- NO
14 ONE HAS EVER COME TO US AND SAID WE WOULD ACCEPT A
15 CONFIGURATION THAT YOU OFFERED WHICH WOULD HAVE SPARED
16 THE REMARKABLE -- LET ME SHOW IT TO YOU ON THE MAP -- IT
17 WOULD SPARE THE REMARKABLE OAK FOREST THAT WE'VE GROWN TO
18 LOVE.

19 BECAUSE AS YOU CAN SEE FROM ALL THE
20 UTILITIES IN OUR AREA, IT'S ONE OF THE FEW BEAUTIFUL
21 THINGS WE HAVE IS THIS PRICELESS OAK FOREST, A DESIGNATED
22 SIGNIFICANT ECOLOGICAL AREA. IT WAS ONLY THROUGH A
23 GENERAL PLAN AMENDMENT WHEN THEY SITED THIS DUMP THAT IT
24 WAS REMOVED, 500 ACRES OF A MAGNIFICENT OAK FOREST.

25 WE SAID, "WHY DON'T YOU USE THIS LAND IN



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1 THE CITY THAT'S ALREADY BEEN SCARIFIED FOR AN EXPANSION
2 THERE?" AND WE ASKED THE COUNTY TO EVALUATE IT, AND THEY
3 DID. AND THEY SAID, YES, IT COULD, INDEED, HOLD AS
4 MUCH -- AS MUCH IN CAPACITY AS THEY WERE SITING
5 PRESENTLY.

6 BUT YOU SEE IT'S NOT THE WHOLE THING. IT'S
7 NOT THE MEGADUMP THAT THEY WANT. AND BESIDES, IF YOU
8 TAKE OUT THE HEART OF THE FOREST FIRST, WHAT IS THE
9 ARGUING POINT? BECAUSE THE ARGUING POINT -- ONE OF THE
10 STRONGEST ARGUING POINTS THAT RALLIED ENVIRONMENTALISTS
11 TO THIS CAUSE WAS THE FACT THAT WE WERE LOSING THIS
12 PRICELESS RESOURCE. AND THEY WANT SOMETHING MUCH BIGGER.

13 WE HAVE TRIED NOT TO BE PEOPLE WITHOUT
14 REASON, TO BE THE NIMBY'S THAT EVERYBODY LIKES TO PUT
15 THAT ACRONYM ON YOU, BECAUSE WE HAVE HAD THAT LANDFILL
16 THERE FOR 33 YEARS. WE HAVE -- AND YOU SAY WHAT IS LOST
17 THEN? WHY ISN'T LOS ANGELES SOLVING THEIR TRASH PROBLEM?

18 WE HAVE ACCEPTED SANTA MONICA'S TRASH INTO
19 SUNSHINE, BEVERLY HILLS' TRASH INTO SUNSHINE, ALL THE
20 COMMUNITIES BECAUSE WE REALIZE THEY'RE TRASHLOCKED.

21 BASICALLY, THERE'S NO BIG CANYON AROUND THEM.

22 BUT NOW LOS ANGELES IS COMING INTO THE
23 SAME -- REALLY TO THE SAME MODE. THEY'RE ALSO A
24 TRASHLOCKED CITY BECAUSE NOW THEY'RE HAVING TO GO BACK
25 INTO THE SIGNIFICANT ECOLOGICAL AREAS AND DESTROY THEM IN

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1 ORDER TO PROVIDE CAPACITY BECAUSE THIS -- FOR SOME YEARS
2 THEY HAVE NOT BEEN BUILDABLE BECAUSE OF THE BUILDING
3 RESTRICTIONS UNDER THE GENERAL PLAN HAVE BEEN SO MUCH
4 MORE STRINGENT.

5 I WONDER SOMETIMES WHEN I COME HERE THAT
6 THIS -- THAT WE WOULD EVER HAVE COME TO THIS POINT OF
7 SITING THIS FACILITY CLOSE TO THE WATER -- ALL THIS WATER
8 TREATMENT, IN A WIND TUNNEL, IN A -- TAKING OUT A
9 SIGNIFICANT ECOLOGICAL AREA, KNOWING THAT THE CITY HAD
10 ALREADY FOUND, THROUGH COUNTLESS HEARINGS, THAT THIS
11 FACILITY HAD BEEN MATERIALLY DETRIMENTAL TO THE PEOPLE.

12 AND I SAY, WERE WE NAIVE TO BELIEVE THAT
13 REASON AND ETHICS WILL PREVAIL? BUT NEVERTHELESS, AS
14 MOTHER TERESA SAYS, "WE ARE NOT CALLED UPON TO BE
15 SUCCESSFUL. WE'RE ONLY CALLED UPON TO BE FAITHFUL." AND
16 I GUESS THAT'S WHY I'M HERE BECAUSE I'M TRYING TO BE
17 FAITHFUL.

18 I'VE WATCHED THE PROPHETS. I'VE WATCHED
19 BOARD AFTER BOARD SAY, YES, YES, BUT IT'S NOT IN OUR
20 PURVIEW. IT'S NOT IN OUR PURVIEW TO CONSIDER THINGS LIKE
21 THAT. OUR PURVIEW IS ONLY LIMITED TO DOING THIS. WE
22 CAN'T CONSIDER.

23 I THINK THEY FEEL BAD ABOUT LOSING THIS
24 CANYON, AND I THINK THEY SHOULD. BUT, UNFORTUNATELY, OUR
25 EXPERIENCE WITH THE CITY PERMIT IS THAT, NO MATTER HOW

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1 STRINGENT CONDITIONS ARE, THAT IF THERE ISN'T THE WILL TO
2 ABIDE BY THEM, NOR THE WILL TO ENFORCE THEM, THEY'RE
3 MEANINGLESS. WE REALLY DON'T HAVE ANY CONFIDENCE THAT
4 THEY'LL BE ENFORCED.

5 REMEMBER, THE COUNTY HEALTH DEPARTMENT,
6 WHICH IS SUPPOSED TO BE THE LEA ON THIS PROJECT, IS THE
7 CO-LEA AT PRESENT ON THE CITY. SO THEY MUST BEAR SOME OF
8 THE RESPONSIBILITY FOR THE VIOLATIONS.

9 AND WE FEEL THAT THE PERMIT THAT YOU'RE
10 LOOKING AT, AND WE HAVEN'T EVEN HAD A CHANCE TO LOOK AT
11 IT, BUT WE ASSUME IT FOLLOWS THE CUP. WE FEEL THAT THAT
12 PERMIT IS REALLY FULL OF LOOPHOLES BECAUSE IT'S NOT TIED
13 DOWN.

14 AND WE WOULD ASK TIME FOR YOU AND FOR US TO
15 TIGHTEN UP THE REQUIREMENTS BECAUSE IF THIS IS SITED, I
16 DON'T WANT MY GRANDCHILDREN HERE SAYING, "MY GOODNESS,
17 THE SAME THINGS ARE OCCURRING." BECAUSE YOU HAVE TO
18 START WITH THE BASE OF LAW, AND THEN YOU HAVE TO START
19 WITH A REAL WILL TO ENFORCE THE LAW.

20 ONE OF THE THINGS THAT I'M MOST WORRIED
21 ABOUT IS IN THE PERMIT AS IT NOW READS, THERE'S NOT A
22 SPECIFIC AMOUNT OF TRASH THAT WOULD BE TAKEN OR A
23 SPECIFIC DATE IN TIME THAT THIS PERMIT WOULD COME BACK
24 FOR REVIEW.

25 I THINK THIS IS CRITICAL BECAUSE, AS WE'VE

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1 KNOWN IN THE CITY, IF IT WEREN'T FOR THE EXPIRATION DATE
2 ON THE PERMIT, IT WOULD NEVER HAVE RETURNED TO US BECAUSE
3 NOW THEY ARE ONLY FOLLOWING A NEBULOUS MAP, WHICH IS KIND
4 OF AN AMORPHOUS DOCUMENT THAT COMES -- AND WE KNOW IN THE
5 CITIES THAT THE CITIES HAD TREMENDOUS PROBLEMS WITH
6 MAPPING BECAUSE BFI TREATED THE MAPS AS, QUOTE, QUOTE,
7 CONCEPTUAL. AND WHEN YOU'RE WORKING WITH A CONCEPTUAL
8 MAP, YOU'RE OPENING THE DOOR FOR A LOT OF ABUSES.

9 WE NEED A FIXED AMOUNT OR A FIXED AMOUNT IN
10 TIME. AND THEN THIS ONLY HELPS THE REVIEW PROCESS
11 BECAUSE THEN THEY HAVE TO COME BY AND GO THROUGH HEARINGS
12 AND BECOME ACCOUNTABLE FOR WHAT'S HAPPENED.

13 ANOTHER THING THAT WE'RE VERY WORRIED ABOUT
14 IS THE INFLOW. I THINK MANY OF THE SPEAKERS HAVE BROUGHT
15 THIS UP, BUT THE 600 TPD OR 6,000 TONS PER DAY IS ONLY A
16 PAPER FIGURE BECAUSE BY EXEMPTING THE RECYCLING ELEMENTS,
17 WHICH WE ALL HOPE WILL BE ENORMOUS IN QUANTITY, BUT WHEN
18 WE EXEMPT THOSE FROM TRAFFIC AND THE IMPACTS, WE ARE
19 REALLY OPENING THE DOOR FOR TREMENDOUS ABUSE.

20 WE REALLY DON'T HAVE ANY KIND OF A FIX OF
21 THIS PERMIT ON WHAT KIND OF RECYCLING OPERATION IS GOING
22 TO BE GOING ON THERE. AND WE KNOW THAT THE SAME TRUCKS
23 THAT GO IN FOR RECYCLING ARE NOT THE SAME TRUCKS THAT
24 BRING THE MATERIALS OUT. THIS NEEDS TO BE QUANTIFIED,
25 PARTICULARLY WHEN WE'RE HEARING TODAY. AND WHEN I TALK

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1 TO THE COUNTY LAST WEEK, THEY SAID, WELL, YOU KNOW, IT
2 STILL COULD GO AS HIGH AS 17,500 TONS.

3 WELL, THIS IS NOT THE FIGURE THAT WAS USED,
4 IN THE EIR. THE AQMD SAID, "HEY, YOU ARE OVER THE LEVEL
5 OF SIGNIFICANCE." AND SO THEY FIGURED IT OUT BASED ON A
6 6,000-TON INFLOW, AND THAT'S THE TRAFFIC MITIGATIONS.

7 ALSO, WE ARE THINKING ABOUT WHAT IF
8 ELSMERE -- YOU KNOW WHERE ELSMERE IS IN RELATIONSHIP TO
9 SUNSHINE. IT'S RIGHT ACROSS THE WAY. SO IF THOSE TWO
10 ARE -- I MEAN, TALK ABOUT A DOUBLE WHAMMY. THEY ARE -- I
11 THINK YOU CAN MAYBE SEE ON ONE OF OUR -- IT'S RIGHT ON
12 THE OTHER SIDE OF THE FREEWAY.

13 WE WOULD -- WE WOULD HAVE THE HONOR OF
14 BEING THE MOST TRASHED COMMUNITY IN THE -- WELL, PROBABLY
15 THE MOST TRASHED COMMUNITY IN THE WORLD.

16 SO ANOTHER THING I THINK WE NEED TO TALK
17 ABOUT IS THE HOURS OF OPERATION. THE HOURS OF OPERATION,
18 IRONICALLY, THEY HAVE SAID IN THE CITY THAT THEY ARE
19 OPERATING FROM 7:00 TO 4:30 ON THEIR PERMIT, BUT THEIR
20 PERMIT OBVIOUSLY HAS NEVER BEEN REVIEWED BECAUSE THEY'VE
21 BEEN OPERATING FOR YEARS FROM SIX TO SIX.

22 IN THE SAME WAY, THEIR PERMIT THAT THEY'RE
23 OPERATING UNDER UNTIL THEY CLOSE SAID THEY WERE TAKING
24 3,000 CUBIC YARDS A DAY, WHEN INDEED MANY TIMES THEY TOOK
25 20,000 CUBIC YARDS A DAY.

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1 SO YOU WONDER. MAYBE WE CAN FIGHT ALL DAY
2 ABOUT THESE CONDITIONS UNLESS THEY'RE GOING TO BE
3 ENFORCED. IT'S BIZARRE.

4 SO THE HOURS OF OPERATION ARE ANOTHER
5 CONCERN BECAUSE NOW, AS THEY READ, THEY WOULD GO FROM SIX
6 TO SIX, BUT THEY COULD START ALLOWING TRUCKS TO GO IN AT
7 5 O'CLOCK IN THE MORNING, AND AT 4 O'CLOCK IN THE MORNING
8 THEY COULD START BANGING AND REPAIRING THEIR EQUIPMENT,
9 AND THE BULLDOZERS CAN PUSH THE DIRT AROUND UNTIL 9
10 O'CLOCK AT NIGHT. NOW, I SAY SO MUCH FOR SLEEP.

11 I MEAN -- ALSO, THEY'RE SUPPOSED TO
12 INVESTIGATE TAKING TRANSFER TRUCKS IN THERE AT 3 A.M., SO
13 ARE WE REALLY ASKING A LOT NOT TO HAVE THE BIGGEST DUMP
14 WITH NO CONTROLS ON CAPACITY? NO CONTROLS ON HOURS OF
15 OPERATION, BASICALLY, AND NO CONTROLS ON INFLOW. I MEAN,
16 REALLY, GUYS, JUST SEEMS A BIT MUCH.

17 WHAT WE WOULD LIKE FROM YOU IS TIME TO LOOK
18 AT THE PERMIT AND TO WORK WITH YOUR STAFF ON TIGHTENING
19 IT UP, SO IF, HOPEFULLY, YOU'LL SAY IT'S WITHIN OUR SCOPE
20 TO DENY THIS COMPLETELY BECAUSE OF ALL THE ENVIRONMENTAL
21 CONCERNS THAT YOU WILL SEE.

22 BUT IF YOU SHOULD DO IT, WE REALLY NEED TO
23 TOGETHER WORK ON THIS. YOU KNOW, THEY'VE TALKED ABOUT
24 REVEGETATION -- I HAVE THE PICTURES UP -- THERE ARE
25 WONDERFUL CONDITIONS IN THE NEW PERMIT ABOUT CONCURRENT

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1 REVEGETATION OF THE SITE.

2 WELL, AFTER 33 YEARS, I TOOK ONE OF THESE
3 PICTURES YESTERDAY, THERE'S NO REVEGETATION PLAN.
4 THEY'VE NEVER BEEN ABLE TO SUCCESSFULLY REVEGETATE
5 BECAUSE THEY SAID THE SOIL IS TOO POOR A QUALITY. WELL,
6 WE HAVE TROUBLE WITH THAT BECAUSE THAT REALLY EXACERBATES
7 THE DUST PROBLEMS WHEN THEY DON'T REVEGETATE THE SITE.

8 SO WE WILL TRY TO WORK TO GET THE BEST
9 CONDITIONS IN THE WORLD, BUT WE'VE GOT TO HAVE
10 ENFORCEMENT AND GOOD CONDITIONS. AND AS THE PERMIT IS
11 WRITTEN NOW, WE HAVE NEITHER. WE JUST HAVE GIANT
12 LOOPHOLES WHICH BFI WILL PUSH GARBAGE THROUGH.

13 I THANK YOU.

14 CHAIRMAN HUFF: ANY QUESTIONS? NONE.

15 MS. KAUFFMAN: MR. CHAIRMAN AND COMMITTEE
16 MEMBERS, MY NAME IS LINDA KAUFFMAN. I'M A RESIDENT OF
17 GRANADA HILLS. I'M HERE ON BEHALF OF MY FAMILY, MY THREE
18 CHILDREN AND HUSBAND.

19 I'D LIKE TO SPEAK JUST FOR A MINUTE AND A
20 HALF ON ONE OF THE PROBLEMS THAT MARY MENTIONED WAS THE
21 BLOWING DUST PARTICLES IN CONJUNCTION WITH THE WATER
22 TREATMENT FACILITIES THAT HAVE BEEN MENTIONED EARLIER AND
23 ARE IN SUCH CLOSE PROXIMITY TO THE PROPOSED EXPANSION.

24 AS IT WAS MENTIONED, 100 PERCENT OF THE
25 WATER SUPPLY OF THE CITY OF LOS ANGELES AND MUCH OF THE

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1 WATER OF THE SURROUNDING COUNTIES IS PROCESSED AND
2 TREATED AT THESE FACILITIES. THE LOS ANGELES RESERVOIR,
3 ALSO KNOWN AS THE HANSON DAM, CONTAINS TREATED WATER.
4 THAT'S BEING STORED PRIOR TO BEING DELIVERED TO CUSTOMERS
5 DURING PEAK DEMAND.

6 ACCORDING TO THE DEPARTMENT OF WATER AND
7 POWER IN THEIR PUBLICATION, DWP'S RESERVOIRS ARE AMONG
8 THE FEW REMAINING OPEN DISTRIBUTION RESERVOIRS IN
9 CALIFORNIA AND THE NATION THAT STORE DRINKABLE WATER.

10 THE DANGERS OF OPEN RESERVOIRS, CITED BY
11 THE DEPARTMENT OF HEALTH, INCLUDE CONTAMINATION FROM
12 WINDBLOWN MATERIAL THAT COULD INTRODUCE HARMFUL ELEMENTS.

13 THEY GO ON TO SAY, TODAY REGULATION OF
14 TURBIDITY IS AN IMPORTANT PUBLIC HEALTH ISSUE SINCE
15 PARTICLES SUSPENDED IN WATER CAN SHIELD DISEASE ORGANISMS
16 AND ALLOW THEM TO ESCAPE THE EFFECTS OF DISINFECTION.

17 SO OBVIOUSLY, THE BLOWING DUST CREATED BY
18 THE LANDFILLING ACTIVITIES WILL FIND A WAY INTO THE
19 UNCOVERED TREATMENT AND RESERVOIR AREAS.

20 TRIHALLOMETHANE OR THM'S ARE PRODUCED BY
21 THE INTERACTION OF CHLORINE WITH ORGANIC MATERIAL.
22 CHLOROFORM IS THE MOST COMMON THM FOUND IN WATER. THM'S
23 ARE SUSPECTED HUMAN CARCINOGENS. THE PRIMARY TRANSPORT
24 OF VALLEY FEVER IS THROUGH THE BLOWING DUST.

25 AND GIVEN THIS INFORMATION, AND THAT THE

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1 LOS ANGELES RESERVOIR IS, ACCORDING TO CITY ENGINEERS,
2 TOO LARGE TO EVER BE COVERED AND THAT IT LIES DOWNWIND OF
3 THIS PROPOSED MEGADUMP, IT'S IN A WIND TUNNEL, AND WE
4 JUST IMPLORE YOU NOT TO ISSUE THE PERMIT THAT WOULD PUT
5 MILLIONS OF PEOPLE AND OUR FAMILIES AND GENERATIONS TO
6 COME AT RISK.

7 THANK YOU.

8 CHAIRMAN HUFF: QUESTION. WAS THIS ISSUE
9 EXPLORED IN THE EIR?

10 MS. KAUFFMAN: I'M GOING TO HAVE TO ASK MARY TO
11 HELP ME ANSWER THESE QUESTIONS.

12 MS. EDWARDS: YES, IT WAS.

13 CHAIRMAN HUFF: SO IT WAS. THE SUFFICIENCY
14 WHICH IS AT ISSUE IN COURT, UNDERSTOOD. AND THAT'S NOT
15 TO SAY THAT IT ISN'T AN ISSUE THAT ALSO MIGHT HAVE OUR
16 ATTENTION BECAUSE DUST IS AN OPERATIONAL ISSUE OF A
17 LANDFILL. AND OPERATIONAL ISSUES ARE SOMETHING THAT WE
18 FEEL VERY DEFINITELY DO HAVE OUR ATTENTION. BUT I WAS
19 JUST WONDERING IF IT WAS CONSIDERED IN THE EIR. THANK
20 YOU.

21 MS. PLAMBECK: OKAY. A PICTURE IS WORTH A
22 THOUSAND WORDS, AND WE WANTED YOU TO HAVE A MEMENTO OF
23 YOUR VISIT DOWN HERE. MY NAME IS LYNN PLAMBECK. I
24 REPRESENT A GROUP CALLED LASER, WHICH STANDS FOR LANDFILL
25 ALTERNATIVE SAVE ENVIRONMENTAL RESOURCES. THE OBJECTIVE

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1 OF OUR GROUP IS TO BE A PRESSURE GROUP FOR RECYCLING,
2 REUSE, AND WASTESTREAM REDUCTION.

3 OUR GROUP HAS TWO OBJECTIONS TO THIS
4 PERMIT. WE SERIOUSLY QUESTION COUNTY SANITATION'S
5 FIGURES DELINEATING THEIR TIME TO CRISIS. THERE IS STILL
6 CONSIDERABLE PERMITTED CAPACITY IN L.A. COUNTY,
7 PARTICULARLY IN LIGHT OF THE WASTESTREAM REDUCTION DUE TO
8 THE RECESSION.

9 IF THERE IS A TRASH CRISIS, WHY IS COUNTY
10 SANITATION DRAGGING ITS FEET ABOUT SOURCE REDUCTION AND
11 RECYCLING?

12 WHY HAVE THEY APPLIED TO YOU AND RECEIVED
13 AN EXTENSION OF THEIR REQUIREMENTS UNDER AB 939?

14 WHY WAS CHAIRMAN JOHN FERRARO HEARD TO SAY
15 BEFORE SANITATION DISTRICT NO. 2 THAT AB 939 IS ONLY A
16 CONCEPT AND NO ONE CAN FORCE HIM TO COMPLY?

17 WHY ARE L.A. AND ORANGE COUNTY ARGUING OVER
18 WHO WILL GET ONE HAULER'S 12,000 TONS OF TRASH AS
19 REPORTED IN THE L.A. TIMES IN A JULY ARTICLE?

20 IT MAY BE IN THE COUNTY'S OR PRIVATE
21 COMPANY'S BEST FINANCIAL INTEREST TO EXPAND THIS
22 LANDFILL, BUT THERE IS NO OVERRIDING CONSIDERATION.

23 OUR SECOND OBJECTION IS ENVIRONMENTAL.
24 THIS EXPANSION IS IN RIPARIAN AND WETLAND HABITAT. IT
25 WOULD PROBABLY NOT EVEN BE ALLOWED UNDER NEW EPA

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1 REGULATIONS WHICH FORBID SITING OF LANDFILLS IN WETLAND
 2 AREAS. IT IS A WATER SOURCE FOR A VERY NARROW AND LAST
 3 REMAINING WILDLIFE CORRIDOR BETWEEN THE SAN GABRIEL AND
 4 SANTA SUSANA MOUNTAINS. IT IS RIPARIAN HABITAT AND WILL
 5 BE THE HOME OF THE CALIFORNIA CONDOR, AND IT IS HOME TO
 6 SEVERAL STATE LISTED SPECIES.

7 IT WILL REQUIRE REMOVAL OF 5,000 OAKS,
 8 WHICH WILL TAKE 30 TO 50 YEARS FOR REPLACEMENT, IF THEY
 9 CAN BE REPLACED AT ALL IN A TRAFFIC CORRIDOR WHICH IS IN
 10 GREAT NEED OF AIR POLLUTION MITIGATION THAT THEY PROVIDE.

11 THIS WAS A DESIGNATED SIGNIFICANT
 12 ECOLOGICAL AREA PRIOR TO THE L.A. COUNTY BOARD OF
 13 SUPERVISORS DELETING IT FROM THE GENERAL PLAN. HOWEVER,
 14 THIS LEGAL MANEUVERING DOESN'T CHANGE THE AREA'S
 15 INTRINSIC ECOLOGICAL IMPORTANCE.

16 OUR GROUP CANNOT UNDERSTAND WHY THIS CANYON
 17 IS BEING CONSIDERED RATHER THAN THE 10-MILLION TON
 18 OPTION, TO WHICH WE WOULD HAVE FAR FEWER OBJECTIONS. WHY
 19 CAN'T THE CITY AND THE COUNTY WORK TOGETHER FOR THE BEST
 20 INTERESTS OF THE PEOPLE OF THIS COUNTY?

21 WE ARE PLEASED TO SEE IT STATED IN YOUR
 22 GENERAL DESCRIPTION THAT A MAJOR GOAL OF YOUR BOARD IS TO
 23 LESSEN THE DEMAND UPON OUR DIMINISHING NATURAL RESOURCES.
 24 WE REQUEST THAT YOU SHOW L.A. COUNTY YOU'RE SERIOUS ABOUT
 25 THIS BY DENYING THIS SUNSHINE EXPANSION PERMIT AS

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1 PROPOSED UNTIL SUCH TIME AS IT IS DETERMINED THAT THIS
2 CAPACITY WILL REALLY BE NEEDED EVEN WHEN -- WITH
3 RECYCLING.

4 WE CANNOT IMAGINE WHAT POSSIBLE EMERGENCY
5 COULD OCCUR THAT WOULD DOUBLE THE TONNAGE REQUIREMENTS
6 OVER WHAT ACTUALLY IS RECEIVED -- WAS RECEIVED IN THE
7 MONTH BEFORE CLOSURE, SO WE CAN'T UNDERSTAND WHY THEY
8 WOULD NEED THAT FLEXIBLE PERMIT. IS THIS FOR
9 EARTHQUAKES? WHEN DOWNTOWN FALLS DOWN, THEN THEY COULD
10 FILL UP SUNSHINE CANYON? I DON'T UNDERSTAND IT.

11 CHAIRMAN HUFF: DOWNTOWN IS CITY OF L.A.?

12 MS. PLAMBECK: YEAH. IN CLOSING, IF YOU WILL
13 LET THEM DUMP AND THEY MAKE MONEY BY DUMPING AND NOT
14 RECYCLING, AND THEN DUMPING IS WHAT THEY WILL DO BECAUSE
15 THAT'S HOW THEY'RE MAKING THEIR MONEY.

16 CHAIRMAN HUFF: AND IF I COULD GET HARMONY
17 BETWEEN THE CITY AND COUNTY OF LOS ANGELES --

18 MS. PLAMBECK: WELL, JUST DON'T GIVE THEM THE
19 EXPANSION, AND THEN THEY WILL HAVE TO DO SOMETHING ABOUT
20 IT. MAYBE THEY'LL TALK TO EACH OTHER.

21 CHAIRMAN HUFF: THIS COULD BE.

22 MR. FELDMAN: MEMBERS OF THE BOARD AND STAFF,
23 I'M HANK FELDMAN, AND I'M JUST A HOMEOWNER UP IN THE
24 GRANADA HILLS. I'VE LIVED THERE FOR SOME 30 YEARS.

25 I'M USED TO THAT DUMP BEING THERE. IN

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1 FACT, I'VE USED IT IN THE PAST. AT ONE TIME THAT DUMP
2 USED TO BE A LITTLE LANDFILL, AND WE USED TO TAKE OUR
3 CUTTINGS WHEN WE DID THE LAWN, AND WE TOOK WHATEVER WAS
4 LEFT OVER FROM, YOU KNOW, HOUSEHOLD MAINTENANCE AND THAT
5 AND JUST BRING IT UP THERE AND DUMP IT. IN FACT, I THINK
6 I DUMPED A SOFA UP THERE ONE TIME.

7 ANYWAY, I HEARD BFI, DEAN WISE, IN
8 PARTICULAR, SAY THAT THE RELATIONSHIP WITH THAT DUMP GOES
9 BACK INTO THE 1950S. I'VE GOTTA TELL YOU SOMETHING.
10 I'VE HEARD THEM SAY THAT BEFORE. ANY COMPARISON BETWEEN
11 WHAT IT WAS IN 1950, WHEN IT WAS A ROWBOAT, AND WHAT IT
12 IS TODAY WHEN IT'S AN AIRCRAFT CARRIER, THERE IS
13 ABSOLUTELY NO COMPARISON WHATSOEVER. IT IS A COMPLETELY
14 DIFFERENT OPERATION. AND TO TRY AND TIE IT IN TO WHAT IT
15 USED TO BE THERE IS WRONG.

16 I MUST COMMEND YOU FOLKS ON THE JOB THAT
17 YOU'RE FACED WITH AND ALSO SYMPATHIZE WITH THAT. I
18 DIDN'T REALIZE WHAT THE BOARD WAS ALL ABOUT. YOUR
19 GENERAL EXPLANATION ON THE FRONT TABLE OUT THERE WHEN WE
20 CAME IN TODAY, I THOUGHT WAS USEFUL BECAUSE YOU'RE ON THE
21 HORNS OF A DILEMMA. YOU'VE GOT A CRISIS IN SOLID WASTE
22 DISPOSAL.

23 BUT IT ALSO IN YOUR CHARTER SAYS YOU HAVE
24 TO DO THAT BY LESSENING THE DEMANDS ON OUR DIMINISHING
25 RESOURCES. THAT'S TOUGH. AND IT BRINGS TO MIND ONE OF

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1 THE THINGS, MR. HUFF, YOU POINTED OUT BEFORE WHEN YOU SAW
2 THE DEBRIS FLYING UP IN THE AIR AND SAID, GEE, YOU COULD
3 TAKE THAT PICTURE AT ANY DUMP IN LOS ANGELES. AND YOU
4 PROBABLY COULD. THERE'S ONE DIFFERENCE. AND A VERY
5 SIGNIFICANT DIFFERENCE IS WHAT'S ILLUSTRATED IN THIS
6 PICTURE.

7 THIS AREA, HERE, REPRESENTS THE DRINKING
8 WATER FOR LOS ANGELES. NOT PART OF IT, 100 PERCENT OF
9 IT. EVERYBODY IN THIS ROOM DRINKS OUT OF THAT WATER
10 COMING OUT OF THAT AREA. THE METROPOLITAN WATER DISTRICT
11 PLANT IS GOING IN HERE, THE DWP PROCESSING PLANT, OVER
12 HERE, AND 75 PERCENT OF THE WATER COMING IN COMES OVER
13 THE VIADUCT OUT OF THE HILLS, THIS STREAM RIGHT HERE.

14 NOW, DWP IS VERY PROUD OF THAT. IN FACT,
15 THEY PUT OUT A NICE LITTLE BOOKLET. YOU MAY HAVE SEEN
16 THAT. IT'S GOT THIS BEAUTIFUL PICTURE OF THEIR PLANT ON
17 THE FRONT OF IT, AND IT SAYS WATER HAS PLAYED A PROMINENT
18 ROLE IN THE GROWTH AND DEVELOPMENT OF THE CITY OF LOS
19 ANGELES. IT QUICKLY OUTGREW THE LOCAL WATER SUPPLIES.
20 AND BACK IN 1913, L.A. DEPARTMENT OF WATER AND POWER
21 TURNED TO THE OWENS VALLEY FOR HELP.

22 SO WHAT THEY DID IS CONSTRUCT THAT GREAT
23 VIADUCT THAT COMES DOWN THE STATE AND BRINGS ALL THAT
24 GOOD WATER FROM UP IN NORTHERN CALIFORNIA. THEY GO ON TO
25 SAY, "WATER FROM THE EASTERN SIERRA IS VERY GOOD QUALITY.

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1 DWP SEES TO IT THAT THE WATER IS PROTECTED ALONG ITS
2 ROUTE TO KEEP IT FREE FROM CONTAMINATION. ALL FISHING
3 AND RECREATIONAL USE OF THE WATER RESTRICTED IN THE
4 NORTHERN END OF THE AQUEDUCT SYSTEM."

5 THEY DON'T SAY ONE WORD ABOUT WHAT HAPPENS
6 TO IT WHEN IT FLOWS OUT HERE INTO THEIR TREATMENT PLANT.
7 BECAUSE WHAT HAPPENS TO IT DOWN THERE, GENTLEMEN,
8 VIOLATES PROBABLY THE GREATEST RULE THAT 5,000 YEARS OF
9 CIVILIZATION HAVE GIVEN US; AND, THAT IS, YOU DON'T PUT
10 YOUR GARBAGE UPSTREAM OF YOUR WATER SUPPLY. AND ONE
11 REASON YOU DON'T DO THAT, YOU'VE ALREADY SEEN THE
12 PICTURES OF WHAT HAPPENS WHEN IT BLOWS IN HERE.

13 NOW, WHAT HAPPENS WHEN IT COMES FLOWING OUT
14 OF THIS DUMP OVER HERE ACROSS SAN FERNANDO ROAD ON TOP OF
15 THE GROUND AND THEN THROUGH A TUNNEL THAT IS PERMEATED BY
16 BROKEN TILES, BUT BECAUSE IT'S BEEN IN THAT EARTH MOVING
17 AREA FOR A LONG TIME, AND THEN COMES BACK ABOVE GROUND,
18 RIGHT HERE, WHICH IS ON THE WATER TREATMENT PROPERTY.

19 NOW, YOU DON'T THINK THAT'S POSSIBLE. I,
20 TOO, HAVE BROUGHT A COUPLE OF PHOTOGRAPHS THAT I'D LIKE
21 TO SHOW YOU. THIS IS A PICTURE OF THE WATER COMING AT
22 THE END OF WHAT IS THE CAUSEWAY FROM THAT AREA. AND HERE
23 IT IS FLOWING ON TOP OF THE GROUND RIGHT AT THE HEAD OF
24 THE TREATMENT FACILITY FOR 100 PERCENT OF THE WATER OF
25 THE CITY OF LOS ANGELES.



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1 NOW. IS IT SERIOUS? WELL, MAYBE NOT TODAY.
2 EVERY LANDFILL IS PERMEABLE. THE EPA, AS I RECALL, SAID
3 THAT, INADVERTENTLY, SANITARY LANDFILLS, WHICH IS WHAT
4 WE'RE TALKING ABOUT, WILL ACCEPT BETWEEN 1 AND 3 PERCENT
5 OF TOXIC WASTE. THOSE WERE OLD FIGURES. THEY'VE
6 RECENTLY UPGRADED THAT AND SAID 4 PERCENT OF TOXIC.

7 AT THE NUMBERS OF TRASH THEY'RE BRINGING IN
8 TODAY, THAT AMOUNTS TO BETWEEN A HALF A MILLION AND A
9 MILLION TONS OF ONLY TOXIC WASTE THAT ARE GOING INTO THAT
10 DUMP EVERY YEAR. TEN MILLION TONS IN TEN YEARS.

11 NOW, WHAT WE HAVE HERE, GENTLEMEN, IS A
12 TIME BOMB. IF YOU APPROVE THIS PERMIT, YOU ARE GOING TO
13 START THAT BOMB TICKING. BECAUSE NOBODY HERE CAN
14 GUARANTEE, PARTICULARLY AFTER WHAT HAPPENED TO THE L.A.
15 WATER SYSTEM IN THE SAN FERNANDO VALLEY IN THIS PAST
16 RAIN, WHICH WAS NOT 100-YEAR RAIN OR EVEN A 50-YEAR RAIN,
17 WE'RE STILL GOING TO GET THAT. AND THERE'S NO WAY THAT
18 ANYBODY CAN GUARANTEE THAT OUR WATER SYSTEM IS GOING TO
19 BE SAFE BECAUSE IT'S IN THE WRONG PLACE.

20 THANK YOU, GENTLEMEN.

21 CHAIRMAN HUFF: ANY QUESTIONS?

22 MR. NAVIKAS: GOOD AFTERNOON. MY NAME IS
23 FRANCIS NAVIKAS. I ALSO LIVE IN THE COMMUNITY OF GRANADA
24 HILLS.

25 FIRST OF ALL, I'D LIKE TO THANK YOU FOR

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1 YOUR EXTREME PATIENCE AND LISTENING TO US THIS LONG. AND
2 IN THE FOUR YEARS THAT I'VE BEEN COMING TO THESE MEETINGS
3 AND THE REST OF OUR COMMUNITY, WE THINK THAT YOU'VE SET A
4 FINE EXAMPLE. WOULD YOU JUST PLEASE HANG IN THERE A
5 LITTLE BIT LONGER? WE'LL BE FINISHED PRETTY SOON.

6 YOU CAN PUT AWAY YOUR CALCULATORS AND
7 PENCILS. I'M ONLY GOING TO TALK ABOUT ONE SUBJECT, A
8 LITTLE BIT MORE ABOUT THE WIND AND ITS EFFECTS.

9 OUR COUNCILMAN HAD US SET UP AN ANEMOMETER,
10 WHICH WE MONITORED FOR APPROXIMATELY TWO YEARS. WE HAD
11 WIND GUSTS FREQUENTLY REACHING OVER 60 MILES AN HOUR, AND
12 THE AIR QUALITY MANAGEMENT DISTRICT CLOCKED GUSTS OVER
13 100 MILES AN HOUR AT THE BFI LANDFILL.

14 JUST A COUPLE OF EXAMPLES, THAT MY
15 INSURANCE COMPANY WILL ATTEST TO, OF HOW STRONG OR WHAT
16 THIS WIND WILL DO. I HAVE A PICKUP TRUCK THAT HAD A BED
17 LINER IN THE BACK THAT WEIGHS ABOUT 200 POUNDS. AT ONE
18 PARTICULAR TIME, MY NEIGHBOR FIVE HOUSES DOWN REPORTED
19 SEEING IT FLY BY HIS BEDROOM WINDOW AT FIVE IN THE
20 MORNING.

21 ANOTHER TIME I HAD A FOUR BY SIX STEEL
22 CABINET AGAINST THE BACK OF THE HOUSE IN THE BACKYARD
23 FULL OF GARDEN TOOLS. THE NEXT MORNING IT WAS ON THE
24 HOOD OF MY CAR IN FRONT OF THE HOUSE.

25 ANOTHER TIME WE HAD A NEIGHBOR'S GAZEBO,

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1 WHICH HE FINALLY MOVED AWAY, BUT OPPOSITE OUR PROPERTY ON
2 THE HILLTOP THAT WAS DENUDED OF THE CONCRETE TILES.

3 THAT'S THE SAME WIND THAT BLOWS OVER THE
4 LANDFILL AND, AS YOU'VE HEARD BEFORE, BRINGS ALL THAT
5 DUST.

6 WE FINALLY GAVE UP COMPLAINING TO THE AIR
7 QUALITY BOARD BECAUSE WHEN THE WIND WENT ABOVE 25 MILES
8 AN HOUR, THEY SAID THEY COULDN'T DO ANYTHING ABOUT IT
9 BECAUSE IT WAS AN ACT OF GOD, AND WE HAD TO PUT UP WITH
10 IT. I HOPE IT DOESN'T TAKE AN ACT OF GOD TO CLOSE THIS
11 PLACE.

12 THE BFI CLAIMS THAT THEY DON'T ACCEPT ANY
13 RAW SEWAGE. BUT WHAT DO YOU CALL THE TENS OF THOUSANDS
14 OF DISPOSABLE DIAPERS THAT HAVEN'T BEEN RINSED OUT THAT
15 THEY'RE UP THERE EVERY DAY?

16 NOW, THEY COVER THIS STUFF WITH BULLDOZERS;
17 THEY'RE WORKING THERE ALL THE TIME. BUT FOR EIGHT HOURS
18 OR MORE A DAY, DAY IN AND DAY OUT, THIS STUFF IS EXPOSED
19 UNTIL THEY COVER IT. AND THEN THIS WIND -- EVEN THE WIND
20 UNDER 25 MILES AN HOUR IS FANNING IT AND, AS YOU'VE BEEN
21 TOLD, BLOWS OVER OUR DRINKING WATER SUPPLY, ALL THE WATER
22 FOR LOS ANGELES. CERTAINLY SOME BACTERIA MUST BE LANDING
23 IN IT.

24 AND THEN THE OTHER THING THAT THE LANDFILL
25 BRINGS WITH IT, AND YOU CAN GO ANY DAY, IS FLOCKS OF

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1 SEAGULLS THAT POKE AROUND IN THIS STUFF UNTIL IT GETS
2 BURIED. THEY'RE THERE FROM DAYBREAK UNTIL DUSK PICKING
3 UP STUFF. UNTIL THEY BURY IT, THESE SEAGULLS PICK
4 THROUGH THAT DEBRIS, THE DIAPERS AND EVERYTHING ELSE.
5 AND THEY FLY BACK TO THEIR GATHERING PLACE AT THE VAN
6 NORMAN RESERVOIR. WHAT THEY DON'T DROP OUT OF THEIR
7 BILLS DROPS OUT THE OTHER END INTO THE RESERVOIR.

8 WHEN THE WIND COMBINES WITH FIRE, THE
9 RESULTS ARE SWIFT AND DISASTROUS. HAVING METHANE BURNING
10 STACKS BELCHING FLAMES 12 FEET HIGH AT TEMPERATURES
11 REACHING 1600 DEGREES FAHRENHEIT, SURROUNDED BY HUNDREDS
12 OF ACRES OF DRY BRUSH AND WEEDS AND OIL AND GAS
13 EXPLORATION OPERATIONS DOWNWIND, AND FINALLY A COMMUNITY
14 OF THOUSANDS JUST BELOW IT IS A POTENTIAL DISASTER.

15 THE 1988 FIRE STORM BEARS THIS OUT. FIRE
16 DEPARTMENT INVESTIGATION POINTS TO THE LANDFILL FLARE
17 INCINERATOR.

18 SO YOU COULD APPRECIATE WHERE WE'RE COMING
19 FROM. PLEASE ALLOW ME TO BRIEFLY DESCRIBE OUR EXPERIENCE
20 IN THAT NIGHTMARE OF 1988. THE WIND AND THE SMELL OF THE
21 SMOKE WOKE ME UP ABOUT 4 A.M. THE FIRE SEEMED SMALL AND
22 DISTANT, PERHAPS TWO MILES AWAY IN THE BFI PROPERTY.

23 WITHIN ABOUT AN HOUR, FLAMES WERE LICKING
24 OUR WINDOWS. SMOKE FILLED OUR HOUSE, WITH THE WIND
25 HOWLING OUTSIDE, AND EVERY SMOKE ALARM IN THE HOUSE

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1 BLARING. IT WAS ALMOST IMPOSSIBLE TO COMMUNICATE EVEN
2 WHEN SHOUTING INTO EACH OTHER'S EARS.

3 WE HAD JUST PURCHASED THIS NEW HOUSE, OUR
4 DREAM HOUSE, WHERE WE PLANNED TO LIVE THE REST OF OUR
5 LIVES. SO WE ELECTED NOT TO EVACUATE, AS DID ALL OF OUR
6 NEIGHBORS.

7 THE BLOWTORCH WINDS AND INTENSE HEAT
8 VAPORIZED ANY WATER AS IT LEFT OUT OF OUR GARDEN HOSE.
9 THERE'S NO SUCH THING AS STANDING ON YOUR ROOF WITH YOUR
10 HOSE. IT DOESN'T HAPPEN. IN FACT, IT'S REMINISCENT OF
11 THESE TRICK MATCHES THAT YOU BLOW IT OUT AND YOU TURN
12 AWAY AND IT RELIGHTS AGAIN. AND THAT'S EXACTLY THE WAY
13 IT WAS. AND YOU CAN'T SAY THAT THOSE 1600 DEGREE
14 TEMPERATURE FLARES BURNING DOESN'T ADD TO THE INTENSE
15 HEAT.

16 IN FACT, IT WAS SO INTENSE THAT THE
17 ALUMINUM CAPS ON THE CHAINLINK FENCE MELTED. AND, OF
18 COURSE, WE HAD OUR TRUCK AND OUR CAR OUT IN FRONT WITH
19 THE KEYS IN IT READY TO TAKE OFF. CONSEQUENTLY, OF
20 COURSE, THEY WERE COMPLETELY PAINTED. THE RUBBER MELTED
21 AROUND THE WINDSHIELDS.

22 AGAIN, THIS IS THE WIND THAT WE HAVE. FIVE
23 OR SIX MONTHS OF THE YEAR, IT'S ALMOST STEADY REACHING
24 THOSE HIGH VELOCITIES.

25 WHILE THE BFI DUMP REMAINS OUR UPWIND

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1 NEIGHBOR, WE LIVE WITH CONSTANT CONCERN. EVERY TIME A
2 STRONG WINDS START UP, USUALLY TWO TO THREE IN THE
3 MORNING, SO DOES OUR VIGIL, SCANNING THE HORIZON FOR A
4 FLICKER OF FLAME. THIS IS NO WAY TO LIVE.

5 HOW DO YOU ASK A COMMUNITY LIKE OURS TO
6 LOVE THY NEIGHBOR WHEN THE NEIGHBOR IS A DISASTER WAITING
7 TO HAPPEN? THANK YOU.

8 BOARD MEMBER EGIGIAN: MAY I ASK YOU: WHAT WAS
9 THAT LINER MADE OUT OF?

10 MR. NAVIKAS: OH, PLASTIC.

11 BOARD MEMBER EGIGIAN: FOUR HUNDRED POUNDS?

12 MR. NAVIKAS: NO, 200.

13 BOARD MEMBER EGIGIAN: THE HEAVIEST LINER THAT'S
14 MADE OUT OF PLASTIC IS 60 POUNDS. I SOLD THEM FOR 15
15 YEARS, AND I NEVER FOUND ONE THAT'S HEAVIER. COME OUT
16 WITH SOME TRUE FACTS SO WE CAN -- AT LEAST, WHEN WE HEAR
17 IT, WE CAN SAY WE'RE GETTING SOME TRUE FACTS. GIVE US
18 SOME SOLUTIONS AND NOT A BUNCH OF RHETORIC THAT DOESN'T
19 SEEM TRUE TO ME. OKAY?

20 MR. NAVIKAS: WELL, SINCE YOU'RE PRESSING ME FOR
21 THE DETAILS, THE REASON IT WAS SET OUT THERE WITH THE
22 BACK END OPEN, I HAD SEVERAL SACKS OF FERTILIZER AND
23 OTHER MATERIALS THERE. AGAIN, THAT -- FORGET THE LINER
24 NOW. LET ME TELL YOU ABOUT THAT CABINET. THE CABINET IS
25 STILL SETTING THERE, AND I HAVE PICTURES OF IT, BOTH

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1 BEFORE IT LEFT THE BACK OF MY HOUSE --

2 BOARD MEMBER EGIGIAN: I'M NOT ARGUING THAT
3 POINT. I'M JUST SAYING THAT WE'RE SITTING HERE LISTENING
4 TO THE STORIES THAT YOU PEOPLE ARE TELLING US, AND SOME
5 OF US HAVE BEEN INVOLVED IN THESE VARIOUS AREAS. AND
6 WHEN THESE FIGURES ARE DOUBLED OR TRIPLED, IT GIVES US
7 THE IDEA THAT SOMEBODY IS NOT TELLING US THE TRUTH HERE.
8 SO I WOULD HOPE THAT THE FACTS ARE REAL FACTS WHEN THEY
9 COME BEFORE US.

10 I APPRECIATE YOUR DILEMMA AND YOUR
11 PROBLEMS, AND I SYMPATHIZE WITH THEM. AND IF I LIVED
12 WHERE YOU DO, I MAY BE WORSE THAN YOU ARE AS FAR AS
13 TELLING THE STORY.

14 MR. NAVIKAS: LET ME SAY THAT I DID NOT WEIGH
15 THAT LINER. I MERELY JUDGED IT BY ME TRYING TO LIFT IT.
16 AND WHERE YOU SAID 400, THAT'S WHAT IT FELT LIKE TO ME.
17 BUT LET ME TELL YOU, I HAVE A FULL-SIZE PICKUP TRUCK, AND
18 THAT LINER DID FLY OUT AND WAS PICKED UP AND TAKEN DOWN
19 THE STREET.

20 BOARD MEMBER EGIGIAN: MAYBE IT WASN'T INSTALLED
21 PROPERLY, OR OTHERWISE IT COULDN'T FLY OUT.

22 MR. NAVIKAS: YOU SOUND LIKE THE INSURANCE
23 COMPANY. THE FACT IS THE WIND DID PICK IT UP, SIR, AND
24 CARRY IT DOWN THERE.

25 BOARD MEMBER EGIGIAN: I BELIEVE YOU, AND I

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1 THANK YOU FOR TELLING US ABOUT IT.

2 CHAIRMAN HUFF: I'VE DRIVEN THROUGH THAT WIND ON
3 OCCASION. IN FACT, I'VE DRIVEN THROUGH THAT WIND ON MANY
4 OCCASIONS.

5 MR. NAVIKAS: IT'S PRETTY SAD. AND, YOU KNOW,
6 AS IT WAS SAID BEFORE, FROM BACK THE BIBLICAL TIMES ABOUT
7 PLANTING THE GARBAGE UP THERE, THAT'S WHAT THE BOY SCOUTS
8 WERE TAUGHT, TOO. THE FIRST, YOU NEVER PUT YOUR PRIVY
9 UPWIND OF THE PLACE WHERE YOU'RE DRINKING WATER. AND
10 THAT'S EXACTLY WHAT YOU HAVE. HOW THE HECK YOU EVER --
11 THEY ALLOWED TO PUT THIS THING IN THE FIRST PLACE IS
12 BEYOND ME.

13 BOARD MEMBER EGIGIAN: EVEN THE MARINE CORPS
14 KNOWS THAT.

15 MR. NAVIKAS: RIGHT. LET'S KNOCK IT OFF AND GET
16 IT OUT OF THERE WHILE WE'RE STILL ALIVE.

17 MR. COX: MY NAME IS FRANK COX. I'M A HOMEOWNER
18 IN THE GRANADA HILLS AREA, ALSO. AND I WAS GOING TO TALK
19 ABOUT CRISIS PROBLEM, BUT THAT'S ALREADY BEEN PRETTY WELL
20 COVERED.

21 SO I'M GOING TO JUST QUOTE SOME THINGS HERE
22 FROM THE L.A. COUNTY PLANNING COMMISSION HEARING. NOW,
23 THIS IS FACTUAL STUFF, SO IT ISN'T -- I'M NOT STRETCHING
24 THE TRUTH HERE.

25 SUNSHINE CANYON LANDFILL, JULY 25, 1990,

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1 THE CONCERN IS THAT VERY LITTLE MONITORING OR ENFORCEMENT
 2 OF BFI'S ACTIVITIES WILL BE CARRIED OUT IN THE COUNTY IF
 3 THE COUNTY SUNSHINE DUMP IS APPROVED AND THE OPERATOR
 4 WILL THEN BE ABLE TO DO AS HE PLEASES.

5 THE FOLLOWING ARE THE EXACT WORDING OF
 6 QUOTATIONS FROM RICHARD FRASER, REGIONAL PLANNING
 7 COMMISSION SPOKESMAN, PRESENTED BEFORE THE PLANNING
 8 COMMISSION AT AN AUDIENCE OF CONCERNED CITIZENS.

9 OKAY. QUOTE, BIENNIAL REVIEW AS
 10 STRUCTURED. THE APPLICANT WOULD PREPARE A REPORT WHERE
 11 HE WOULD BE REQUIRED TO DISCLOSE ANY VIOLATIONS FOR WHICH
 12 HE IS CITED. BEFORE THAT REPORT WAS SUBMITTED TO THE
 13 PLANNING COMMISSION, IT WOULD BE CIRCULATED TO THE
 14 RESPONSIBLE REGULATORY AGENCIES, WHO WOULD BE ASKED, AS
 15 PART OF THE OVERALL MONITORING PROGRAM THAT WE HAVE TO
 16 IMPLEMENT, TO MAKE SPECIFIC RESPONSES AS TO THE ACCURACY
 17 OF THE REPORT. THAT REPORT WOULD THEN, IN TURN, BE
 18 TURNED OVER TO THE PLANNING COMMISSION.

19 BUT, NO, I DON'T BELIEVE THAT WE HAVE THE
 20 STAFF, EXPERTISE, ETC., AS ZONING ENFORCEMENT AGENTS, FOR
 21 EXAMPLE, TO DETERMINE THE APPROPRIATE DISPOSAL ON A DAILY
 22 BASIS OF HAZARDOUS WASTE MATERIAL THAT ARE FOUND WITHIN
 23 THE PROPERTY.

24 WE DON'T HAVE THE EXPERTISE TO MONITOR
 25 WELLS AND TO CARRY OUT ALL THE OTHER SPECIFIC MONITORING

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1 ACTIVITIES WHICH WILL BE TAKEN AS FAR AS THE OVERALL
2 FRAMEWORK.

3 THAT'S ALL I'VE GOT TO SAY.

4 MS. MEAD: HI. MY NAME IS ARLENE MEAD, AND I
5 LIVE IN GRANADA HILLS IN THE SHADOW OF THE SUNSHINE
6 CANYON DUMP. I'M A CONCERNED MOTHER OF A THREE-YEAR-OLD
7 AND A CONCERNED WIFE OF A MARATHON RUNNER. AND I WORRY
8 ABOUT OUR HEALTH AS A RESULT OF BREATHING DUMP DUST.

9 IN 1987 AN INFORMAL HEALTH SURVEY WAS
10 CONDUCTED BY A LOCAL DOCTOR. HIS FINDINGS WERE
11 REPLICATED IN 1988 IN A SIMILAR SURVEY TAKEN BY THE
12 COUNCILMAN'S OFFICE. THE RESULTS OF BOTH SURVEYS POINTED
13 TO AN ALARMING NUMBER OF RESPIRATORY AND OTHER HEALTH
14 PROBLEMS IN THE NEIGHBORHOOD NEAREST THE DUMP.

15 RESPONDING TO THIS CONCERN, THE ZONING
16 ADMINISTRATOR, AS PART OF HIS DECISION, ORDERED BFI TO,
17 WITHIN 60 DAYS, INITIATE A SYSTEMATIC SAMPLING AND
18 ANALYSIS OF AIR AND SOILS TO EVALUATE THE IMPACTS UPON
19 HEALTH.

20 BFI APPEALED THIS DECISION, BUT THE LOS
21 ANGELES CITY COUNCIL MADE THE ACTION FINAL IN JULY OF
22 1989. UNFORTUNATELY, BFI HAS CHOSEN NOT TO COMPLY. TWO
23 AND A HALF YEARS LATER, THE SURVEY STILL HAS NOT BEEN
24 DONE.

25 THE COMMUNITY IS FRIGHTENED BY THE NUMBER

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1 OF SERIOUS HEALTH CONCERNS -- HEALTH PROBLEMS THAT
2 AFFLICT OUR NEIGHBORS. WE KNOW THAT FINE PARTICULATES
3 CALLED PM10'S FOUND IN BLOWING DUST CAN CAUSE SEVERE LUNG
4 DAMAGE.

5 SINCE IT IS LOCATED IN A WIND TUNNEL, THE
6 LANDFILL HAS NEVER BEEN ABLE TO CONTROL ITS DUST. WE'RE
7 ALREADY AT RISK. THE LONG AWAITED LOMA LINDA 20-YEAR
8 STUDY CONCLUDES WOMEN LIVING IN THE LOS ANGELES BASIN
9 HAVE A 37 PERCENT GREATER CHANCE OF CONTRACTING ALL KINDS
10 OF CANCERS BECAUSE OF PARTICLE POLLUTION THAN WOMEN
11 LIVING IN CLEANER ENVIRONMENTS. MEN AND WOMEN LIVING IN
12 L.A. HAVE MORE THAN TWICE THE RISK OF GETTING LUNG
13 CANCER.

14 WHEN THE COALITION FIRST WROTE TO THIS
15 BOARD IN 1987, VOICING OUR CONCERNS ABOUT THIS LANDFILL,
16 THE LETTERHEAD LISTED ONLY FIVE NAMES. OF THE FIVE, THE
17 PRESIDENT HAS UNDERGONE SERIOUS CANCER SURGERY,
18 RADIATION, AND CHEMOTHERAPY. THE VICE PRESIDENT IS DEAD.
19 THE TREASURER MOVED AWAY BECAUSE SHE FEARED FOR THE
20 HEALTH OF HER CHILDREN, WHO COUGHED CONSTANTLY. THE
21 SECRETARY HAS HAD CANCER SURGERY. THE PUBLIC RELATIONS
22 DIRECTOR'S HUSBAND DIED OF CANCER LAST YEAR. WE NO
23 LONGER LIST NAMES ON OUR LETTERHEAD.

24 WE ARE LIVING IN AN AREA WHERE THE AIR IS
25 SEVERELY DEGRADED. TO REMOVE BREATH-TAKING OAK FOREST

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1 AND REPLACE IT WITH INCINERATORS, THOUSANDS OF DIESEL
2 TRUCKS, BLOWING DUST, AND THE OUTGASING PILE OF GARBAGE
3 IS AN UNCONSCIONABLE ACT.

4 I USED TO BE FRIGHTENED BY THE TALES OF
5 VILLAGE COUNCILS WHO CHOSE A MAIDEN TO BE SACRIFICED TO
6 THE DRAGON. THE REALITY IS WORSE. YOU'RE CHOOSING MANY
7 OF MY NEIGHBORS TO DIE LONG PAINFUL DEATHS IN ORDER TO
8 FEED THE DRAGON OF CORPORATE GREED.

9 MR. ORMSBY: HELLO. I'M MICHAEL ORMSBY FROM
10 SAVE OUR SYLMAR, AND WE'RE A MEMBER AGENCY OR GROUP WITH
11 THE NORTH VALLEY COALITION.

12 I WANTED TO PREFACE MY SPEECH TODAY WITH A
13 QUICK THOUGHT. AND THAT IS THAT WE APPRECIATE -- I
14 PERSONALLY APPRECIATE ANY OPPORTUNITY TO SPEAK PUBLICLY
15 WHEN IT COMES TO HEALTH AND SAFETY AND WELFARE-TYPE
16 ISSUES.

17 IN THIS PARTICULAR CASE, THOUGH, OUR
18 ABILITY TO COMMENT ON THIS TOPIC IS SEVERELY LIMITED OR
19 INHIBITED BECAUSE OF THE FACT THAT I NEVER SAW A COPY OF
20 THIS PERMIT UNTIL TODAY; IN FACT, JUST ABOUT TWO HOURS
21 AGO. WHICH MEANS THAT I HAD TO GO ALONG, AS MARY EDWARDS
22 HAD POINTED OUT EARLIER, WE HAD TO GO ON THE CUP,
23 CONDITIONAL USE PERMIT, FROM THE COUNTY.

24 IT TURNS OUT THAT THE LEA, AS NOTED
25 EARLIER, MADE CHANGES, SOME OF THEM SOMEWHAT SIGNIFICANT.

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1 IT ALSO TURNS OUT THAT MR. WISE TODAY IN HIS PROPONENT
2 DISCUSSION MADE -- I SEE THEM AS SIGNIFICANT CONCEPTUAL
3 CHANGES TO THE OVERALL PROJECT. THEY CHANGED THE PERMIT
4 SO SIGNIFICANTLY THAT MY SPEECH TODAY BECAME OBSOLETE.

5 BUT MOREOVER -- AND I THINK I LIKE WHAT I
6 SAW TODAY, BUT WE JUST DIDN'T HAVE A CHANCE TO LOOK AT
7 THAT BECAUSE IT WASN'T GIVEN TO US UNTIL -- AS YOUR STAFF
8 POINTED OUT, IT WAS GIVEN TO YOUR STAFF THE 14TH, FRIDAY.
9 IT WAS GIVEN TO ME TWO HOURS AGO.

10 SO WITH THAT IN MIND, I BEG YOU TO ALLOW
11 THIS PERMIT OR THAT IT'S DENY THIS PERMIT FOR NOW, NOT
12 NECESSARILY -- NOW, I KNOW YOU'RE LISTENING TO ALL THAT
13 WE'RE SAYING, NOT NECESSARILY FOR ANY OF THOSE REASONS,
14 BUT FOR SIMPLY THE REASON THAT MANY OF US COMMENTERS AND
15 MANY OF THE PEOPLE THAT I INTENDED TO COMMENT, WHICH
16 COULDN'T WAIT THIS LONG IN THE DAY TO STAY, DIDN'T HAVE
17 AN INKLING OF WHAT THAT FINAL PERMIT WAS GOING TO LOOK
18 AT. AND, INDEED, AS A COUPLE COMMENTERS MENTIONED, THERE
19 WERE SIGNIFICANT CHANGES TO IT.

20 AND WITH THAT IN MIND, I'LL BEGIN MY
21 DISCUSSION, WHICH I'LL TRY TO MAKE BRIEF.

22 I GAVE YOU A COPY OF A MEMO FROM OUR GROUP,
23 AND IT'S ADDRESSED TO MR. JESSE HUFF. ONE OF THE THINGS
24 THAT I NOTICED ORIGINALLY, WHICH I -- MIGHT HAVE BEEN
25 POINTED OUT EARLIER, I'M NOT SURE, IS THAT THE COUNTY

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1 BOARD OF SUPERVISORS, DURING THEIR MANY DELIBERATIONS ON
2 THIS PROJECT, WERE CAREFUL TO LIMIT THE SIZE OF THIS
3 INTAKE TO 6,000 TPD AT THE LANDFILL GATE.

4 NOW WE'RE TALKING TODAY ABOUT NEW FIGURES,
5 FIGURES THAT GO BACK TO THE DRAFT EIR, WHICH WAS NOT EVER
6 ACCEPTED IN TOTO. EVERYBODY KNOWS THAT BFI, THAT FEIR
7 DIFFER FROM THE DEIR BY SIGNIFICANT FIGURES. ONE OF
8 THOSE WAS MY UNDERSTANDING -- IN FACT, IT GAVE ME SOME
9 CONCERN THAT WE WERE LIMITING THE DUMP TO 6,000 TPD.

10 IT WAS MY UNDERSTANDING, AT THE TIME OF THE
11 BOARD OF SUPERVISOR'S HEARINGS, THAT THAT INCLUDED
12 RECYCLABLES, THAT WE WERE THEN GOING TO TAKE THAT 6,000
13 TPD AT THE GATE AND RECYCLE 25 PERCENT ACCORDING TO
14 AB 939 BY 1995. AND ALSO, THAT WE WERE GOING TO DO 50
15 PERCENT BY THE YEAR 2000, WHICH WOULD PROLONG THE LIFE OF
16 THIS LANDFILL FROM NINE OR TEN YEARS, WHICH BFI PROJECTS,
17 TO MAYBE 20 OR 30 YEARS.

18 IT WOULDN'T MAKE THE COMMUNITY VERY HAPPY,
19 BUT IT WOULD CERTAINLY MAKE ME HAPPY IN TERMS OF HABITAT
20 LOSS AND THE OTHER ENVIRONMENTAL FACTORS THAT HAVE
21 ALREADY BEEN ADDRESSED.

22 SO IN TERMS OF YOUR GOALS, THE GOALS OF
23 THIS BOARD, TO RECYCLE AND REUSE AND REDUCE, IT SEEMS
24 THAT IT'S PRIMARILY A MISTAKE TO PERMIT 9,000 TPD AND
25 SUGGEST 3,000 TONS RECYCLING. I WOULD THINK THE STATE OF

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1 CALIFORNIA WOULD BE MUCH BETTER SERVED BY GOING WITH WHAT
2 THE COUNTY ORIGINALLY WAS TALKING ABOUT, WHICH WAS 6,000
3 TPD. AGAIN. I'M APPALLED AT THE FIGURES THAT I HEARD
4 TODAY. I ALMOST PASSED OUT.

5 POINT NO. 2, THE LANDFILL BEFORE YOU TODAY
6 HAS BEEN OPERATING SINCE, AS POINTED OUT MANY TIMES,
7 SINCE 1958. SINCE 19 -- OR '50 -- IN THE EARLY '50S, I
8 THINK, ACTUALLY IT WAS A COMPOST CENTER.

9 SINCE 1978 BFI BOUGHT THE PROPERTY, THE
10 RECYCLING THAT'S BEEN DONE THERE PRIMARILY HAS BEEN FOR
11 PROFIT. FOR EXAMPLE, ONE OF THE THINGS THAT BFI HAS
12 DONE, I THINK, VERY ADMIRABLY, IS TO REMOVE AND REDUCE
13 TRASH USING THE WOOD -- REMOVING THE WOOD. AND THEY'RE
14 SELLING IT TO VARIOUS DIFFERENT COMPANIES.

15 NOW, IN THE CASE OF OTHER TYPES OF
16 RECYCLABLES, I TALKED TO ONE OF THE VICE PRESIDENTS OF
17 BFI HERE IN SOUTHERN CALIFORNIA IN A MEETING IN SAN
18 FERNANDO ABOUT A YEAR AND A HALF AGO. I WANTED TO LEARN
19 MORE ABOUT HOW BFI IS DOING IN THE RECYCLING AREA AND,
20 INDEED, FOUND OUT THAT THEY HAVE A POSITIVE IDEA OR
21 ATTITUDE ABOUT IT.

22 BUT ONE OF THE THINGS, THE BOTTOM LINE WAS,
23 AS WE LEFT THE MEETING WAS RECYCLING IS ONLY GOING TO BE
24 DONE IF IT'S PROFITABLE. AND I WANT TO POINT THIS OUT TO
25 THE BOARD BECAUSE I THINK, FROM THE STATE OF CALIFORNIA'S



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1 POINT OF VIEW, THAT'S NOT NECESSARILY WHAT THEY HAD IN
2 MIND WITH AB 939.

3 I KNOW MS. RUBALCAVA POINTED OUT THAT THE
4 RESPONSIBILITY OF AB 939 COMES FROM THE CITIES AND
5 COUNTIES OF THE STATE OF CALIFORNIA. THAT'S ALL WELL AND
6 GOOD. BUT THE ABILITY TO RECYCLE IS BEING PROMOTED AT
7 ALL THE NEW LANDFILL SITES, AS I'M SURE YOU GUYS HEARD
8 ALL DAY TODAY AND ARE SICK OF HEARING.

9 THE ABILITY TO DIVERT AND THE AMOUNT YOU
10 CAN DIVERT IS ONE OF THE, YOU KNOW, THE WAYS YOU GET YOUR
11 PROJECT APPROVED -- THE PERMIT PERMITTED BY YOUR GROUP,
12 BY YOUR BOARD.

13 SO IN ANY CASE, I WANTED TO POINT OUT THAT
14 YOU'RE NOT GOING TO ENCOURAGE RECYCLING AT SUNSHINE BY
15 PERMITTING A STARTING POINT OF 6,000 DUMPED TONS AND THEN
16 SAYING, WELL, YEAH, IF YOU GO OVER 6,000 DUMPED TONS, YOU
17 WILL RECYCLE BETWEEN 6,000 AND 9,000. I DON'T THINK
18 THAT'S A GOOD WAY TO DO IT.

19 AND LAST, AGAIN GETTING BACK TO THE PROFIT
20 MOTIVE, GETTING BACK TO CLOSING OUT ON THE PROFIT MOTIVE,
21 BFI ADMITTED THEMSELVES THAT THEY ARE INTERESTED IN
22 PROFIT MOTIVE. I THINK THE STATE HAS TO COME UP WITH A
23 WAY, IF THEY'RE REALLY GOING TO UTILIZE THE LANDFILL AS A
24 MATERIAL RECOVERY FACILITY, TO INCLUDE SUCH A FACILITY IN
25 THE PLANS.

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1 NOW, THERE WAS NO MRF, TO MY KNOWLEDGE, IN
2 THE ORIGINAL PLANS FOR SUNSHINE. MOREOVER, WHAT MR. WISE
3 SUGGESTED TODAY REGARDING THE ENVIRONMENTAL CONTROL,
4 ETC., ETC., ETC., WOULD ALSO, I THINK, APPLYING THAT SAME
5 TECHNOLOGY, AND HE -- WE NEED IN THIS PROJECT, AS PART OF
6 THE OPERATING PERMIT, I THINK, A LITTLE BIT MORE DETAIL
7 RECYCLING FACILITY IN THE COUNTY IN THE EVENT THE CITY
8 NEVER DOES, YOU KNOW, APPROVE ANYTHING.

9 IT SEEMS TO NOT MAKE ANY SENSE TO ALLOW
10 DUMPING AT THE 6,000 TPD OR THE 9,000 OR THE 17,000 IF
11 YOU DON'T HAVE THE SEPARATION OR RECYCLING FACILITIES.
12 AND, AGAIN, YOU NEED SOME KIND OF, I THINK, FOR YOUR
13 GROUP -- FOR YOUR GROUP TO REVIEW -- FOR YOUR ANALYSIS UP
14 IN SACRAMENTO, YOU NEED SOME DEFINITE PLANS FOR THAT
15 FACILITY IN THE COUNTY AREA, WHICH AGAIN, I'VE SEEN AS
16 LOOSELY, JUST KIND OF VAGUELY DESCRIBED ON MAPS AS
17 RECYCLING AREAS. BUT I SEE NO REAL DESCRIPTION OR
18 DEFINITION OF EXACTLY HOW THINGS ARE GOING TO BE
19 SEPARATED, ETC., ETC.

20 OKAY. ONE OF THE THINGS I WANT TO POINT
21 OUT, AND I HAVE DEFER TO THE EIR BECAUSE I DON'T HAVE ANY
22 OTHER SOURCE, THE BFI ARGUED IN THE EIR THAT RECYCLING IS
23 NOT AN ALTERNATIVE TO DUMPING. AND I WANT TO STATE THAT
24 BECAUSE I WANT TO POINT OUT WHERE THEY'RE COMING FROM.

25 IF RECYCLING IS NOT AN ALTERNATIVE TO

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1 DUMPING, THEN WHY DID WE PASS THE LAWS REQUIRING 25
2 PERCENT RECYCLING BY THE YEAR '95 AND 50 PERCENT BY THE
3 YEAR 2000? IT DOESN'T MAKE MUCH SENSE.

4 IF, IN FACT -- AND IN THIS I WANT TO QUOTE
5 YOU A COUPLE OF NUMBERS FROM THE COMMUNITY, AND I HOPE
6 THESE ARE AS HONEST AS I CAN BE. HERE, I'LL START WITH
7 MY HOUSE. I'LL TAKE THE COMMUNITY OUT OF IT BECAUSE I'M
8 NOT -- I TALKED TO PEOPLE AND I DID A SURVEY.

9 OUR STREET IS ON ITS OWN RECYCLING PROGRAM.
10 WE ARE NOT YET ON THE CITY RECYCLING PROGRAM. WE'RE ON
11 OUR OWN. THROUGH RECYCLING AT OUR HOUSE -- I HAVE THREE
12 PEOPLE LIVING IN THE HOUSE -- WE WENT FROM DUMPING ABOUT
13 TWO 25-GALLON, 30-GALLON TRASH CANS A WEEK A YEAR AND A
14 HALF AGO TO DUMPING ONE TRASH CAN EVERY THREE WEEKS.
15 JUST ONE EVERY THREE WEEKS.

16 SO IT ISN'T -- YOU CAN, IN FACT, AS SEATTLE
17 HAS SHOWN, AND I'M SURE YOU GUYS HAVE REVIEWED SOME OF
18 THEIR NUMBERS, YOU AREN'T LIMITED TO THAT 25-PERCENT
19 DIVERSION OR THAT 50-PERCENT DIVERSION BASED ON THE LAW.
20 YOU, IN FACT, CAN BEAT IT AND YOU CAN BEAT IT RIGHT AT
21 HOME.

22 I WOULD ASK THAT ONE OF THE CONDITIONS OF
23 THIS PERMIT BE THAT WE START A HOME CURBSIDE-TYPE
24 RECYCLING SYSTEM. I KNOW THERE'S A COUNTY LAW THAT SAYS
25 THAT INDIVIDUAL HAULERS LIKE BFI SHOULD, IN FACT, DO

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1 CURBSIDE RECYCLING. BUT I THINK AS PART OF IT, AT LEAST
2 IN TERMS OF THE PERMIT FOR THIS LANDFILL, WE'VE GOT TO
3 HAVE THE FACILITY TO HANDLE THOSE SEPARATED MATERIALS.

4 THERE'S NO INFRASTRUCTURE, TO MY KNOWLEDGE,
5 LIKE I SAID, SO FAR APPROVED. AND, AGAIN, I WANT TO
6 STRESS THAT I THINK WHAT YOU GUYS NEED IS A LITTLE MORE
7 TIME TO LOOK AT WHAT KIND OF INFRASTRUCTURE BFI CAN COME
8 UP WITH ON-SITE TO DO RECYCLING AS PART OF THIS LANDFILL
9 PACKAGE.

10 CHAIRMAN HUFF: ANY QUESTIONS?

11 BOARD MEMBER EGIGIAN: YES. I JUST WANTED TO
12 LET THIS GENTLEMAN KNOW THAT WE CAN RECYCLE. WE HAVE THE
13 AVAILABLE TECHNOLOGY TO RECYCLE 90 PERCENT. WHAT DO WE
14 DO WITH IT AFTER WE RECYCLE IT? NOW WE HAVE TO WORK ON
15 THE MARKETS.

16 RECYCLING IS VERY SIMPLE. WE NEED MARKETS,
17 OKAY? NOW, IF YOU'VE GOT SOME IDEAS ON MARKETS, PLEASE
18 SEND US A LONG LETTER AND LET US KNOW WHAT YOU THINK
19 ABOUT IT BECAUSE THAT'S GOING TO HELP US.

20 MR. ORMSBY: SURE. I -- IN FACT, I APPRECIATE
21 THAT COMMENT. IN FACT, MY COMMUNITY, BECAUSE THEY
22 GAVE ME THE JOB OF DOING JUST THAT. WHAT ARE WE GOING TO
23 DO WITH THE STUFF? YOU KNOW, YOU'VE GOT ALL THIS
24 NEWSPAPER HERE, MIKE. WHAT ARE YOU GOING TO DO WITH IT?
25 YOU GOING TO STACK IT UP AND JUST LEAVE IT, LET IT ROT?

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1 NO. WHAT I DID WAS I SURVEYED A SERIES OF
2 POTENTIAL CUSTOMERS FOR THAT MATERIAL. THERE ARE
3 CUSTOMERS OUT THERE, FOR INSTANCE, THAT ARE WILLING TO
4 PURCHASE COMPOST. ACTUAL, THEY'LL PRESCRIBE WHAT YOU
5 WANT TO PUT INTO THAT COMPOST AND THEY'LL TURN OUT.

6 KELLOGG IN CARSON ARGUED, WELL, YOU SHOULD
7 HAVE TOLD ME, HEY, ANYTHING YOU GUYS -- LET ME TAKE A
8 LOOK AT YOUR COMPOST FACILITY. ANYTHING YOU GUYS PRODUCE
9 WE'LL BUY.

10 AND, OF COURSE, BFI KNOWS THAT THERE ARE,
11 YOU KNOW, AND ALL THE DUMP COMPANIES KNOW THERE ARE
12 COMPANIES THAT BUY. THERE'S SOME MAJOR COMPANIES IN THE
13 SOUTHEAST NOW THAT BUY THAT RECYCLED SEPARATED PAPER.
14 BUT, AGAIN, I THINK WE WANT TO AT LEAST ENCOURAGE IT AT
15 THE SITE OF THE FACILITY. AND RIGHT NOW, I DON'T SEE --
16 LIKE I SAID, I DON'T SEE APPROVALS FOR THE INFRASTRUCTURE
17 IN THIS PERMIT THAT SHOULD BE IN THERE.

18 BOARD MEMBER RELIS: JUST FOR THE RECORD, THE
19 BOARD HAS TWO BASIC FUNCTIONS. ONE IS TO PRESERVE
20 CAPACITY OF LANDFILL. THE OTHER, AND IN THE NEW
21 LEGISLATION AB 939 THAT CREATED THIS NEW BOARD, WE HAVE
22 THE REQUIREMENT TO DIVERT BY 25 AND 50 PERCENT AND TO
23 DEVELOP -- ASSIST LOCAL GOVERNMENT IN OUR OWN INDEPENDENT
24 EFFORTS TO DEVELOP MARKETS FOR SECONDARY MATERIALS. JUST
25 SO THE AUDIENCE KNOWS THAT PART OF OUR WHOLE EFFORT, A

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1 VERY SUBSTANTIAL PART, IS TO DEVELOP THE RECYCLING
2 INFRASTRUCTURE IN THE STATE, AND THAT'S IN THE AB 939
3 PLANS.

4 SO SOME ACTIVITIES OCCUR AT LANDFILLS,
5 OTHERS OCCUR IN MATERIALS RECOVERY FACILITIES, AND NOT
6 ALL ACTIVITY IS LOCALIZED IN ONE PLACE. DIVERSION
7 ACTIVITY, THAT IS.

8 MR. ORMSBY: CERTAINLY, ONE OF THE BEST EXAMPLES
9 I CAN CITE FOR SOUTHERN CALIFORNIA IS THE DE GARMO DUMP.
10 WHAT'S CALLED A DUMP, AS YOU PROBABLY KNOW, IF YOU'VE
11 GONE THROUGH THEIR PROCESS, IS THAT THEY DO A PROCESS OF
12 MANUAL SEPARATION. THEY CHARGE A LITTLE BIT MORE, MAYBE
13 \$40 A TON, ABOUT THE SAME KIND OF FEES THE RAIL HAUL IS
14 TALKING ABOUT CHARGING.

15 BUT BY CHARGING THAT MUCH MONEY, THEY'RE
16 ABLE TO PAY THE MANUAL LABOR TO SEPARATE THAT WASTE AND,
17 IN FACT, DON'T ACTUALLY DUMP ANYTHING. SO, YOU KNOW,
18 IT'S BASICALLY A TRANSFER STATION FOR SEPARATED
19 MATERIALS.

20 I PLEADED WITH BFI TO DO JUST SUCH A THING
21 AT THE SITE OF SUNSHINE IN LIEU OF DUMPING THAT 6,000
22 TPD, YOU KNOW, AND UTILIZE, MAYBE, THEIR HOPEFULLY
23 PERMITTED FACILITY AT EAGLE MOUNTAIN TO TAKE THE RESIDUAL
24 TRASH, EITHER BY TRAIN OR BY TRUCK.

25 NOW, IT'S NOT GOING TO HELP OUR CASE, AND

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1 IT NOT GOING TO HELP WHAT SOME OF THESE PEOPLE TODAY HAVE
 2 ARGUED FOR, WHICH WAS TRAFFIC AND AIR POLLUTION. IT'S
 3 NOT GOING TO CHANGE ANY OF THE AMOUNT OF TRUCKS GOING IN
 4 AND OUT OF THE SITE, BUT IT WOULD PRESERVE THE RIPARIAN
 5 AREA THAT MARY WAS TALKING ABOUT EARLIER, AS WELL AS, OF
 6 COURSE, THE THREE -- DEPENDING ON THE SIZE OF THE
 7 LANDFILL THAT ULTIMATELY GETS PUT IN THERE, ANYWHERE UP
 8 TO THE REMOVAL OF 8,000 OAKS, WHICH TO ME IS A MAJOR
 9 CONCERN. WE ALREADY LOST SOMETHING IN THE NEIGHBORHOOD
 10 OF 90 PERCENT OF OUR OAK TREES IN THE SOUTHERN
 11 CALIFORNIA, THE SAN FERNANDO VALLEY AND SANTA CLARITA
 12 AREA.

13 CHAIRMAN HUFF: ANY OTHER QUESTIONS? THANK YOU.

14 PAPER BREAK. FIVE-MINUTE PAPER BREAK.

15 (A BREAK WAS TAKEN.)

16 CHAIRMAN HUFF: OKAY. LET ME DESCRIBE WHAT'S
 17 NEXT. I'M INFORMED THAT THEY THROW US OUT OF HERE AT 6
 18 O'CLOCK WHETHER WE'RE FINISHED OR NOT, AND I WOULD PREFER
 19 TO BE FINISHED. SO WITH THAT IN MIND, WE'RE GOING TO
 20 FINISH BY SIX.

21 MR. HUNTER: GOOD AFTERNOON. MY NAME IS WAYDE
 22 HUNTER. I LIVE AT 12354 EL ORO WAY IN GRANADA HILLS.
 23 I'M A MEMBER OF THE NORTH VALLEY COALITION.

24 I'D LIKE TO THANK YOU FOR GIVING ME THE
 25 OPPORTUNITY TO SPEAK HERE TODAY. I WAS GOING TO COMMEND

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1 YOU GENTLEMEN FOR PATIENTLY SITTING HERE AND GIVING UP
2 YOUR DAY, BUT I WANT YOU TO REALIZE THAT IT'S A DAY FOR
3 YOU, IT'S A LIFETIME FOR US. IT'S A LIFETIME FOR MY
4 NEIGHBORS AND MY CHILDREN.

5 I'M GOING TO JUST BRIEFLY TRY TO ACQUAINT
6 WITH THE GEOLOGY AND HYDROLOGY OF SUNSHINE CANYON. I
7 THINK IT'S VERY IMPORTANT SO THAT YOU, AT LEAST,
8 UNDERSTAND THE KIND OF AREA THAT WE'RE REALLY DEALING
9 WITH AND THE ISSUES THAT HAVE NEVER BEEN ADDRESSED IN THE
10 ENVIRONMENTAL IMPACT REPORT SATISFACTORILY.

11 FIRST, I'D LIKE TO SAY THAT NO AREA OF THE
12 SANTA SUSANA MOUNTAINS IS MORE FAULTED AND FOLDED THAN
13 THE AREA AROUND THE LANDFILL. AND THE STRATA THAT
14 UNDERLIES THE SITE'S COMPOSED OF MARINE SEDIMENT AND
15 SILTSTONE, SANDSTONE, SHALE, AND ALL OF THEM ARE READILY
16 FRIABLE; IN OTHER WORDS, THEY BREAK EASILY, THEY CRUSH,
17 THEY POWDER.

18 I'D LIKE TO GO UP HERE TO THE BOARD AND
19 SHOW YOU -- POINT OUT SOME FEATURES.

20 AS YOU KNOW, THIS IS THE EXISTING LANDFILL
21 IN THE CITY AREA, THE CITY/COUNTY LINE PASSES THROUGH
22 THIS PARTICULAR LINE RIGHT HERE.

23 THE REPORTER: I'M SORRY, SIR, COULD YOU PLEASE
24 TAKE THE MICROPHONE WITH YOU? YOU'VE GOT YOUR BACK TO
25 ME. I CAN'T HEAR YOU.

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1 MR. HUNTER: I'M SORRY. I'VE ALWAYS BEEN
2 ACCUSED OF HAVING A VERY LOUD VOICE, NOT EVER NEEDING A
3 MICROPHONE.

4 THIS IS THE EXISTING LANDFILL IN THE CITY
5 AREA. THIS IS THE CITY/COUNTY LINE PASSES THROUGH, RIGHT
6 HERE, AND THIS IS THE AREA THAT IS PROPOSED FOR
7 EXPANSION.

8 NOW, THINK WHAT YOU MIGHT HAVE MISSED IN
9 THIS THING IS THAT THE ENVIRONMENTAL IMPACT REPORT WAS
10 FOR A 215-MILLION TON LANDFILL, THE WHOLE THING. YET IT
11 WAS BROKEN DOWN. THEY SAID, WELL, LOOK, THIS IS ON THE
12 COUNTY SIDE, AND WE'RE ONLY GOING TO APPLY FOR THE COUNTY
13 RIGHT NOW. SO WHAT THEY'RE ASKING YOU TO APPROVE IS
14 BASICALLY IS ONLY A PORTION OF THE INTENDED PLAN. AND
15 THE CITY DIDN'T GET TO COMMENT ON THIS.

16 WHAT CITY COMMENTS HAD BEEN MADE EARLIER
17 WERE ELIMINATED. THE CITY DIDN'T GET TO EVEN COMMENT AS
18 TO THE PROBLEMS INVOLVED WITH THIS PARTICULAR LANDFILL,
19 AND I'LL ADDRESS THOSE AS I CLOSE.

20 BUT JUST SO YOU KNOW, THIS AREA THROUGH
21 HERE, THE SANTA SUSANA FAULT ZONE RUNS DOWN THROUGH THIS
22 AREA. THIS IS THE BALBOA BRIDGE. IT PASSES THROUGH THE
23 ABUTMENT, COMES DOWN AROUND HERE AND SWINGS AROUND THIS
24 AREA DOWN BELOW, RIGHT IN THROUGH HERE.

25 NOW, THESE CLIFFS, INTERESTINGLY ENOUGH,

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1 WERE 3, 4, 500 FEET HIGH. THE DEPARTMENT OF MINES AND
2 GEOLOGY SAID IT TOOK 6,000 EARTHQUAKES TO RAISE THIS.
3 JUST A REAL GOOD AREA TO PUT A LANDFILL. 6,000
4 EARTHQUAKES IT TOOK TO RAISE THIS UP HERE.

5 THERE ARE ALSO A NUMBER OF OTHER FAULT
6 ZONES THAT ARE WITHIN THE LANDFILL ITSELF. HERE'S THE
7 AREA WE CALL THE BERM. THERE'S A CENTRAL SECTION. THERE
8 ARE TWO FAULT ZONES, ONE THAT PASSES THROUGH ON THIS
9 SIDE, ON THE RIGHT SIDE OF THIS AREA, AND ONE THAT PASSES
10 THROUGH ON THE LEFT SIDE OF THE AREA.

11 THESE HAVE BEEN BURIED FOR MANY YEARS, AND
12 THEY HAVEN'T REALLY HAD A GOOD CHANCE TO LOOK AT THEM,
13 BUT THEY ARE THERE.

14 AND WE'VE ALSO SPOKEN IN THE AREA DOWN HERE
15 AS BEE CANYON, O'MELVENY PARK AREA DOWN THROUGH HERE.
16 AND THIS IS WHERE WE REFERRED TO ALL THE TRASH BLOWING
17 OUT OF THE LANDFILL INTO THIS PARTICULAR AREA. THIS IS
18 THE NEWHALL-SAUGUS PASS. IT IS A WIND TUNNEL.

19 MR. NAVIKAS SPOKE TO YOU THAT DESCRIBED HIS
20 EXPLOITS WAS NOT EXAGGERATING. MAYBE THE WEIGHT WAS A
21 LITTLE OFF. I'LL GIVE YOU THAT, BUT THE MAN IS NO LIAR.
22 RIGHT HERE ON THIS LANDFILL, RIGHT AT THIS SECTION, RIGHT
23 HERE, THERE IS A WIND MACHINE. THE AQMD WAS UP THERE, I
24 KNOW, READING IT. IT GOES TO 100 MILES AN HOUR. IT WAS
25 HOLDING STEADY AT 100 MILES AN HOUR RIGHT HERE, AND THEY

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1 ESTIMATED IT WAS GUSTING TO 125.

2 THESE KIND OF -- DEAN WISE TESTIFIED AT
3 OTHER HEARINGS. HE SAID WHEN THEY TRY TO WATER DOWN THE
4 LANDFILL, THE WIND WAS BLOWING SO BAD THE WATER CAME OUT
5 OF THE TRUCKS. YOU KNOW HOW IT SPURTS UP. IT DIDN'T
6 EVEN HIT THE GROUND. IT WENT STRAIGHT UP. I HAVE
7 PICTURES OF THOSE SAME TRUCKS RUNNING ALONG THIS LANDFILL
8 WITH THE WATER GOING UP IN THE AIR.

9 YOU'RE PLANNING TO PUT THIS PARTICULAR
10 EXPANSION HERE. AND BY THE WAY, IT IS AN EXPANSION. I
11 WANT TO POINT THAT OUT TO YOU. IT IS AN EXPANSION. THE
12 ENVIRONMENTAL IMPACT REPORT SAYS IT'S AN EXPANSION.

13 DID YOU KNOW THAT THEY DEDUCTED FROM THEIR
14 TOTAL IMPACT FROM THE EXISTING LANDFILL? THEY SAID, OH,
15 WELL, YOU KNOW, WE'VE GOT OUTGASING GOING ON HERE, HEY,
16 WE'VE GOT SO MANY TRUCKS GOING. THEY DEDUCTED IT FROM
17 THE TOTAL OF THIS ONE BECAUSE IT WAS, THEY SAID, THIS WAS
18 MERELY AN EXPANSION. NOW YOU'RE TELLING ME IT'S A WHOLE
19 DIFFERENT LANDFILL. I THINK THIS IS WRONG.

20 I WANT TO GO INTO SOME OF THE PROBLEMS THAT
21 WE HAVE WITH THE GEOLOGY AND THE HYDROLOGY OF THIS AREA
22 AND SOME CONFLICTING REPORTS THAT HAVE NEVER REALLY BEEN
23 ADDRESSED BY ENVIRONMENTAL IMPACT. I WANT YOU TO KNOW
24 WHAT THEY ARE BEFORE YOU CONSIDER THIS PERMIT.

25 FIRST, I APOLOGIZE FOR READING BECAUSE I

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1 HAVE SO MUCH MATERIAL TO COVER, IT HELPS ME NOT FORGET.

2 THIS AREA HAS A HISTORY OF SLIDES, BOTH
3 SEISMICALLY INDUCED AND MANMADE. AND WE HAVE A SLIDE MAP
4 THAT I'LL JUST SHOW IT TO YOU. IF YOU'D LIKE TO LOOK AT
5 IT CLOSER, I CAN PASS IT AROUND THE TABLE. ALL THOSE RED
6 DOTS THAT YOU SEE ARE SLIDES.

7 THIS IS SUNSHINE CANYON LANDFILL. THE
8 LARGEST SLIDE THAT WAS EVER TRIGGERED IN THE 1971
9 EARTHQUAKE WAS RIGHT THERE. THAT'S WHERE YOUR LANDFILL
10 IS. I HAVE PICTURES. YOU CAN LOOK AT THOSE IF YOU WISH.
11 BUT YOU CAN SEE ALL THIS -- I'LL JUST HOLD IT UP -- THIS
12 IS ALL THE LANDFILL.

13 THE -- WE HAVE SOME COMMENTS THAT WE MADE
14 TO THE ENVIRONMENTAL IMPACT REPORT REGARDING THE SLIDE
15 PROBLEMS. ONE OF THE ONES THAT MOST RECENTLY OCCURRED
16 WAS ON THE SOUTHERN RIDGE. AND LET ME SEE IF I CAN FIND
17 MY NOTES. LET ME EXPLAIN WHAT HAPPENED.

18 THEY WERE BUILDING AN INCINERATOR. AND THE
19 GEOLOGY HAD BEEN CHECKED OUT QUITE THOROUGHLY BY BFI'S
20 EXPERTS, AND SUDDENLY ALL OF A SUDDEN WE FOUND THAT THERE
21 WAS A THREAT OF A LANDSLIDE, AND THEY HAD TO DO MORE
22 EXCAVATION BECAUSE SUDDENLY THEY FOUND OUT THAT THE
23 GROUND WAS UNSTABLE, AND THERE WAS A CHANCE OF
24 UNDERMINING THEIR WATER TANK UP THERE. SO NOW THIS IS
25 VERY RECENT.



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1 THE STABILITY OF THAT SURROUNDING AREA IS
2 ALWAYS QUESTIONABLE. IN THE EARTHQUAKES WE HAD RIDGE
3 BUFGTING AND THINGS LIKE THIS. IT IS NOT A GOOD
4 LOCATION. IT IS NOT A GOOD SOLID LOCATION FOR A
5 LANDFILL.

6 WHILE BFI'S CONSULTANTS WERE UNABLE TO FIND
7 FAULTS THAT WERE INDICATED IN THE ALQUIST PREOLA SPECIAL
8 STUDY ZONE, THERE'S A MAP OUT THAT INDICATES THIS AREA,
9 IT DOESN'T MEAN TO SAY THAT THE FAULTS DON'T EXIST.

10 STATE MAPS STILL INDICATE THAT A HOLOCENE
11 FAULT IS PRESENT IN THE AREA. I THINK IT SHOULD BE NOTED
12 THE MAJORITY OF THE GEOLOGIC WORK THAT HAS BEEN CONDUCTED
13 WAS ON COUNTY LAND AND THAT THE FAULTS LOCATED IN THE
14 CITY PROPERTY NORTH, EAST, AND SOUTH HAVE, FOR THE MOST
15 PART, BEEN IGNORED.

16 THE GEOLOGIC STRUCTURES BENEATH THE
17 EXISTING LANDFILL ARE PARTICULARLY SUSPECT SINCE A NUMBER
18 OF FAULT TRACES PASS DIRECTLY THROUGH IT. AND THOSE ARE
19 THE TWO THAT I REFERRED TO YOU DOWN ON THE BERM AREA.

20 SINCE THE PROPOSED EXPANSION AND THE DEIR
21 COVERS BOTH OF THESE AREAS, I THINK ADDITIONAL WORK NEEDS
22 TO BE DONE HERE. AND THE DEIR STATES THAT THE SANTA
23 SUSANA FAULT IS INACTIVE; HOWEVER, THE COUNTY SOLID WASTE
24 INTEGRATED MANAGEMENT PLAN REJECTS BROWN CANYON, WHICH IS
25 NORTHWEST OF THIS, ON THE SANTA SUSANA FAULT CONTINUING

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1 AS ACTIVE.

2 NOW, I'M A LITTLE BIT CONFUSED ABOUT THAT.
3 I'VE GOT ONE END OF THE SANTA SUSANA FAULT THAT THEY'RE
4 CALLING ACTIVE AND CAN'T BUILD A LANDFILL HERE, AND DOWN
5 ON THIS END, WHICH DID SHOW SOME MOVEMENT -- LET ME SHOW
6 YOU SOME OF THEM. DOWN HERE IS A LITTLE BIT BETTER.

7 WE HAD -- HERE'S THE LANDFILL, HERE'S THE
8 ENTRANCE. WE HAD ALL THIS RIDGE BURSTING ALL ALONG THESE
9 HILLS ALONG HERE. WE HAD GROUND RUPTURES OVER HERE.
10 THE -- ALL THESE BRIDGES FELL DOWN. '71 EARTHQUAKE, ALL
11 THESE BRIDGES HAD FALLEN DOWN.

12 THE SOUTHERN PACIFIC RAILROAD TRACK WAS
13 OFFSET BY NEARLY 4 FEET RIGHT OVER HERE OPPOSITE THE
14 JUVENILE FACILITY. SO THERE'S AN AWFUL LOT OF EARTH
15 MOVEMENT OVER THERE AND POTENTIAL FOR IT.

16 I'D ALSO LIKE TO POINT OUT THAT THERE ARE A
17 NUMBER OF GEOLOGISTS AND HYDROGEOLOGISTS, THESE ARE
18 EXPERTS, THAT HAVE EXPRESSED DIFFERENT OPINIONS AS TO THE
19 SUITABILITY OF THIS AREA, BUT YET THEY'RE BEING IGNORED
20 BY BOTH THE COUNTY AND BY THE OTHER PERMITTING AGENCIES.

21 FIRST, MR. ELDER STEVENS, WHO WAS RETAINED
22 BY THE NVC, INDICATED THAT, AMONG OTHER THINGS, QUOTE,
23 "THE DEIR HAS BEEN WRITTEN BY PEOPLE WHO HAVE NOT
24 CORRECTLY INTERPRETED ALL OF THE SCIENTIFIC DATA PROVIDED
25 TO THEM. THESE AUTHORS HAVE CONSISTENTLY TAKEN A

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1 SIMPLISTIC APPROACH THAT RESULTS IN A MUCH LESS THAN
2 ADEQUATE PROTECTION OF GROUNDWATER."

3 AND THEN ANOTHER QUOTE, "THE RESTATED
4 INTERPRETATIONS ARE NOT ALL FACTUAL." BUT I THINK MOST
5 IMPORTANTLY HE STATED THAT THERE IS A VAST RESERVOIR OF
6 GROUNDWATER IN AND BENEATH SUNSHINE CANYON.

7 THE SECOND PERSON THAT HAD ALSO BEEN
8 ASKED -- WHO HAD BEEN ASKED TO APPEAR BY THE CITY OF LOS
9 ANGELES, AND THIS WAS AT THE REGIONAL WATER QUALITY
10 CONTROL BOARD'S HEARING FOR A WASTE DISCHARGE PERMIT, I
11 THINK IT WAS JULY OF 1991, AND THAT WAS A MR. DENNIS
12 JENSON.

13 HE STATED, AMONG OTHER THINGS, THAT BASED
14 ON THE '71 EARTHQUAKE AND SHEARING OF NATURAL GAS
15 INJECTION WELLS IN ALISO CANYON OIL FIELD, WHICH IS ABOUT
16 A MILE SOUTHWEST OF THE SITE, AND THIS OCCURRED IN THE
17 LATE 1970S, THE SANTA SUSANA IS KNOWN TO BE ACTIVE. AND
18 THE ASPECT OF THIS THAT CONCERNED HIM MOST WAS THAT,
19 QUOTE, THE LANDFILL SITE DOES SIT ON THE UPPER PLATE OF
20 THE THRUST FAULT. OKAY?

21 AND HE SAID, "AND THE DOCUMENTS THAT WERE
22 PREPARED BY THE DRA GROUP DO INDICATE THAT THERE ARE
23 INACTIVE FAULTS ON THE SITE. I, PERSONALLY, DON'T
24 BELIEVE THAT ANYTHING THAT COULD BE A FAULT ON THE UPPER
25 PLATE OF A THRUST FAULT CAN BE CALLED INACTIVE." AND



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1 THAT'S PAGE 51 THROUGH 55 OF THE WATER BOARD TRANSCRIPT.

2 AND, THIRD, THERE WAS MR. MARK WILLIAMS,
3 ALSO A CONSULTING HYDROLOGIST FOR THE METROPOLITAN WATER
4 DISTRICT. THOSE GUYS, YOU CAN SEE DOWN THERE, THE BIG
5 CHUNK OF BLUE WATER. HE WAS ASKED TO ASSESS THE
6 POTENTIAL IMPACT ON THE MWD FEEDER TUNNEL, WHICH IS 1500
7 FEET EAST OF THE LANDFILL. OKAY. THAT WAS THE AQUEDUCT
8 AND VIADUCT THAT WAS REFERRED TO YOU AS BRINGING OVER
9 OWEN'S WATER VALLEY THE WATER AND ALL THE OTHER BALANCE
10 OF THE WATER.

11 AND HE STATED THAT HE FOUND SIGNIFICANT
12 INCREASES IN THE DOWNSTREAM WELLS IN TDF'S IN FOUR
13 DOWNSTREAM WELLS, CHLORIDE IN FIVE TO TEN DOWNSTREAM
14 WELLS, A SIGNIFICANT INCREASE IN ORGANIC CARBONS, AS WELL
15 AS OTHER INDICATED CONSTITUENTS.

16 HE FELT THAT A MORE RIGOROUS STATISTICAL
17 ANALYSIS, AS WELL AS A MORE SOUND ANALYSIS, BE APPLIED.
18 HE ALSO BELIEVED THAT, QUOTE, BEFORE THE PROPOSED
19 EXPANSION BE ALLOWED AFTER CLOSURE -- AND I ADDED THIS --
20 OF THE EXISTING LANDFILL, THERE BE A MONITORING PERIOD SO
21 WE CAN ESTABLISH THE EFFECTIVENESS OF THE GROUND WALL AND
22 ALLOW MEDIATION OF THE CONTAMINANTS TAKING PLACE.

23 IN OTHER WORDS, THEY WERE SUPPOSED TO
24 INSTALL A GROUT WALL DOWN AT THE BOTTOM, A CUT-OFF WALL.
25 IF YOU WILL.

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1 NOW, WE'VE HAD PROBLEMS WITH THESE WELLS.
2 AND YET WE HAVEN'T RESOLVED THEM, AND NOBODY'S REALLY
3 TOLD US WHY THESE WELLS ARE ACTING UP. AND THEY'VE NEVER
4 ADDRESSED THIS ISSUE.

5 OKAY. BOTH OF THESE MEN WERE CHIDED FOR
6 NOT PROVIDING INFORMATION SOONER. AND THEIR TESTIMONY
7 WAS DISCOUNTED. DAMN IT, IT'S JUST LIKE YOU GUYS. THEY
8 WERE -- A BOARD WAS TAKING A HEARING AND THEY WERE
9 LISTENING TO INFORMATION, AND IT WAS THEIR DUTY TO LOOK
10 AT ENVIRONMENTAL ISSUES. BUT THEY SAID, TOO BAD. YOU
11 GOT HERE TOO LATE. WE'RE GOING TO GIVE IT TO THEM
12 ANYWAY, AND IT'S A DOMINO EFFECT.

13 EVERY SINCE BFI HAS HAD THE COUNTY APPROVE
14 THEIR EIR, EVERYBODY SAYS THE COUNTY'S TAKEN CARE OF IT.
15 THE COUNTY HASN'T TAKEN CARE OF IT.

16 CHAIRMAN HUFF: THAT'S IMPORTANT.

17 MR. HUNTER: I UNDERSTAND. THE COUNTY -- THAT'S
18 ONE OF THE REASONS WHY IT'S IMPORTANT. I TELL YOU AND I
19 CAN SAY THAT TO YOU. THEY HAVE NOT TAKEN CARE OF THE
20 ISSUES. IF YOU WOULD CARE TO READ OUR CASE, YOU WILL
21 FIND THAT OUT. I'M SAYING THEY DIDN'T ADDRESS IT.

22 SO EVERY OTHER BOARD FALLS LIKE DOMINOES.
23 HEY, THE COUNTY TOOK CARE OF IT. THEY SHOULD HAVE
24 ADDRESSED THESE ISSUES. IT'S NOT OUR CONCERN. BUT IT IS
25 YOUR CONCERN. YOU NEED TO LOOK AT THESE THINGS. THESE

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1 ARE NOT BEING ADDRESSED.

2 ONE OF THE REASONS I'M HERE TODAY SAYING IT
3 TO YOU IS ALSO, HEY, MAYBE I'M ALSO LOOKING FOR A LEGAL
4 ACTION AGAINST YOU GUYS IF I CAN'T GET ANY SATISFACTION.
5 I AM HERE TELLING YOU WHAT THE PROBLEMS ARE; AND IF YOU
6 DON'T ADDRESS THEM, THEN, YOU KNOW, MAYBE I'M LEFT WITH
7 NO OTHER RECOURSE.

8 BUT I JUST WANTED YOU TO KNOW THAT THIS IS
9 THE KIND OF THING THAT'S HAPPENING. THIS IS THE
10 FRUSTRATION THAT THESE GOOD PEOPLE FEEL. WE HAVE BEEN
11 HERE FOR YEARS FIGHTING THIS THING. AND THIS IS THE SAME
12 KIND OF THING THAT WE GIVE TO EVERY BOARD WE GO TO.
13 WELL, IT'S REALLY NOT OUR PROBLEM. IT'S SOMEBODY ELSE'S.
14 AND WE'RE ASKING FOR YOUR HELP.

15 THE BOARD, THIS PARTICULAR BOARD, THE
16 REGIONAL WATER QUALITY BOARD, WAS SO MISLED, THAT ONE OF
17 THE MEMBERS STATED, AFTER HE POSTURED THAT AZUSA AND
18 VENTURA DUCTS OVER THERE WERE DENIED BECAUSE THEY
19 AQUIFERS ON THEM, HE STATED, QUOTE, AND TODAY WE HAVE
20 BEFORE US THE CANYON WITHOUT AN AQUIFER UNDER IT. AND
21 ALSO HE SAID, AGAIN, WE HAVE BEFORE US, INDEED, THE
22 CANYON WITHOUT AN AQUIFER IN IT.

23 I JUST TOLD YOU IT'S UNDERLINED BY A HUGE
24 AQUIFER. IT MAY NOT BE POTABLE WATER, BUT IT IS AN
25 AQUIFER. WATER RUNS OUT OF THAT LANDFILL AND ACTUALLY

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1 GOES DOWN INTO THE FLOOD CONTROL CHANNEL AND COMES AROUND
2 BY THE JENSON FILTRATION PLANT. I KNOW THIS WAS POINTED
3 OUT TO YOU, BUT IT ALSO SUPPORTS THE TREES OVER THERE.

4 THAT WATER IS RUNNING RIGHT OFF THAT
5 LANDFILL. IT RUNS THROUGH TRASH AND STUFF LIKE THAT,
6 SOME NASTY STUFF, AND IT GOES TO GROUND RIGHT BY THE
7 JENSON FILTRATION PLANT. NOBODY EVER ADDRESSED THAT
8 ISSUE.

9 BUT THEY ARE SAYING WATER IS COMING OUT,
10 AND THEY'RE CONCERNED ABOUT THEIR FEEDER TUNNEL. THIS
11 HAS NEVER BEEN RESOLVED. THERE'S NO MITIGATION FOR THAT.

12 I HAVE A HANDOUT THAT I'M ABOUT TO GIVE
13 YOU, AND THIS WAS JUST OBTAINED YESTERDAY. AND IT'S FROM
14 THE CSN -- CSUN GEOLOGY DEPARTMENT. IT COMES FROM THE
15 CAL TECH DATA BASE, AND IT SHOWS LOCAL AND IMMEDIATE
16 SOURCES FOR SEISMIC EVENTS.

17 IN ORDER TO GIVE YOU A TRUE PICTURE OF THE
18 SEISMICITY IN THE AREA OF THE LANDFILL, WE'VE PURPOSELY
19 ELIMINATED ANY DATA FOR THE 1971 SYLMAR EARTHQUAKE AND
20 ANYTHING AFTER THE TIME THAT THE BOARD OF SUPERVISORS
21 APPROVED THE LANDFILL BECAUSE THESE ARE EVENTS OF WHICH
22 THEY COULD HAVE NO KNOWLEDGE, SO WE DIDN'T WANT TO GIVE
23 YOU A BAD INFORMATIONAL DATA BASE HERE.

24 WE HAVE A DATA PLOT THAT WAS PUT OUT AND WE
25 HAVE REDUCED IT. I JUST WANT TO SHOW IT TO YOU. IT WAS

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1 A QUADRANT, JUST HAS A BUNCH OF LITTLE DOTS ON IT. BUT
2 IF YOU NOTICE, THIS PARTICULAR QUADRANT, THEY'RE ALL
3 LOCATED UP AND AROUND THE LANDFILL AREA.

4 NOW, I'D JUST LIKE TO PASS OUT THIS
5 INFORMATION. THAT'S THE DATA BASE THAT WE TOOK THE
6 INFORMATION OFF. THE MAP -- I APOLOGIZE FOR NOT HAVING A
7 CLEAR PLASTIC OVERLAY, BUT THIS IS HOW WE PRODUCE IT. WE
8 HAVE A CLEAR PLASTIC OVERLAY OF THE LANDFILL AREA. AND
9 WE TOOK THE PLOT SHEET AND PLACED IT BENEATH. AND IF YOU
10 GENTLEMEN WILL LOOK, THOSE RED DOTS, THREE RED DOTS
11 RUNNING TOGETHER ARE IN THE EXISTING LANDFILL SOUTH OF
12 THE CITY/COUNTY LINE. THESE THREE DOTS TOGETHER.

13 THERE WERE A SERIES OF DOTS AT THE TOP THAT
14 LOOK KIND OF LIKE A NECKLACE. THERE'S ONE, TWO, THREE,
15 FOUR, FIVE DOTS LIKE PLOTTED UP THERE. AND THOSE RED
16 DOTS ARE IN THE EXPANSION AREA. AND THERE'S ALSO A FEW
17 YELLOW DOTS THAT WERE EXTENDED.

18 NOW, IF YOU HAVE A LOOK AT THAT, I THINK
19 YOU WOULD NOTICE SOMETHING VERY INTERESTING. IF YOU
20 NOTICE HOW THEY OCCURRED, THEY'RE BOTH LINEAR IN NATURE,
21 AND THEY TREND NORTHWEST TO SOUTHEAST, AND THEY PARALLEL
22 THE SANTA SUSANA FAULT ZONE.

23 NONE OF THIS INFORMATION WAS BROUGHT TO THE
24 ATTENTION OF THE PUBLIC BY THE COUNTY WHO WERE SUPPOSED
25 TO REVIEW IT OR THE PROPONENT, EVEN THOUGH THIS

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1 INFORMATION WAS READILY AVAILABLE.

2 I THINK THAT SAYS A WORLD OF THINGS. THAT
3 SAYS THAT SEISMIC ACTIVITY IS GOING ON HERE. AND YOU CAN
4 SEE, BY THE WAY IT'S OCCURRING, THAT POTENTIALLY IT'S
5 LYING ON A FAULT LINE, ONE THAT HAS NOT BEEN UNCOVERED.

6 I ALSO -- HAPPILY FOR YOU, I AM SUPPOSED TO
7 BE THE LAST SPEAKER HERE. AND I'M ALSO THE CLEANUP MAN,
8 WHICH MEANS THAT I GET TO MENTION A FEW THINGS TO YOU
9 THAT MAYBE SOME PEOPLE FORGOT.

10 FIRST, I'D LIKE TO SAY THAT I'VE LISTENED
11 TO MISINFORMATION GIVEN HERE TODAY, BUT NEITHER YOUR
12 STAFF NOR BFI HAS ATTEMPTED TO CORRECT.

13 ONE OF THE THINGS THAT I FOUND INTERESTING,
14 THE MAXIMUM INPUT IN THE LANDFILL WAS TO BE 7,700 TONS,
15 AND THAT'S BY DEPARTMENT OF SANITATION, CITY OF LOS
16 ANGELES RECORDS, NOT THE 8,000 OR 8800 TO WHICH YOU
17 REFERRED.

18 I KNOW IT'S BEEN MENTIONED, BUT BFI
19 UNILATERALLY EXTENDED THEIR OPERATING HOURS. IF YOU
20 WOULD TAKE THE TROUBLE TO LOOK AT THE ENVIRONMENTAL
21 IMPACT REPORT, YOU WOULD FIND THAT WE ADDRESSED IT ON
22 THREE OCCASIONS TRYING TO GET THEM TO STATE THEIR CORRECT
23 HOURS AND THEY REFUSED. AND FINALLY, WE ENDED UP SENDING
24 IN THE DOCUMENTS FROM THE CITY, STATING REALLY WHAT THEIR
25 OPERATING HOURS WERE. SO UNILATERALLY, THEY EXTENDED

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1 THEIR OWN HOURS. THEY MISREPRESENTED THEIR OPERATING
2 HOURS TO THE PERMITTING AGENCIES.

3 AS I SAID, THE EIR DESCRIBED THIS AS AN
4 EXPANSION, NOT AS A SEPARATE AND NEW LANDFILL. I'VE
5 SPOKEN TO YOU ABOUT THE FACT THAT BFI DEDUCTED THE
6 IMPACTS OF THE CITY LANDFILL FROM THE IMPACTS OF THE
7 PROPOSED ONE IN ORDER TO REDUCE THE LEVEL OF
8 SIGNIFICANCE, ESPECIALLY ON TRAFFIC. THAT WAS ONE AREA
9 THEY HIT.

10 IF THEY HAD GONE OVER SOMETHING LIKE 3,000
11 TRUCKS, THEY'RE IN BIG TROUBLE BECAUSE WOULD HAVE
12 REQUIRED HANDLING A HECK OF A LOT MORE WORK THAN WHAT
13 THEY DID.

14 THE CITY HAD NO INPUT INTO THE TONNAGE.
15 THE CITY HAS BEEN EXCLUDED BY THE COUNTY EVEN THOUGH THE
16 ENTRANCE IS IN CITY LAND.

17 I WANT TO POINT OUT SOMETHING TO YOU. THE
18 ZONING ADMINISTRATION HAS DENIED THEM PERMISSION TO DO
19 ANYTHING TO THAT ENTRANCE. THEY'RE NOT ALLOWED TO
20 REALIGN IT. THE STRUCTURES BY THE ZONING ADMINISTRATION
21 ARE NOT TO BE USED AND ARE TO BE DISMANTLED WITHIN SIX
22 MONTHS. THE ROAD WAS NOT SUPPOSED TO BE USED.

23 BUT MORE RECENTLY, I'LL TELL YOU HOW BFI
24 OPERATES. ON THE SOUTHERN BERM AREA THEY BUILT A ROAD.
25 THEY BUILT IT FIRST AND THEN THEY CAME BACK FOR APPROVAL.

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1 AND THAT'S JUST BEING DENIED. ZONING SAYS, NO, YOU CAN'T
2 DO THAT.

3 BUT THIS IS THE WAY THAT BFI DOES THINGS.
4 THEY DO IT FIRST, AND THEN THEY COME BACK AFTERWARDS AND
5 LOOK FOR APPROVAL.

6 THE CITY OF LOS ANGELES HAS BEEN UNABLE TO
7 MAKE THESE PEOPLE DO THINGS. RIGHT NOW, I MEAN, I'VE
8 BEEN GIVEN TIME TO STAND, BUT BFI HAS REFUSED ENTRY TO
9 THE CITY ENFORCEMENT AGENCIES IN CLAIMING THAT THE CITY
10 LANDFILL IS CLOSED AND THAT THEY HAVE NO JURISDICTION.

11 CHAIRMAN HUFF: THAT'S SECONDHAND INFORMATION.

12 MR. HUNTER: I AGREE. THAT'S WHY I WAS VERY
13 SPECIFIC IN MAKING THAT STATEMENT TO YOU. I SAID I HAVE
14 BEEN GIVEN TO UNDERSTAND. I HAVEN'T SEEN THE ACTUAL
15 DOCUMENTS, AND THAT'S WHY I

16 CHAIRMAN HUFF: TELL US FIRSTHAND INFORMATION,
17 PLEASE.

18 MR. HUNTER: I BELIEVE IT TO BE TRUE, YOU KNOW.

19 I WAS VERY INTERESTED THAT THE SUN VALLEY
20 CHAMBER OF COMMERCE AND THE OTHER CHAMBER OF COMMERCE
21 WERE REMARKABLY UNINFORMED. I THINK THEY SEEM TO THINK
22 THAT THE USESHEDS ARE THE MOST IMPORTANT THING IN OUR
23 LIVES, AND THEY FORGET ALL THE OTHER SERIOUS PROBLEMS
24 THAT WE HAVE WITH THE AIR THAT WE BREATHE AND THE TRASH
25 THAT BLOWS OUT OF THE LANDFILL.

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1 I HAVE A LETTER HERE, MR. TIEDMASON. I
2 HAVE A LETTER FROM MR. TIEDMASON. I'D LIKE TO GIVE IT TO
3 THE BOARD BECAUSE WHAT IT REPRESENTS IS THE TIME TO
4 CRISIS.

5 IN A LETTER DATED MARCH 28, 1991, WRITTEN
6 BY MR. TOM TIEDMASON, L.A. SOLID WASTE MANAGEMENT
7 COMMITTEE, TO MR. GEORGE LARSON, CHIEF OFFICER OF CAL
8 WASTE MANAGEMENT BOARD.

9 MR. TIEDMASON MAKES IT CLEAR THAT WITHOUT
10 THIS PERMIT, BUT WITH A WASTE DIVERSION RATE OF ONLY 25
11 PERCENT, THERE WILL BE NO TRASH CRISIS IN L.A. UNTIL
12 JANUARY 1997. I THINK THAT'S VERY IMPORTANT.

13 THE TRASH CRISIS THAT THE COUNTY PUT OUT, I
14 BELIEVE, WAS SEPTEMBER 1991. COINCIDENTALLY IT WAS 6,000
15 TON SHORTFALL. WOW. JUST THE SAME TIME AS THE CITY
16 LANDFILL CLOSED. BUT HERE WE'VE GOT SOMEBODY SAYING, NO,
17 THAT ISN'T RIGHT. YOU DIDN'T USE THE RIGHT FIGURES.

18 CHAIRMAN HUFF: THAT LETTER IS AVAILABLE. IT'S
19 PART OF OUR BOARD. WE HAVE IT ALREADY IF IT WAS SENT TO
20 GEORGE LARSON.

21 MR. HUNTER: YOU HAVE THE LETTER ALREADY. I
22 HAVE MADE COPIES.

23 CHAIRMAN HUFF: MR. LARSON WORKS FOR THIS BOARD.

24 MR. HUNTER: I MADE THE REQUIRED 20 COPIES JUST
25 IN CASE.



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1 THERE'S ANOTHER ISSUE THAT WE HAVE AND THIS
2 ONE RELATES TO TOXICS. AGAIN, WE'VE PUT INTO THE
3 ENVIRONMENTAL IMPACT REPORT MANY STATEMENTS ON TOXICS.
4 AT THE TIME WE SAID THAT THE FIGURES WERE GIVEN ONE
5 PERCENT OF ALL HOUSEHOLD WASTE WAS TOXIC. GIVEN THE
6 EXTENT OF WHAT THEY'RE REQUIRING, WHICH -- OR ARE ASKING
7 FOR, WHICH IS A 215-MILLION TON LANDFILL. THEY'RE ONLY
8 ASKING FOR A LITTLE BIT, RIGHT NOW, BUT THE WHOLE
9 PROJECT. THAT WILL GIVE US 1,200,000 TONS OF TOXICS
10 SITTING RIGHT ABOVE L.A.'S WATER SUPPLIES.

11 NOW, THERE'S AN ARTICLE HERE, I DIDN'T MAKE
12 ENOUGH COPIES FOR YOU, BUT IT'S OUT OF THE NEWS. IT'S A
13 SUNDAY, FEBRUARY 9, 1992, DAILY NEWS, IN WHICH THE
14 DEPARTMENT OF SANITATION, CITY OF LOS ANGELES, SAYS
15 SANITATION OFFICIALS ESTIMATE THAT 7 PERCENT OF ALL
16 RESIDENTIAL WASTE IS HAZARDOUS. APPROXIMATELY 46 TONS A
17 DAY MAKES ITS WAY INTO CITY LANDFILL WHERE IT CAN
18 THREATEN WATER SUPPLIES.

19 NOW, IF IT REALLY IS TRUE AND IT'S 7
20 PERCENT, THEN THAT WOULD PUT 15,050,000 TONS OF TOXICS
21 RIGHT ABOVE L.A.'S WATER.

22 BY THE WAY, THE OLD LANDFILL IS STILL THERE
23 AND IT EXISTS, TOO, AND THAT WAS ABOUT 20 MILLION TONS.

24 I'M ALMOST FINISHED FOR THOSE OF YOU WHO
25 ARE ABOUT TO FALL SLEEP.

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1 THERE IS, AGAIN, AT LEAST AT 1 PERCENT
2 200,000 TONS OF TOXICS. NOW, YOU WANT TO TAKE THAT KIND
3 OF RISK AND PUT THAT KIND OF MATERIAL UP ABOVE L.A.'S
4 DRINKING SUPPLIES? I THINK NOT.

5 ONE OTHER IMPORTANT ISSUE. WE'VE TALKED
6 ABOUT WINDS. WE'VE TOLD YOU HOW BAD THEY ARE. THIS WAS
7 SOMETHING THAT WENT IN, NOBODY EVER ADDRESSED IT. IT
8 RELATES TO ASBESTOS. ASBESTOS IS NOT PERMITTED IN A
9 CLASS III LANDFILL. WE KNOW THAT.

10 AND YOU KNOW, THE APPLICANT HAS STATED
11 THAT, YOU KNOW, IF ASBESTOS MATERIAL OR SUSPICIOUS MATTER
12 WAS DETECTED, YOU KNOW, THEY WOULD OBVIOUSLY HAVE IT
13 DIVERTED.

14 BUT I THINK HERE THEY MISSED THE POINT.
15 THERE ARE AN ESTIMATED 300,000 BUILDINGS IN LOS ANGELES
16 THAT CONTAIN ASBESTOS, AND THEY ARE DEMOLISHED AND
17 REMODELED BY MANY INDIVIDUALS AND COMPANIES NOT LICENSED
18 TO REMOVE THIS MATERIAL. I THINK THAT, YOU KNOW,
19 ASBESTOS TAKES MANY FORMS, DUCT LINING MATERIAL,
20 SPRAYED-ON MATERIAL, TILES, BOTH FLOOR AND CEILING, ETC.,
21 IT COMES IN MANY GUISES.

22 TO EXPECT THAT SOMEBODY TO BE ABLE TO
23 DETECT THIS AND TAKE IT OUT OF THE THING, IT'S PHYSICALLY
24 IMPOSSIBLE. AND WHAT YOU'RE DOING IS YOU'RE PUTTING INTO
25 THAT WIND TUNNEL UP ABOVE THESE PEOPLE AND THOSE TRUCKS

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1 GET IN, THEY DON'T BURY IT STRAIGHT AWAY. THEY ROLL OVER
2 IT A COUPLE HUNDRED TIMES TO MAKE SURE IT'S GOOD AND
3 PRESSED DOWN.

4 ALL THAT ASBESTOS IS RISING UP INTO THE AIR
5 AND IS GETTING BLOWN. AND THE ASBESTOS DOESN'T KNOW
6 WHERE THE BOUNDARIES PROPER ARE. IT JUST BLOWS RIGHT ON
7 OVER INTO OUR NEIGHBORHOOD. I MEAN, THIS IS SOMETHING
8 THAT'S OUT THERE, AND I THINK YOU NEED TO CONSIDER THAT
9 BECAUSE THERE'S NOTHING, THERE'S NO MITIGATION FOR THIS
10 ANYWHERE IN THE AIR OR ANYTHING. THIS IS A KNOWN WIND
11 TUNNEL. THERE'S NO RESTRICTIONS ON THESE PEOPLE
12 OPERATING, BY THE WAY. SOME SAY, YOU KNOW, 15 MILES AN
13 HOUR, 20 MILES AN HOUR, IT'S FAR TOO HIGH.

14 ANYWAY, I THINK I'VE PRETTY MUCH COVERED
15 WHAT I WANTED TO SAY. IF ANYBODY HAS ANY QUESTIONS OF
16 ME.

17 CHAIRMAN HUFF: ANY QUESTIONS? NO QUESTIONS.

18 THANK YOU, SIR.

19 WE HAVE 20 MINUTES TO WRAP THIS UP. WE'LL
20 SPEND THE NEXT 15 MINUTES HEARING FROM OUR STAFF; LESS IF
21 STAFF NEEDS LESS, BRINGING ANY OTHER MATTERS TO OUR
22 ATTENTION.

23 IF ANY COMMITTEE MEMBERS HAVE QUESTIONS OF
24 ANY WITNESS, I WOULD ASK THEM TO LET ME KNOW, AND WE WILL
25 DIRECT THEIR QUESTIONS TO SUCH A WITNESS.

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1 AND, STAFF, WHAT CAN YOU GIVE ME IN THE WAY
2 OF A SUMMATION?

3 MS. VASQUEZ: LET'S SEE WHERE WE CAN BEGIN. I
4 GUESS WE STARTED OFF BY SAYING THAT WE HAVE LOOKED AT THE
5 PROJECT IN ITS ENTIRETY AND HAVE FOUND THAT THE LEA MADE
6 THE PROPER FINDINGS. THIS FACILITY HAS CONFORMED WITH
7 THE GENERAL PLAN.

8 CHAIRMAN HUFF: IN YOUR OPINION? AND YOU
9 CONTINUE TO ASSERT THE LEA HAS MADE THE PROPER FINDINGS.

10 MS. VASQUEZ: THERE ARE A COUPLE OF ISSUES THAT
11 STILL ARE OUTSTANDING. ONE IS THAT THE FACILITY HAS NOT
12 PROVIDED EVIDENCE OF A FINANCIAL MECHANISM FOR THE
13 CLOSURE AND POSTCLOSURE MAINTENANCE OF THIS FACILITY.

14 CHAIRMAN HUFF: WE HAVE COUNSEL IN-HOUSE. NO
15 NEED FOR FURTHER REVIEW; IS THAT CORRECT?

16 MS. VASQUEZ: THAT'S CORRECT.

17 THE SECOND MAJOR ISSUE REGARDING THE
18 TONNAGE LANGUAGE IN THE PERMIT.

19 CHAIRMAN HUFF: THAT'S RIGHT. AND IN YOUR VIEW,
20 STAFF VIEW, THE ISSUES OF DIVERSION AND FLEXIBILITY DON'T
21 EXIST AT THE 6600 LEVEL, BUT THEY DO AT THE 8800 LEVEL;
22 IS THAT A CORRECT?

23 MS. VASQUEZ: THAT'S CORRECT.

24 ALSO, IT IS PAST POLICY, PAST DIRECTION
25 FROM THE BOARD SINCE 1985 THAT THE PERMITS CONTAIN



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1 SPECIFIC LIMITS ON THE AMOUNT OF WASTE THEY CAN RECEIVE
2 AT ANY FACILITY. IN 1989 A BOARD MEMBER ADDED ONTO THAT
3 THAT THE PERMIT SHOULD STATE THIS FACILITY RECEIVES AN
4 ABSOLUTE MAXIMUM. THIS PERMIT DOESN'T HAVE THAT TYPE OF
5 LIMIT.

6 EARLIER YOU HEARD BFI SAY THAT THIS BOARD
7 HAS ACTED ON TWO PERMITS WITHIN THE LAST YEAR THAT
8 ALLOWED SOME TYPE OF FLEXIBILITY. WE CALLED THE OFFICE
9 THIS AFTERNOON AND ASKED THAT THOSE PERMITS BE
10 DOUBLE-CHECKED. BOTH PERMITS DO CONTAIN LANGUAGE THAT
11 ALLOWS THE WASTE TO BE INCREASED INCREMENTALLY BY A DATE
12 CERTAIN.

13 CHAIRMAN HUFF: I REMEMBER THOSE.

14 MS. VASQUEZ: JUST WANTED TO SAY THAT TO CLEAR
15 THE RECORD.

16 CHAIRMAN HUFF: HAVE WE HEARD FROM THE
17 METROPOLITAN WATER DISTRICT?

18 HAVE WE HEARD FROM THE L.A. DEPARTMENT OF
19 WATER AND POWER?

20 MS. VASQUEZ: I'M NOT CERTAIN. THE WAY THEY
21 WOULD PROBABLY BE INCLUDED IS THROUGH THE MITIGATION
22 MONITORING IMPLEMENTATION SCHEDULE. IF THERE WERE
23 IMPACTS, THEIR AGENCY WOULD HAVE THEIR CONCERNS ADDRESSED
24 THERE, BUT WE SHOULD PROBABLY ASK RICHARD HANSON.

25 CHAIRMAN HUFF: MR. HANSON?

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1 MR. HANSON: I DON'T KNOW.

2 CHAIRMAN HUFF: I'VE HEARD AN AWFUL LOT ABOUT
3 WATER TODAY, AND IT STRIKES ME AS STRANGE, AS THE
4 PURVEYORS OF THAT WATER, WHOSE RESPONSIBILITY IT IS TO
5 ENSURE THE SAFETY OF IT, AREN'T HERE, AREN'T
6 COMMUNICATING WITH US.

7 I'M WONDERING IF PERHAPS THEY'VE
8 COMMUNICATED THROUGH YOU OR THROUGH OUR STAFF?

9 MR. HANSON: NO, I HAVEN'T HEARD FROM THEM. I
10 JUST TALKED WITH THE REGIONAL WATER QUALITY CONTROL
11 BOARD, LOS ANGELES REGION, MR. ROD NELSON, ABOUT HIS
12 CONCERNS REGARDING THE FACILITY. AND I DON'T BELIEVE HE
13 HAS ANY OTHER THAN THE WASTE DISCHARGE REQUIREMENTS THAT
14 HAVE BEEN ISSUED TO THE SITE THROUGH THAT BOARD.

15 CHAIRMAN HUFF: OKAY. ANYONE HAVE ANY FOLLOW-UP
16 QUESTIONS ON THAT?

17 OKAY. TELL ME ABOUT DUST. I MEAN, I KNOW
18 THAT THE WIND BLOWS THROUGH THERE ANYWAY. I'VE DRIVEN
19 THAT ROAD. I WAS BORN IN L.A., SO I KNOW THAT ROAD.

20 MR. HANSON: YOU ARE ASKING ME ABOUT DUST?

21 CHAIRMAN HUFF: WELL, SOMEBODY. ANYBODY. WE
22 ONLY HAVE, YOU KNOW, 13 MINUTES LEFT.

23 MS. RUBALCAVA: MAY I ADDRESS THE BOARD?

24 CHAIRMAN HUFF: YES, I'LL DIRECT THE QUESTION TO
25 YOU.

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MS. RUBALCAVA: THERE'S A LOT OF TESTIMONY ABOUT BLOWING DUST AND ABOUT NOTICES OF VIOLATION ISSUED BY THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT.

THE LANDFILL HAS RECEIVED ONE NOTICE OF VIOLATION FOR WHICH A SMALL CIVIL PENALTY WAS PAID. ONE OTHER NOV WAS WITHDRAWN BECAUSE THE FACILITY WAS IN COMPLIANCE WITH THE DISTRICT'S RULE WHICH REQUIRES ALL REASONABLE PRECAUTIONS TO BE TAKEN.

I WOULD INVITE THE BOARD TO CONTACT THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AND ASK THEM WHAT THEY THINK ABOUT THIS FACILITIES COMPLIANCE. AND I THINK YOU WILL FIND THAT THEY BELIEVE IT'S AN EXCELLENT LANDFILL AND HAS VERY AGGRESSIVE POLICIES IN PLACE TO CONTROL BLOWING DUST.

THE INCIDENTS THAT I REFERRED TO OCCURRED SEVERAL YEARS AGO. SINCE THAT TIME, BFI HAS DEVELOPED A SYSTEM OF AGGRESSIVE WATERING, THE APPLICATION OF SOIL SEALANTS AND HYDROMULCH TO THE DISTURBED SURFACES OF THE LANDFILL, AND THAT HAS A TREMENDOUS IMPACT ON REDUCING BLOWING DUST. THERE'S ALSO A REVEGETATION PROGRAM IN PLACE, WHICH I THINK HAS HAD FAR BETTER RESULTS THAN SOME OF THE SPEAKERS WOULD INDICATE TO YOU.

AND I WOULD SUGGEST IF YOU WANT TO SPEAK TO SOMEONE AT THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, YOU SPEAK TO THE ASSISTANT DIRECTOR OF



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1 ENFORCEMENT. HIS NAME IS CAROL COY.

2 CHAIRMAN HUFF: THANK YOU. ARE THERE ANY OTHER
3 QUESTIONS? OKAY.

4 WHEN WAS THIS MATTER HEARD BY THE BOARD OF
5 SUPERVISORS?

6 MR. HANSON: I THINK THEY VOTED ON THE CUP IN
7 EARLY FEBRUARY OF 1991.

8 CHAIRMAN HUFF: FEBRUARY OF '91. WAS THAT
9 PRECEDED BY A PUBLIC HEARING?

10 MR. HANSON: MANY.

11 CHAIRMAN HUFF: MANY. AND THE REGIONAL WATER
12 QUALITY CONTROL BOARD ISSUED WDR'S WHEN?

13 MS. RUBALCAVA: ISSUED IN JULY.

14 CHAIRMAN HUFF: STAFF CONFIRM THAT, JULY?

15 MR. GEBRE-HAWARIAT: JULY 22D.

16 CHAIRMAN HUFF: JULY. WAS THAT PRECEDED BY
17 PUBLIC HEARING?

18 MR. HANSON: YES.

19 MS. WOODLOCK: THAT HAS ALSO BEEN APPEALED.

20 CHAIRMAN HUFF: I UNDERSTAND THAT THAT'S

21 APPEALABLE.

22 OKAY. THEN, OF COURSE, THAT BRINGS US TO
23 TODAY. WERE THERE OTHER PUBLIC HEARINGS BEFORE OTHER
24 BODIES? HOW ABOUT THE AIR BOARD?

25 MR. HANSON: I DON'T KNOW.

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1 MS. RUBALCAVA: NO.

2 CHAIRMAN HUFF: NO.

3 BOARD MEMBER RELIS: MS. VASQUEZ, I JUST WANTED
4 TO ASK YOU ONE OTHER QUESTION.

5 IS THE -- AS I UNDERSTAND IT, THE
6 CONDITIONS THAT ARE ELABORATED IN OUR PACKET ARE BASED ON
7 THE 6600 TON PER DAY -- OR 9,000 WITH THE 6600 ALLOWABLE
8 DISPOSAL LEVEL; IS THAT CORRECT? THE ACTUAL CONDITIONS
9 IN THE PERMIT WOULD PERTAIN TO THE 9,000 NUMBER WITH 6600
10 DISPOSAL, NOT THE 17,500 THAT'S REFERRED; IS THAT
11 CORRECT?

12 MS. VASQUEZ: LET ME MAKE CERTAIN THAT I -- I
13 UNDERSTAND THE QUESTION. WOULD YOU REPEAT IT?

14 BOARD MEMBER RELIS: OKAY. THERE'S REFERENCE --
15 THERE ARE THE SPECIFIC CONDITIONS THAT ARE SET FORTH IN
16 THIS PERMIT THAT CONTROL THE USE OF THE FACILITY, THE
17 ACCESS, THE ROAD, THE TRAFFIC, ETC. THAT'S BASED ON, AS
18 I UNDERSTAND IT, THE 9,000 TON NUMBER, NOT 17,500; IS
19 THAT CORRECT?

20 MS. VASQUEZ: THE 9,000 NUMBER IS ATTACHED TO
21 THE AMOUNT OF TRAFFIC THAT THAT FACILITY CAN RECEIVE AT
22 THIS TIME. IN ORDER TO GO HIGHER THAN 9,000, SOME ROAD
23 IMPROVEMENTS WILL HAVE TO BE MADE TO ACCOMMODATE A
24 GREATER AMOUNT OF TRAFFIC. AND THAT APPROVAL HAS NOT
25 BEEN GRANTED. SO THE MOST THE FACILITY CAN RECEIVE AT

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1 THIS TIME IS 9,000.

2 CHAIRMAN HUFF: IF THOSE ROAD IMPROVEMENTS WERE
3 MADE, WOULD THERE BE ANY ADMINISTRATIVE GOVERNMENTAL
4 PROCEDURES THAT THEY WOULD HAVE TO FOLLOW TO INCREASE
5 FROM 9,000?

6 MS. VASQUEZ: YES.

7 CHAIRMAN HUFF: WHAT ARE THEY?

8 MS. VASQUEZ: THEY NEED TO GET AN APPROVAL FROM
9 PUBLIC WORKS, RICHARD?

10 MR. HANSON: I UNDERSTAND THAT THE LOS ANGELES
11 CITY DEPARTMENT OF TRANSPORTATION WOULD ISSUE THE PERMITS
12 TO CONSTRUCT. AND THEN THE WAY THAT THE SOLID WASTE
13 FACILITY PERMIT IS NOW WRITTEN, THE BFI WOULD HAVE TO
14 PROVIDE THE LEA WITH A STATEMENT FROM THAT CITY
15 DEPARTMENT INDICATING THE TRAFFIC THAT WOULD BE ALLOWED
16 WITH THE IMPROVEMENTS. AND IF IT WAS JUST A VEHICLE
17 TOTAL, WELL, THEN, THE LEA WOULD THEN CONVERT THE VEHICLE
18 TOTAL INTO A NEW TONNAGE LIMIT. IN NO CASE WOULD IT
19 EXCEED 17,500 TONS.

20 CHAIRMAN HUFF: OKAY. BUT IN NO CASE WOULD MORE
21 THAN, DEPENDING ON THE STRUCTURE OF THE PERMIT, 6600 TONS
22 OR 8800 TONS A DAY BE DISPOSED OF?

23 MR. HANSON: THAT'S RIGHT.

24 CHAIRMAN HUFF: OKAY. AND AS THE PERMIT IS
25 WRITTEN, YOU CAN'T CRACK 8800 TONS PER DAY WITHOUT COMING

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1 BACK TO THIS BOARD?

2 MR. HANSON: THAT'S RIGHT.

3 CHAIRMAN HUFF: OKAY. ANY OTHER QUESTIONS?

4 WELL, THE MATTER IS BEFORE US. I'M READY
5 FOR A MOTION.

6 BOARD MEMBER EGIGIAN: WHAT IS THE STAFF'S
7 RECOMMENDATION ON THIS?

8 CHAIRMAN HUFF: THERE IS NO --

9 BOARD MEMBER EGIGIAN: THERE IS NO
10 RECOMMENDATION.

11 I MOVE THAT WE ALLOW BFI TO OPERATE ON THE
12 EXPANDABLE SITUATION AT 8800 TONS. AND IF ANYTHING IS
13 LACKING IN THE NATURE OF THE MATERIAL THAT OUR STAFF
14 NEEDS, THAT IT BE PROVIDED BEFORE OR ON THE DATE OF OUR
15 HEARING AT THE FULL BOARD MEETING.

16 CHAIRMAN HUFF: THE MOTION IS THAT THE PERMIT BE
17 CONCURRED IN, THAT THE RECOMMENDATION TO THE FULL BOARD
18 IS THAT THE PERMIT BE CONCURRED IN SUBJECT TO FINAL
19 SATISFACTORY COMPLETION OF THE SATISFACTORY REVIEW OF THE
20 REMAINING DOCUMENTS THAT WE HAVE.

21 BOARD MEMBER RELIS: I WON'T -- I CAN'T SUPPORT
22 THAT PARTICULAR MOTION. I CAN'T SECOND IT FOR REASONS
23 THAT I'M NOT IN FAVOR OF US GRANTING FLEXIBLE PERMITS.

24 I THINK THAT -- I'D LIKE TO JUST SAY A
25 COUPLE OF THINGS AFTER LISTENING TO EVERYONE HERE. AND I

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1 THINK IT'S IMPORTANT THAT WE UNDERSTAND THE PURVIEW OF
2 THIS BOARD. WE HAVE TWO MANDATES.

3 THIS LAW WAS SET UP, AB 939, WHICH
4 EMPOWERED THIS BOARD TO OPERATE AND EXPANDED OUR STAFF
5 GREATLY TO REDUCE THE AMOUNT OF MATERIAL GOING TO
6 LANDFILLS, THAT WAS OUR REQUIREMENT.

7 WE WERE ALSO REQUIRED TO ASSURE LANDFILL
8 CAPACITY, SO WE'RE ON -- AS SOMEONE DESCRIBED IT, ON THE
9 HORNS OF A DILEMMA. WE MUST ASSURE CAPACITY, AND WE MUST
10 ASSURE DIVERSION. WE ARE FACED WITH THIS PERMIT, AS WE
11 WERE WITH EARLIER MATTERS TODAY, WITH THE COMPLEX ISSUE
12 OF TRYING TO UNDERSTAND HOW DIVERSION AND LANDFILL
13 CAPACITY INTERACT. AND THAT'S NOT GOING TO BE READILY
14 RESOLVED FOR SOME TIME UNTIL THE COMPLETION OF THE
15 INTEGRATED WASTE MANAGEMENT PLANS THROUGHOUT THE STATE.

16 BUT FOR THE CONCERNS REGARDING THE
17 LANDFILL, I CAN SYMPATHIZE WITH THE PUBLIC HERE. I THINK
18 CERTAINLY ALL OF US WHO WOULD LIVE IN PROXIMITY TO A
19 LANDFILL WISH IT WOULD NOT BE THERE OR WISH IT WOULD NOT
20 CONTINUE.

21 WE, UNFORTUNATELY, HAVE THE RESPONSIBILITY
22 OF ASSURING LANDFILL CAPACITY IN A TIMELY WAY. SO WHILE
23 WE'RE PURSUING THE ENVIRONMENTAL GOAL OF REDUCING THE
24 AMOUNT OF MATERIAL GOING INTO THE LANDFILL THROUGH
25 RECYCLING AND THROUGH REDUCTION OF WASTE, AND WE ARE

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1 ACHIEVING SOME NOTEWORTHY SUCCESS THERE, WE CANNOT SIMPLY
2 ABDICATE OUR RESPONSIBILITY ON LANDFILL PROVISION.

3 NOW, I CANNOT SUPPORT MR. EGIGIAN'S MOTION
4 TO ALLOW FLEXIBILITY TO 8800 TONS PER DAY, BUT I WOULD BE
5 WILLING TO OFFER A COUNTER-MOTION.

6 BOARD MEMBER EGIGIAN: I'LL WITHDRAW MY MOTION.

7 BOARD MEMBER RELIS: OKAY.

8 CHAIRMAN HUFF: MOTION IS WITHDRAWN.

9 BOARD MEMBER RELIS: I WOULD RECOMMEND -- MAKE
10 THE MOTION THAT THE BOARD OBJECT TO THE ISSUANCE OF THIS
11 PERMIT UNLESS, PRIOR TO THE FULL BOARD'S MEETING ON
12 FEBRUARY -- THAT IS NEXT WEEK, FEBRUARY 26, '92, THE
13 APPLICANT FULLY COMPLIES WITH THE CLOSURE AND POSTCLOSURE
14 PLAN, WHICH THEY APPARENTLY SUBMITTED, BUT WE HAVE NOT
15 REVIEWED, AND MEET THE FINANCIAL ASSURANCES AND LAWS AND
16 REGULATIONS RELATED TO THAT.

17 I ALSO WOULD RECOMMEND THAT THE APPLICANT
18 RESUBMIT THE LEA -- RATHER, UNLESS THE LEA, WITH THE
19 APPLICANT'S CONSENT, RESUBMITS THE PERMIT WITH THE DAILY
20 TONNAGE RESTRICTED TO 6600 TONS PER OPERATING DAY AND
21 THAT ONLY INCREASES WOULD BE ALLOWED AFTER A FULL
22 REVISION OF THE SOLID WASTE FACILITIES PERMIT. IN OTHER
23 WORDS, THE 6600 NUMBER WOULD BE OUR NUMBER AND WE WOULD
24 NOT HAVE THAT AS A FLOATING NUMBER.

25 CHAIRMAN HUFF: ALL RIGHT. SO THAT EVERYONE

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1 UNDERSTANDS THE MOTION IS THAT WE OBJECT, UNLESS THE
 2 CLOSURE/POSTCLOSURE PLAN IS COMPLETE, THE FINANCIAL
 3 ASSURANCES ARE COMPLETE, AND THE LEA, WITH THE
 4 APPLICANT'S CONSENT, RESUBMITS THE PERMIT WITH THE DAILY
 5 TONNAGE LIMITED TO 6600 TONS PER DAY.

6 MR. HANSON: MAY I ASK A QUESTION? DOES THIS
 7 ALSO INCLUDE REFERENCE TO THE TOTAL AMOUNT OF WASTE
 8 ENTERING THE SITE? NOW IT'S 9,000 TONS.

9 CHAIRMAN HUFF: DOES NOT.

10 MR. HANSON: DOES NOT APPLY TO THAT, ONLY TO
 11 DISPOSED WASTE.

12 BOARD MEMBER RELIS: THAT'S THE MOTION.

13 CHAIRMAN HUFF: ROLL CALL, PLEASE.

14 COMMITTEE SECRETARY: BOARD MEMBER EGIGIAN?

15 BOARD MEMBER EGIGIAN: YES.

16 COMMITTEE SECRETARY: RELIS?

17 BOARD MEMBER RELIS: AYE.

18 COMMITTEE SECRETARY: CHAIRMAN HUFF?

19 CHAIRMAN HUFF: AYE.

20 MOTION CARRIES THREE TO ZERO.

21 MOTION TO ADJOURN?

22 BOARD MEMBER EGIGIAN: SO MOVE.

23
 24 (END OF PROCEEDINGS AT 6 P.M.)
 25

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Reporter's Certificate

* * * * *

I, BETH C. DRAIN hereby certify:

that on the 18th of
FEBRUARY 1992, I did report in
shorthand the testimony and proceedings of the
foregoing hearing;

that at the conclusion of the above entitled
matter, I did transcribe my shorthand notes into
typewriting;

that the foregoing transcript is a true and correct
copy of my shorthand notes thereof.

Beth C. Drain
Certified Shorthand Reporter
Certificate No. 7152

