



March 15, 2010

Ms. Gail Goldberg
City of Los Angeles
John Sanabria
County of Los Angeles
Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012

Re: Report to the Joint Sunshine Canyon Landfill Technical Advisory Committee

Dear Ms. Goldberg:

In anticipation of the March 31, 2010 TAC meeting, we are providing you with a status report regarding items of interest specified by City/County Planning since the last TAC meeting of May 27, 2009.

Revegetation Efforts On All Permanent Slopes Illustrated With An Aerial Map:

Sunshine Canyon Landfill (SCL) continues to vegetate both interim and permanent slopes. Updates on all revegetation efforts are provided quarterly in a voluntary report that includes maps and descriptions of the type of work done each quarter. Copies of revegetation reports are also provided in the site's annual report.

At the present time the only permanent slopes are City and County Sage mitigation areas as shown on the attached map. (**Attachment A**) The County sage slope is in its third year of maintenance and monitoring, and this season the site will be conducting experimental test plots to determine a way of increasing plant growth in the difficult on-site soil conditions. The City Sage slopes are concluding the first year of maintenance monitoring, and near-term efforts will focus on weed abatement after the winter rains.

Several semi-permanent slopes also exist onsite, known as the Phase V area. These are cut slopes that may ultimately be changed as the landfill height increases. However, since the slopes will be long-term in nature, they have been treated with a sage based seed mix and erosions control measures such as jute matting and horizontal straw waddles to encourage growth on the very steep cut slopes. The Phase V area is also indicated on the attached map (**Attachment A**).

Methane Gas Control system- Impacts From Recent Rains:

SCL continuously monitors perimeter probes and surface areas to test the efficacy of the landfill gas extraction system. This data is reported quarterly to the South Coast Air Quality Management District, a summary of the report is provided in the Quarterly newsletters, and the full reports are included in the Annual Report to the TAC.

The recent heavy rain events in the Los Angeles basin during January and February of 2010 resulted in slight settlement around wellheads and surficial erosion. The impact was observed primarily on the upper decks of the County-side of the landfill and in recent fill areas.

Site staff believes that the odor issues experienced in late January and early February were a direct result of these unusually heavy rain events. These issues, and their apparent causes have since been corrected. SCL is currently planning and designing additional infrastructure on the gas control system in attempt to prevent similar occurrences during future. Until the infrastructure can be installed, SCL will continue to have a 3rd party contractor conduct sweeps after heavy rain events.

Status On An Alternative Fuel Dispensing Station:

At this time, standard operating permits for an E-85 Fuel Dispensing Station at the site are still unavailable. SCL plans to pursue an Alternative Fuel Dispensing Station when such permits become available. (See below for further information on Alternative Fuel Vehicles)

Status on Groundwater Monitoring:

The most recent groundwater monitoring data included in the February 2010 Groundwater and Waste Disposal Monitoring Report, continue to indicate low level concentrations of volatile organics (VOC's) in groundwater wells up-gradient to the facilities cutoff wall and zero concentration down-gradient. The facility continues to address the presence of 1,4-dioxane in monitoring wells through quarterly monitoring and continuous pumping of water collected on the up-gradient side of the cutoff wall. The unlined closed City Landfill (Unit 1) is the likely source of this constituent. The continuous pumping of the cutoff is gradually reducing the concentration of 1,4-dioxane in the down-gradient wells.

Semi-annual groundwater monitoring reports submitted to the Regional Water Quality Control Board are available online at www.sunshinecanyonlandfill.com under the Required Reports heading in the Regulatory/Environmental section of the website. It will also be included in the Annual Report to the TAC.

Status on Odor Issues:

The volume of complaints called into Sunshine Canyon Landfills, hotline number and to the South Coast Air Quality Management District (SCAQMD) increased dramatically in October and November of 2009. In Comparison during 2007, the SCAQMD received 24 odor complaints concerning the Facility. In 2008, the SCAQMD received 52 complaints. In 2009, the SCAQMD received 309 complaints with 46 prior to June, 1 in June, 6 in July, 18 in August, 12 in September, 52 in October, 160 in November, and 14 in December. In addition, 49 complaints were recorded in January, 2010 and 95 complaints were received in February 2010. At least one school, Van Gogh Elementary, has been impacted by the odors.

A petition for a stipulated Order for Abatement was heard by an Independent Hearing Board on December 17, 2009, February 2, 3 and 6, and March 3 2010, pursuant to notice and in accordance with the provisions of California Health and Safety Code § 40823 and SCAQMD Rule 812. The public and several City and County agencies either attended or were called to testify as part of the process including many persons who are involved with the TAC. The March 12, 2010 DRAFT version of the stipulated order of abatement is attached (**Attachment B**), latest available at the time of this report).

Currently, the site believes that this order will be approved at the March 24, 2010 meeting of the Independent hearing board. The order of abatement will address specific odor reduction mitigation, many of which SCL has already implemented, and it describes a series of studies to understand environmental factors on landfill operations.

Status On The Wetland Habitat At Chatsworth Reservoir:

Background

As required by condition [Q] C.9, Sunshine is to replace disturbed riparian and wetland habitat to the satisfaction of the California Department of Fish and Game (“F&G”) and the U.S. Army Corps of Engineers (“ACOE”) to prevent any net loss of habitat and wetland areas. The replacement site shall also be located within the San Fernando Valley.

Status

SCL has applied for and received an extension of the site’s Permit No. 2003-00408-AOA, the request and the approval letter from the Department of the Army are attached (**Attachment C**). Sunshine and City of Los Angeles representatives are in the process of negotiating the contract for moving wetlands mitigation forward at the Chatsworth location.

Alternative Fuel Conditions And Other Conditions:

SCL continues to fuel the E-85 vehicles with Ethanol 85 on average, every week at a fueling station located at 11699 San Vicente Blvd., Los Angeles, California.

According to SCL’s research, there have been no advancements in technology for alternative fuel heavy machinery. No alternative fuel light-duty vehicles or heavy machinery have been purchased since the last update.

Please contact me at (818)-833-6504 to discuss the contents of this report, if needed.

Sincerely,

Kurt Bratton
General Manager

Cc: Linn Wyatt, City Planning
Ly Lam, City Planning
Linda Lee, County Department of Public Works
Emiko Thompson, County Department of Public Works
Cindy Chen, SCL-LEA
Gerry Villalobos, SCL-LEA
David Thompson, SCL-LEA
Susan Jennings, Sunshine Canyon Landfill
Becky Van Sickle, Sunshine Canyon Landfill

ATTACHMENT A

ATTACHMENT B

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DRAFT

**BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

In the Matter of

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT,

Petitioner,

vs.

ALLIED WASTE COMPANY, INC., and REPUBLIC
SERVICES, INC. dba SUNSHINE CANYON
LANDFILL, a California Corporation,

(Facility ID No. 49111)

Respondent.

CASE NO. 3448-13

**(PROPOSED)
FINDINGS AND DECISION FOR
AN ORDER FOR ABATEMENT
(STIPULATED)**

Hearing Date: March 24, 2010

FINDINGS AND DECISION OF THE HEARING BOARD

This petition for a stipulated Order for Abatement was heard on December 17, 2009, February 2, 3 and 6, March 3 and 24, 2010, pursuant to notice and in accordance with the provisions of California Health and Safety Code § 40823 and SCAQMD Rule 812. The following members of the Hearing Board were present: Edward Camarena, Chair; Barry Read, Vice Chair; Michael Glovsky M.D.; Steve Zikman; and Marti L. Klein. Petitioner, Executive Officer, was represented by Carol L. Engelhardt, Senior Deputy District Prosecutor and by Nancy Feldman,

1 Principal Deputy District Prosecutor (March 3, 2010 only). Respondents, ALLIED WASTE
2 COMPANY, and REPUBLIC SERVICES, INC., are corporations authorized to do business in the
3 State of California (hereinafter referred to as “Respondent”) and were represented by Robert S.
4 Nicksin, attorney at law of the firm of O’Melveny and Myers LLP. The public was given the
5 opportunity to testify, evidence was received and the matter was submitted. The Hearing Board
6 finds and decides as follows:

7 1. Petitioner, South Coast Air Quality Management District (also referred herein as
8 the “SCAQMD”), is a body corporate and politic established and existing pursuant to Health and
9 Safety Code § 40000, *et seq.* and § 40400, *et seq.*, and is the sole and exclusive local agency with
10 the responsibility for comprehensive air pollution control in the South Coast Basin.

11 2. Respondent is a business subject to the jurisdiction of the SCAQMD. Respondent
12 owns and operates a landfill/solid waste disposal site located at 14747 San Fernando Road,
13 Sylmar, California 91342 (hereinafter referred to as the “Facility”).

14 3. Portions of the Facility are located in the City of Los Angeles; the entire Facility is
15 located in the County of Los Angeles. The Facility has been in operation since the 1950s and,
16 over the years, trash and garbage (hereinafter “trash”) has been placed in both the City portion of
17 the Facility and the County portion of the Facility. As the trash has been deposited, the
18 topography of the site has changed. It is anticipated that the Facility will continue to receive trash
19 for approximately 20 years. The engineered plan for future trash deposits consists of a series of
20 “cells.” The deposit of trash is regulated as set forth in the Joint Technical document as approved
21 by applicable governmental agencies.

22 4. The Facility is located approximately one mile to the north of Granada Hills, an
23 area that contains a large number of residential properties and at least two schools: the Van Gogh
24 Elementary School and the Robert Frost Middle School. Schools and residential locations are
25 located approximately one mile to the south and south east of the Facility and at a lower
26 elevation. The Facility is surrounded by mountains, and directly below the southern boundary
27 (also referred to as the “southern berm”) of the Facility the topography contains at least two
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1 ravines which run generally north and south from the southern berm toward the neighborhood
2 areas.

3 5. Nighttime and early morning wind flows are, at times, a drainage pattern with
4 winds flowing down slope. Nighttime generally brings cooler air temperatures. The cooler air is
5 less buoyant and may tend to hold down odors that may be present closer to the surface. During
6 the day, the air warms, becomes more buoyant and tends to rise, dispersing any odors that may
7 exist. These normal patterns can be disrupted by other meteorological events such as Santa Ana
8 wind events and other weather systems. As the Santa Ana wind events end, the air in the northern
9 San Fernando Valley tends to stagnate.

10 6. The Facility is located on approximately 1,036 acres with a waste disposal area of
11 approximately 363 acres. With the exception of the approximately one half to four acre
12 “Working Face” (the area where trash is newly deposited at the Facility), the landfill is covered
13 with soil or approved cover. The active Working Face is open to the air. During hours of non-
14 operation the Working Face is covered with tarps or other approved cover, including dirt. After
15 closing on Saturday at 2 P.M. to opening on Monday at 6 A.M., soil cover is used for odor and
16 vector control. Pursuant to regulatory action, in 2009 Respondent began depositing all trash at
17 one Working Face. In prior years trash was deposited at two Working Faces.

18 7. The Facility is permitted to receive up to 12,100 tons of municipal solid waste per
19 day during the hours of 6:00 A.M. to 6:00 P.M., Monday through Friday and 7:00 A.M. to 2:00
20 P.M. on Saturday. The Facility is not operating at full capacity. The amount of trash received at
21 the Facility increased during 2009 by approximately 30 percent. Monthly tonnage from June
22 2008 through March 2009 ranged from 140,000 tons to 178,000 tons. From April 2009 through
23 October 2009 the amount of trash exceeded 200,000 tons in each month. During November 2009,
24 trash deposits totaled 174,008 tons.

25 8. Some of the trash deposited at the Facility is delivered in transfer trucks that have
26 been loaded at transfer stations throughout Los Angeles County, and some is delivered from
27 neighborhood collection vehicles. A significant number of transfer trucks are loaded on Friday or
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1 Saturday and delivered to the Facility on Monday. Approximately 70–80% of the transfer trucks
2 visiting the Facility are under the control of Respondent. After arrival at the Facility, the trucks
3 are driven up the “haul road” to the Working Face area of the Facility and unloaded.

4 9. The delivery, unloading, movement and dumping of trash at the Working Face
5 may create odors. These odors are made up of a variety of individual constituents and
6 compounds.

7 10. SCAQMD Rule 402 states as follows:

8 A person shall not discharge from any source whatsoever such quantities
9 of air contaminants or other material which cause injury, detriment,
10 nuisance, or annoyance to any considerable number of persons or to the
11 public or which endanger the comfort, repose, health, or safety of any such
persons or the public, or which cause, or have a natural tendency to cause,
injury or damage to business or property.

12 Health and Safety Code § 41700 contains similar prohibitions.

13 11. The Facility has in recent months been the source of an increase in odor
14 complaints to the SCAQMD. The following Notices of Violation were issued in 2008, 2009 and
15 2010:

<u>Notice of Violation No.</u>	<u>Rule(s) Violated</u>	<u>Date of Violation</u>
P26963	402	10/17/08
P49903	402/H&S Code § 41700	3/2/09
P49910	402/H&S Code § 41700	10/5/09
P49911	402/H&S Code § 41700	11/2/09
P49912	402/H&S Code § 41700	11/3/09
P49913	402/H&S Code § 41700	11/4/09
P49914	402/H&S Code § 41700	11/9/09
P49915	402/H&S Code § 41700	11/10/09
P49916	402/H&S Code § 41700	1/29/10
P49917	402/H&S Code § 41700	2/1/10

23 12. The volume of complaints called in to the SCAQMD concerning the Facility
24 increased dramatically in October and November 2009. In 2007, the SCAQMD received 24 odor
25 complaints concerning the Facility. In 2008, the SCAQMD received 52 complaints. In 2009, the
26 SCAQMD received 309 complaints with 46 prior to June, 1 in June, 6 in July, 18 in August, 12 in
27 September, 52 in October, 160 in November, and 14 in December. In addition, 49 complaints
28

1 were recorded in January, 2010 and 95 complaints were received in February 2010. At least one
2 school has been impacted by the odors.

3 13. At hearings before the Hearing Board held on December 17, 2009, February 2, 3
4 and 6, and March 3, 2010, approximately 35 individuals who are either residents of
5 neighborhoods in the vicinity of the Facility, representatives of local community groups, parents
6 of children attending neighborhood schools, employees of those schools, or representatives of
7 government agencies responsible for areas including the neighborhood, testified that odors
8 originating from the Facility were causing them detriment, nuisance and annoyance. Among the
9 maladies reported by some of the witnesses were headache, nausea, eye and throat irritation,
10 discomfort, difficulty breathing and other symptoms.

11 14. An evaluation of the wind direction and speed indicates that the odor complaints
12 increase when the wind is from the north or northeast and is 15 miles per hour or less, or, if there
13 is very little wind movement. The majority of the complaints were called in to the SCAQMD
14 during the morning hours from 7:00 A.M. to 8:00 A.M. The number of complaints has increased
15 in the months of October, November and January which is consistent with cooler airflow and also
16 associated, in some instances, with calm wind conditions.

17 15. In 2009, SCAQMD Inspector Larry Israel responded to the vicinity of the Facility
18 to investigate complaints of odor on approximately 30 days. On nine of those days he detected
19 odors, traced the odors to the Facility, interviewed impacted residents or individuals at Van Gogh
20 school, verified that the odors those people described were generated by the operations at the
21 Facility, and issued Notices of Violation of Rule 402 and Health and Safety Code § 41700.

22 16. Testimony by the SCAQMD inspectors and public witnesses indicate that the
23 majority of odor complaints are generated in the morning hours. The heaviest volume of
24 complaints often occurs on Monday mornings when trash trucks arrive at the Facility with trash
25 that may have remained in the trucks for one or two days after the trucks were loaded at transfer
26 stations on the prior Saturday.

1 17. Testimony by the Respondent’s representatives indicates that after four days of
2 extremely heavy rain from January 19, 2010 to January 22, 2010, wells in the gas collection
3 system were affected by erosion around the wellheads resulting in excess gas being emitted to the
4 atmosphere. This, and a later heavy rain, may have contributed to the Notices of Violation issued
5 during the first two months of 2010.

6 18. Testimony by the public on March 3, 2010 indicates that odors potentially caused
7 by landfill gas were particularly strong on February 26, 2010, possibly due to heavy rain on days
8 prior to February 26, 2010.

9 19. Numerous factors have been identified as potential contributors to the odor issues
10 including but not limited to:

- 11 a. Increases in delivered tonnage of trash;
- 12 b. Size and location of the Working Face;
- 13 c. Monday morning deliveries containing trash that was picked up the prior
14 Friday or Saturday;
- 15 d. Wind direction and climactic conditions;
- 16 e. Trash trucks on the mile long haul road emitting odors from both trash and
17 leaking liquids;
- 18 f. Destruction of the vegetation (including a large number of trees) located
19 between the complainants and the Facility as a result of two wildfires in
20 2008, that has not grown back to its original height and thickness; and
- 21 g. Landfill gas emissions from either the surface of the landfill or landfill gas
22 control equipment.

23 20. Starting in March 2009, Respondent, in continual efforts to control the odors,
24 implemented changes to the operation of the Facility that it believes will have an effect on the
25 odor problems. Respondent has implemented the following changes:

- 26 a. A hot line was established to receive calls from members of the
27 community. These calls are answered by a worker trained to handle odor

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complaints and are routed immediately to Respondent’s management via email;

b. Odor patrols were initiated by Respondent, utilizing management employees that patrol the residential area south of the Facility, investigate odors, and receive input from local residents;

c. The haul road and other unpaved areas of the Facility are treated on a multiple-application-per-day basis with a neutralizer and water mixture for both odor and dust control;

d. Landfill gas control improvements were made to ensure the more efficient capture and destruction of landfill gases;

e. A perimeter misting system was established along the southern boundary of the Facility. This misting system utilizes a neutralizer and water mixture to control odors that may drift off of the landfill;

f. A movable Working Face misting system was established along the southern edge of the Working Face, utilizing a neutralizer and water mixture to control odors that may drift off of the Working Face;

g. A DustBoss system, which mists large areas of the Working Face, was purchased and is being utilized;

h. Approval was received from the Regional Water Quality Control Board to utilize misting (neutralizer and water) devices on the tarp placement equipment, for treatment prior to covering;

i. At specified times, neutralizer is applied directly on the trash in the transfer trucks at Respondent’s transfer facilities prior to shipment to the Facility.

j. The size of the Working Face has been reduced by approximately half during periods of adverse wind conditions. Limiting the size of the Working Face is believed to have a direct effect on odor minimization;

- k. Respondent has agreed to re-route transfer trucks controlled by it to other landfills on Monday mornings and during periods of adverse winds;
- l. Respondent has agreed to engage in a variety of studies aimed at better understanding the sources of odors from the Facility, their transport, meteorological conditions affecting odor transport; potential mitigation measures, and related issues; and
- m. Respondent has agreed to spearhead an effort to replant vegetation lost in the wildfires of 2008 in the area south of the Facility.

21. Respondent indicates that the amount of trash being deposited on the Facility was reduced in November and December 2009 by almost 500 tons per day.

22. Respondent indicates that the closure of this Facility, while reducing air contaminants, would have significant consequences due to lack of capacity of other landfills to handle trash currently destined for the Facility.

23. SCAQMD Rule 402 and California Health and Safety Code § 41700 prohibit the causation of a nuisance.

24. Petitioner alleges that Respondent is operating the Facility in a manner which has resulted in the issuance of multiple Notices of Violation.

CONCLUSION

1. Based on the testimony of the resident Public Witnesses described in the Findings of Fact, and the corroborating testimony of the SCAQMD inspectors, the Hearing Board concludes that on multiple days since October 2009 the Facility has been the source of air contaminants—and specifically of odors—that caused detriment, nuisance, or annoyance to a considerable number of persons, and which endangered the comfort and repose of such persons.

2. The issuance of this Order for Abatement will not constitute a taking of property without due process of law and is not causing the closure or elimination of Respondent’s business.

3. If the issuance of this Order for Abatement results in the closing or elimination of an otherwise lawful business, such closing would not be without a corresponding benefit in

1 reducing air contaminants in that Respondent is allegedly operating the Facility in a manner that is
2 generating air contaminants.

3 4. Petitioner alleges that operation of the Facility has on multiple days since October
4 2009 constituted a nuisance within the meaning of SCAQMD Rule 402 and Health and Safety
5 Code § 41700.

6 5. The adoption of the conditions set forth hereinafter is likely to result in lawful
7 operations by Respondent with respect to complying with SCAQMD rules and regulations.

ORDER

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9 THEREFORE, subject to the aforesaid statements and good cause appearing, Respondent
10 is hereby ordered to cease and desist conducting operations at the Facility that result in
11 noncompliance with SCAQMD rules, or to comply with the conditions set forth below:

12 1. Restriction of Working Face and Reduction of Incoming Trash on Monday Mornings and
13 During Adverse Wind Conditions¹

- 14 a. On all Monday mornings from 6:00.A.M. to 9:00 A.M., Respondent shall not
15 deposit at the active Working Face incoming trash contained in any transfer truck
16 that is under the control or ownership of Respondent. These transfer trucks shall
17 be re-routed to other offsite locations, or not allowed to unload until after 9:00
18 A.M. Records shall be kept for three years in the Landfill Scale House as to the
19 ownership, transfer station origin, weigh time, load deposit time and tonnage of the
20 load of each separate transfer truck that either deposits trash during the 6:00–9:00
21 A.M. hours or is delayed at the Facility until after 9:00 A.M., and shall be made
22 available to the SCAQMD upon request. Records shall be provided to the
23 SCAQMD upon request. In addition, Respondent shall, on a monthly basis, send

24 ¹ Adverse Wind Conditions are defined as either: (i) Wind speed measured at the existing
25 monitor at the Southern Berm from all directions as less than 2 mph; or, (ii) Wind speed
26 measured at the same monitor coming from the north/northeast direction from between 320
27 degrees and 15 degrees at less than 15 mph. Wind speed is based on measured winds from
28 three continuous one-hour averaging periods commencing at 3 a.m. There can be no Adverse
Wind Condition in any hour in which there is measurable precipitation.

1 to the SCAQMD (Attn: David Jones, AQ Analysis & Compliance Supervisor,
2 Engineering & Compliance, Email: DJones@aqmd.gov) a summary of total
3 tonnage deposited during the 6:00–9:00 A.M timeframe and the origin of vehicles.

4 b. On all days other than Monday, Respondent shall not deposit incoming trash at the
5 active Working Face contained in any transfer truck that is under its control or
6 ownership from 6:00 A.M. to 9:00 A.M. if Adverse Wind Conditions are measured
7 as defined in Condition 1(a) immediately above. These transfer trucks shall be re-
8 routed to other offsite locations, or not allowed to unload until after 9:00 A.M.
9 Records identical to those described in Condition 1(a) above shall be kept for three
10 years in the Landfill Scale House as to the ownership, transfer station origin, weigh
11 time, load deposit time and tonnage of the load of each truck and shall be made
12 available to the SCAQMD upon request.

13 c. The size of the active landfill Working Face shall immediately be restricted and
14 covered with tarps or soil cover so that no more than 30,000 square feet shall be
15 open and/or uncovered at any time from 6:00 A.M. to 10:00 A.M. on all Monday
16 mornings and from 6:00 A.M. to 10:00 A.M. on all other days that Adverse Wind
17 Conditions are measured;

18 Respondent shall, starting at 6:00 A.M. and on an hourly basis thereafter from 6:00
19 A.M. to 10:00 A.M., measure the size of the Working Face using a measuring
20 device satisfactory to the SCAQMD and maintain records as to the length and
21 width of the Working Face for at least three years and make such records available
22 to the SCAQMD upon request.

23 d. Respondent shall apply an odor neutralizer (not an odor masking agent) to each
24 trash load prior to the departure of any transfer truck from transfer stations owned
25 or operated by Respondent whenever Adverse Wind Conditions are measured at
26 the landfill and where a trash load is to be deposited at the Facility;

Documentation of the date and location of the loading of the truck and the method and frequency of the application of the neutralizer shall be maintained for three years as to each transfer truck and provided to the SCAQMD upon request.

2. Working Face Controls

a. Working Face Perimeter Misting System

i. Respondent shall maintain and be ready to operate a perimeter misting system to apply odor neutralizer. The system shall be located on the downwind side of the landfill Working Face, within 100 yards of the Working Face unless it is necessary to locate the perimeter system on an adjacent bench above or below the Working Face because the Working Face is less than 100 yards from the edge of the Working Face bench.

ii. Respondent shall operate the misting system continuously on Mondays from 6:00 A.M. to 10:00 A.M. and when Adverse Wind Conditions are measured from 6:00 A.M. to 10:00 A.M. when trash is being deposited on the Working Face or when the Working Face is not covered by a tarp or alternative daily cover.

b. DustBoss Odor Control System

i. Respondent shall locate and be ready to operate at least one DustBoss, or equivalent system as approved by the SCAQMD, at the active Working Face of the landfill. The DustBoss or equivalent shall have the capacity to cover a minimum of 21,000-square feet with neutralizer in less than five minutes and shall be operated and maintained in accordance with all manufacturer specifications.

ii. The DustBoss or equivalent shall be operated from 6:00 A.M. to 10:00 A.M. on all days Adverse Wind Conditions are measured from 6:00 A.M. to 10:00 A.M. The DustBoss shall be operated in such a manner and with

1 sufficient neutralizers to mitigate transient odors from the landfill Working
2 Face.

3 iii. Respondent shall notify the SCAQMD [1-800-CUT-SMOG] within one
4 hour of any breakdown of the DustBoss or equivalent and will further
5 notify the SCAQMD if the DustBoss or equivalent system is not repaired
6 within 48 hours. Written documentation for the operation and maintenance
7 of the equipment shall be maintained on-site and made available to the
8 SCAQMD upon request.

9 3. Perimeter Misting System

10 a. Respondent shall, no later than March 3, 2010, install, maintain in good working
11 order, and be ready to operate a perimeter odor control misting system, situated
12 along the entire southern boundary of the landfill for the application of neutralizer
13 mist. The system shall be constructed and operated to the satisfaction of the
14 SCAQMD.

15 b. Respondent shall operate the system:

16 i. Continuously on Mondays commencing no less than 30 minutes prior to
17 the first placement of refuse at the landfill and continuing during Monday
18 landfill working hours;

19 ii. Continuously on days other than Mondays as long as Adverse Wind
20 Conditions persist; and

21 iii. In such a manner and with sufficient neutralizers to mitigate transient odors
22 from the landfill.

23 c. Respondent shall, no later than May 1, 2010, provide to the SCAQMD (Attn:
24 Edwin Pupka, Senior Enforcement Manager, Engineering & Compliance,
25 Telephone No. (909) 396-3332, Email: epupka@aqmd.gov) a detailed diagram of
26 the system as installed including lengths of segments, locations of sprays and any
27 other requested information.

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1 4. Tarping Misting System

- 2 a. Respondent shall treat the Working Face with neutralizer prior to covering the
3 Working Face with tarps each night;
- 4 b. Respondent shall continue to maintain and operate an odor neutralization system
5 on its tarp deployment equipment for direct application of the neutralizer to the
6 Working Face as the tarp is put in place;
- 7 c. Respondent shall operate the system during all tarping activities, applying
8 neutralizer directly to the Working Face; and
- 9 d. Respondent may test an approach that uses the DustBoss prior to tarping for the
10 night with the goal of testing the capability of the DustBoss to provide broader
11 misting coverage to the Working Face based on the topography of the site. The
12 SCAQMD (Attn: Larry Israel, 1-800-CUT SMOG) shall be notified at least 48
13 hours prior to the testing and the results of the testing shall be summarized and
14 provided to the SCAQMD (Attn: Edwin Pupka) within one week of the
15 completion of the tests.

16 5. Haul Roads

- 17 a. Respondent shall not allow waste collection or transfer station trucks/vehicles on
18 the main haul road prior to the opening of the landfill at 6:00 A.M.; and
- 19 b. Respondent shall apply water-containing odor neutralizer to the main haul road
20 and all access roads to the landfill Working Face at least once every two hours of
21 active landfill operations except during periods of measurable precipitation.
22 Records of these applications shall be maintained for three years and made
23 available to the SCAQMD upon request.

24 6. Wind Monitoring

- 25 a. Respondent will continue (or modify) its ongoing contract with a qualified third
26 party to forecast, not more than 24 hours in advance, the predicted wind speed and
27 wind direction for each day to assist Respondent in implementing management
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1 practices for Adverse Wind Conditions as defined in Condition 1 of this Order.
2 Records of the predictions and actions taken shall be maintained on site for three
3 years and made available to the SCAQMD upon request;

4 b. Respondent shall at all times maintain at their existing locations, unless otherwise
5 approved by the SCAQMD (Attn: Edwin Pupka), an on-site landfill
6 meteorological station (on the southern berm, and at the Van Gogh School so long
7 as the School continues to provide permission) to measure wind speed and
8 direction on an hourly basis. The stations shall record and preserve all available
9 readings for three years and the readings shall be made available to the SCAQMD
10 upon request; and

11 c. Respondent shall submit to the SCAQMD upon request, in an electronic format
12 satisfactory to the SCAQMD, all available monitoring data from both
13 meteorological stations for 2008, 2009 and 2010.

14 7. Studies and Reports

15 a. Meteorological Study

16 i. No later than 60 days after the issuance of this Order for Abatement,
17 Respondent shall submit to the SCAQMD (Attn: Edwin Pupka) a proposal
18 for a detailed study designed to characterize wind flow patterns at the
19 Facility and between the Facility and the neighborhood south of the
20 Facility. The goal of the study shall be to improve control of odors from
21 the Facility. The study shall discuss and make recommendations
22 concerning appropriate odor abatement measures. The study may consider
23 contractual and other legal limitations on the operation of the Facility. The
24 proposal shall:

25 A. Include a timeline for completion of the study no later than 150
26 days after SCAQMD approval of the study proposal. A single
27 extension of the completion date of no more than 60 days may be
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approved by the SCAQMD (Edwin Pupka) upon a showing of good cause therefore. Any further extension of the deadline for completion of the study requires approval by the Hearing Board;

- B. Be designed to characterize wind flow patterns (including but not limited to wind speed, wind direction, diurnal day and night time wind flow, wind drainage, and seasonal patterns), ambient temperature, humidity, temperature inversions, precipitation, and other available meteorological data and effects. The characterization of wind flow patterns shall include analysis of data from the southern berm and Van Gogh School monitors for the years 2008, 2009 and 2010;
- C. Include data provided by the SCAQMD on the location of community complaints for the years 2008, 2009, and 2010 and reasonably attributed to the landfill;
- D. Include the communities located at the base of or in proximity to the southern berm portion of the landfill and as far south as the area of Robert Frost Middle School with special emphasis on the specific situations in the vicinity of and on Lisette and Nanette Streets;
- E. Include consideration of the amount and hourly rates of delivery of trash to the Working Face;
- F. Include the number, date and time of community complaints received;
- G. Include the location of planned future placement of refuse, future Working Face locations, and elevation changes in the landfill as it is filled;

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H. Include provisions for the analysis of the use and placement of odor control methods and materials at the Facility including haul roads, landfill refuse, landfill Working Face, operating methods during adverse wind conditions; placement of the DustBoss or equivalent misting systems; and

I. Consider contractual or other legal limitations on relocation of these elements within the landfill.

ii. Upon receipt of District approval of the proposal, Respondent shall immediately commence the study and shall upon completion deliver a copy to the District (Attn: Edwin Pupka).

b. Delivery Alternatives Study

Respondent shall, no later than 60 days after issuance of this Order, submit a completed study and recommendations for further action to the SCAQMD (Attn: Edwin Pupka) regarding alternatives to depositing trash on the existing Working Face on Monday mornings and during Adverse Wind Conditions. This study is to take into account contractual issues between Respondent, third-party haulers, the City and County of Los Angeles, and other impacted governmental entities. The study shall include details and analysis of the number of trucks diverted, disposal facility destinations and tonnage, and the transfer station where loaded. Respondent shall comply within 15 days with any SCAQMD-approved recommendations and provisions of the study.

c. Neutralizer at Transfer Station Study

Respondent shall, no later than 60 days after issuance of this Order, submit for approval to the SCAQMD (Attn: Edwin Pupka) a proposal for a study to evaluate, determine, and recommend the most effective type and method of application of an odor neutralizer(s) to materials contained in incoming transfer trucks. The study shall be completed no later than 180 days after receipt of

1 approval of the proposal. Respondent shall comply within 15 days with any
2 SCAQMD-approved recommendations and provisions of the study.

3 d. Neutralizer Study

4 Respondent shall, no later than 60 days after issuance of this Order, conduct and
5 complete a study that evaluates the use of alternative odor containment control or
6 elimination materials (including neutralizers and the DustBoss DB-M-High-
7 density, low-velocity mist product applicator, and the application of foam) and
8 develop findings and recommendations which support the choice of materials and
9 methods of application being used by Respondent, and provide the written results
10 of its findings and recommendations for further action to the SCAQMD (Attn:
11 Edwin Pupka). Respondent shall comply within 15 days with any SCAQMD-
12 approved recommendations and provisions of the study.

13 e. Working Face Study

14 i. Within 30 days after issuance of this Order, Respondent shall provide to the
15 District (Attn: Edwin Pupka) a proposal for a study, the goal of which is to
16 determine best practices for minimizing odors from the Working Face. The
17 study is to consider:

- 18 A. Restricting or otherwise limiting the size and the partial tarping of
19 the active landfill Working Face;
- 20 B. The examination of the tonnage of waste deposited at the Working
21 Face, on an hourly and daily basis;
- 22 C. Total tarping of the inactive landfill Working Face;
- 23 D. The use of soil as an alternative to or in conjunction with tarping;
- 24 E. The effect, if any, of the use of soil cover on leachate flow and
25 landfill gas collection;
- 26 F. The effect, if any, of the alternative covers on the solid waste
27 disposal operations at the Facility;

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- G. The extent and effect, if any, of odors upon the removal of the soil cover on Monday mornings;
 - H. The daily size (area) of the Working Face and any correlation between the size of the Working Face and odor control;
 - I. The correlation between the type of cover and any odor complaints;
 - J. The correlation between any odor complaints and activities at the Facility, including the use of neutralizers;
 - K. Odor events and complainant data as provided by the SCAQMD; and
- ii. The study is to include recommendations for further action, including recommendations for daily cover methods and materials at the Working Face.
 - iii. Phase I of this study is due 180 days after approval by the District of the study proposal, and shall include all deliverables identified in the proposal.
 - iv. Phase II of the study is due 365 days after approval by the District of the study proposal, and shall include all deliverables identified in the proposal.
 - v. Any recommendations for further action that are approved by the District shall be implemented within 15 days of their approval.
 - vi. Quarterly reports shall be due 90 days and 270 days after approval of the study proposal by the District, and shall be submitted to the District (Attn: Edwin Pupka). These quarterly reports are to document the size of the Working Face for the prior quarter and examine the correlation between the size of the Working Face and any odor events that may have occurred during the period.

8. Consultation for Odor Control

Respondent shall consult with the Los Angeles County Sanitation SCAQMD landfills and at least two other county operators outside of the SCAQMD and develop a report on

1 successful landfill odor-abatement practices and operational procedures including control
2 of landfill gas surface emissions resulting from rain impacts to the control system. The
3 report shall include an analysis and recommendations concerning methods to protect and
4 prevent erosion and other water-caused impacts to the gas collection system. A report
5 concerning Sunshine/Republic's efforts including a listing of names and addresses of
6 contacts, research resources and findings and recommendations shall be submitted to the
7 SCAQMD (Attn: Edwin Pupka) no later than 30 days after the issuance of this Order.
8 Upon approval of any recommendation(s) by the SCAQMD, Respondent shall within 15
9 days, implement those recommendations.

10 9. Vegetation

11 Respondent shall after consultation with and approval from applicable governmental
12 agencies and their designated arborists, present a plan by June 1, 2010, that addresses the
13 following: (i) augmenting (through the planting of trees and shrubs) the existing
14 vegetation that remains on the Southern Berm areas of the landfill after the recent Sesnon
15 and Sayre fires including if possible the southward descending canyons; (ii) the planting of
16 trees in areas on the Southern Berm of the landfill where there are no remaining trees,
17 including the appropriate height for newly planted trees; (iii) the maintaining of plants to
18 maturity; and (iv) replacement of dead plants or trees, including the timing of replacement.
19 The planting of the southern berm shall be completed no later than August 31, 2010 or any
20 later date recommended by the designated arborists. The area shall be monitored on a
21 weekly basis to determine the health of the vegetation.

22 10. Odor Survey

- 23 a. Commencing 15 days after approval of this Order, Respondent shall conduct odor
24 surveys.
- 25 b. Odor surveys shall be conducted by Facility employees or authorized third parties
26 who have received training in odor detection and characterization.
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- c. The survey area shall be the Granada Hills residential area bounded by Balboa Boulevard on the east, Jolett Avenue on the south and west, and the foothills north of Sesnon Avenue.
- d. The survey shall identify and document odors originating from the Facility, including:
 - i. The intensity of the odors, as measured by the District’s odor classification chart;
 - ii. The character of the odors;
 - iii. The source of the odors, including actions taken to identify the source, and
 - iv. Actions taken to eliminate or mitigate the odors.
- e. The survey shall be conducted continuously between the hours of 7:00 a.m. and 9:00 a.m., Monday through Friday except for days when the Facility is closed.
- f. An odor survey shall be conducted immediately when the Facility receives an odor complaint.
- g. Each daily survey shall be documented, including:
 - i. Names of the individuals conducting the survey;
 - ii. A map of the route taken by the survey;
 - iii. Stop locations and times;
 - iv. Wind direction(s) and speed(s);
 - v. Descriptions of odor and odor intensity, and
 - vi. Actions taken in response to detected odors.
- h. Respondent shall maintain for three (3) years and make available to the District upon request:
 - i. Records of all daily odor surveys; and
 - ii. Records of training in odor detection and characterization for each individual employee conducting odor surveys.

- 1 11. In the event that more than one Notice of Violation for SCAQMD Rule 402 is issued to
2 the Facility during a rolling 60-day period, Respondent shall meet and confer with the
3 SCAQMD (Attn: Edwin Pupka) and propose additional measure to address any
4 determined causes of the odors.
- 5 12. Respondent shall, four months after the date of this Order and every three months
6 thereafter, submit a written status report to the Hearing Board detailing:
 - 7 a. The implementation and effectiveness of odor abatement measures required by this
8 Order of Abatement;
 - 9 b. The number of complaints received by the Facility, tabulated by month and with a
10 summary of the causes of odors and measures taken to abate odors;
 - 11 c. The status of studies undertaken pursuant to this Order of Abatement, including:
 - 12 i. The status of any studies in progress;
 - 13 ii. A summary of any completed studies submitted to the District;
 - 14 iii. Recommended and approved measures to abate odors; and
 - 15 iv. The schedule for implementation of each approved measure.
 - 16 d. The initial status report and each quarterly status report shall also be provided to
17 the SCAQMD and posted on the Sunshine Canyon Landfill website for public
18 viewing throughout the effective dates of this Order of Abatement.
- 19 13. The Hearing Board shall retain jurisdiction over this matter until March 1, 2012, unless the
20 order is amended or modified.
- 21 14. Any submission required to be made by Respondent to any individual at the SCAQMD
22 may also be made to that person's designee. Any deadline contained in this Order for
23 Abatement that falls on a day when the SCAQMD is not open for regularly conducted
24 business shall be due on the next following day that the SCAQMD is open for regularly
25 conducted business.
- 26 15. The Hearing Board may modify the Order for Abatement without the stipulation of the
27 parties upon a showing of good cause, therefore, and upon making the findings required by
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Health and Safety Code § 42451(a) and SCAQMD Rule 806(a). Any modification of the Order shall be made only at a public hearing held upon 10 days published notice and appropriate written notice to Respondent.

16. This Order for Abatement is not and does not act as a variance, and Respondent is subject to all rules and regulations of the SCAQMD, and with all applicable provisions of California law. Nothing herein shall be deemed or construed to limit the authority of the SCAQMD to issue Notices of Violation, or to seek civil penalties, criminal penalties, or injunctive relief, or to seek further orders for abatement, or other administrative or legal relief.

FOR THE BOARD: _____

DATED: _____

ATTACHMENT C

ZANDER ASSOCIATES

Environmental Consultants

December 30, 2009

Dr. Aaron Allen
U.S. Army Corps of Engineers, Los Angeles District
Ventura Regulatory Field Office
2151 Alessandro Drive, Suite 110
Ventura, California 93001

Subject: Sunshine Canyon City Landfill Closure & Extension Projects
Permit Nos. 2002-00802-AOA & 2003-00408-AOA

Dear Aaron:

On behalf of Browning Ferris Industries of California, Inc. (BFI), Zander Associates respectfully requests that the December 31, 2009 deadline for finalization of a conservation easement and initiation of restoration activities at the Chatsworth Reservoir be extended by one year. As you know, Chatsworth Reservoir is the preferred site for BFI's wetland and riparian mitigation project as per the above-referenced permits. As you also know, BFI has been working diligently with the City of Los Angeles to resolve administrative issues associated with use of the reservoir site.

BFI has made substantial progress toward finalizing a Mitigation Agreement with the City that would establish procedures for completing the Chatsworth project, indemnify BFI to cover any types of exposure due to environmental conditions at the site, and require the City to complete Phase I and Phase II environmental reviews of the property as a pre-condition to BFI moving forward with the project. The Senior Assistant City Attorney (Mark Brown – City Recreation & Park Department) forwarded the City's comments on the Mitigation Agreement to BFI last week, just before Christmas. In addition, we understand that the City has requested a grant to complete a Limited Phase II study at the site.

Assuming the Mitigation Agreement with the City can be finalized and the Limited Phase II study completed in a timely manner, the CEQA review and approval process through the City could be completed and work could begin at Chatsworth in 2010. In the event that BFI cannot meet this revised schedule, BFI will consider and present alternative remedies that could fulfill its permit obligations in consultation with the Corps.

We appreciate your continued willingness to work with BFI on extending the schedule for the Chatsworth project. We will keep you apprised of BFI's progress on finalizing the Mitigation Agreement with the City. Meanwhile, we would appreciate a letter from you confirming this

modified schedule and acknowledging BFI's efforts toward implementing the Chatsworth project in conformance with its permit obligations.

Thank you again for your consideration of this matter.

Sincerely,



Michael Zander
Principal

cc: Jaime Jackson, California Department of Fish and Game
Valerie Carrillo, California Regional Water Quality Control Board
Kurt Bratton, BFI
Tom Bruen, Esq.



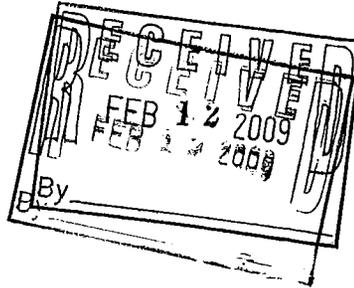
DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

February 9, 2010

REPLY TO
ATTENTION OF:

Office of the Chief
Regulatory Branch

Browning Ferris Industries of California
Attn: Kurt Bratton
14747 San Fernando Road
Sylmar, California 91342



Dear Mr. Bratton:

I am writing to you concerning the proposed Chatsworth Reservoir Wetlands Restoration project, which is required as compensatory mitigation for Permit Numbers 2002-00802-AOA and 2003-00408-AOA that authorized permanent impacts to approximately 5.38 acres of waters of the United States, including 1.58 acres of wetlands, for discharges of fill material for the construction of flood control facilities and the placement of liner for the disposal of waste material associated with the Sunshine Canyon Landfill Closure and Extension projects in unnamed tributaries to Bull Creek near San Fernando, Los Angeles County, California.

The Corps recognizes that Browning-Ferris Industries of California (BFI) and the City of Los Angeles have been working for more than six years to finalize plans to restore over 30 acres of wetland and riparian habitat at Chatsworth Reservoir as compensatory mitigation for the landfill closure and extension projects. During the past six years, the proposed mitigation site has been relocated to another area in Chatsworth Reservoir requiring substantial revisions to the mitigation plan design and reviewed under the California Environmental Quality Act (CEQA). However, all authorized impacts to waters of the United States have been completed and more than six years have elapsed without initiation of the required compensatory mitigation, which is inconsistent with the Corps current mitigation policy. I am very concerned with the apparent lack of progress in BFI reaching an agreement with the City of Los Angeles that will allow certification of the final CEQA document and compliance with the required special conditions in your Corps permits.

In previous letters, the Corps has stated that we were very concerned with the ongoing delays in the implementation of the compensatory mitigation at Chatsworth Reservoir. The Corps has made every effort to grant additional extensions to BFI to complete the City of Los Angeles approval process for this wetland restoration project, but the delays are becoming incompatible with the requirements of Section 404 of the Clean Water Act. Based on current information for the proposed restoration project at Chatsworth Reservoir, it appears the CEQA process is almost complete and the City of Los Angeles and BFI are close to completing an agreement that would allow the required compensatory mitigation to be initiated prior to August 31, 2010. I would strongly encourage BFI to expedite an agreement with the City of Los

Angeles facilitating the initiation of the Chatsworth Reservoir Wetlands Restoration project this year and ensuring that this very important and beneficial project is completed in full compliance with your permit conditions.

By June 30, 2010, I would like to request that BFI complete a letter that provides an update on your progress in reaching an agreement with the City of Los Angeles, certifying the final CEQA document and a proposed schedule to initiate the approved compensatory mitigation plan. If it appears that the compensatory mitigation will not be initiated by August 31, 2010, I would request that BFI schedule a meeting with the Corps prior to June 30, 2010 to facilitate a discussion regarding the ongoing compliance problems with the compensatory mitigation requirements for Permit Numbers 2002-00802-AOA and 2003-00408-AOA.

If you have any questions concerning this letter, please call me at (805) 585-2148.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron O. Allen". The signature is written in a cursive style with a large, sweeping initial "A".

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division

Enclosures
Copies furnished:
Mr. Mike Zander



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

February 9, 2010

REPLY TO
ATTENTION OF:
Office of the Chief
Regulatory Division

Browning-Ferris Industries of California
Sunshine Canyon Landfill
Attention: Kurt Bratton
14747 San Fernando Road
Sylmar, California 91342

Dear Mr. Bratton:

Reference is made to your request of December 30, 2009 to amend Permit No. 2003-00408-AOA which authorized you to permanently impact 3.41 acres of waters of the United States, including 1.01 acres of wetlands, for discharges of fill material for the construction of flood control facilities and the placement of liner for the disposal of waste material associated with the Sunshine Canyon Landfill Extension project in an unnamed tributary to Bull Creek near San Fernando, Los Angeles County, California.

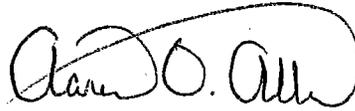
Special Conditions Number One and Five for Permit Number 2003-00408-AOA are hereby modified to the following:

- 1) The permittee shall compensate for permanent impacts to 3.41 acres of waters of the United States, including 1.01 acres of wetlands, by restoring and enhancing at least 12 acres of riparian and wetland habitat within Chatsworth Reservoir. The permittee shall implement all the terms and conditions stipulated in the approved Final Mitigation Plan for Chatsworth Reservoir dated June 2006 in full. The permittee shall initiate restoration and enhancement activities as stipulated in the approved mitigation plan for Chatsworth Reservoir no later than August 31, 2010.
- 5) By August 31, 2010, the permittee shall either record a conservation easement or covenant, which shall run with the land, obligating the permittee, their successor or assigns to maintain the 12-acre preservation and enhancement area as natural open space in perpetuity, or provide other documentation that provides the Corps with legal assurances that the 12-acre mitigation area will be preserved in perpetuity. The permittee shall receive written approval from the Corps of this easement/covenant or other documentation prior to it being finalized and recorded.

The terms and conditions of Permit No. 2003-00408-AOA, except as changed herein, remain in full force and effect.

Please note that a copy of this letter is being forwarded to U.S. Fish and Wildlife Service, Attn: Ms. Diane Noda, 2493 Portola Road, Suite B, Ventura, California 93003; U.S. Environmental Protection Agency, Attn: Mr. David Smith, Supervisor, Wetlands Regulatory Office (WTR-8), 75 Hawthorne Street, San Francisco, California 94105; California Department of Fish and Game, Attention: Larry Eng, 4949 View Ridge Avenue, San Diego, California 92123.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron O. Allen". The signature is written in a cursive style with a large loop at the end.

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

February 9, 2010

REPLY TO

ATTENTION OF:

Office of the Chief
Regulatory Division

Browning-Ferris Industries of California
Sunshine Canyon Landfill
Attention: Kurt Bratton
14747 San Fernando Road
Sylmar, California 91342

Dear Mr. Bratton:

Reference is made to your request of December 30, 2009 to amend Permit No. 2002-00802-AOA which authorized you to permanently impact 1.97 acres of waters of the United States, including 0.57 acres of jurisdictional wetlands, for the construction of a retention basin and a concrete channel in 2,300 linear feet of Drainage A, extension of a culvert in Drainage G (approximately 370 linear feet) and the installation of a collection and conveyance structure in Drainage F and an adjacent wetland area (W-1) that are required as part of the closure of the City of Los Angeles portion of the Sunshine Canyon Landfill in an unnamed tributary to Bull Creek near San Fernando, Los Angeles County, California.

Special Conditions One and Six for Permit Number 2002-00802-AOA are hereby modified to the following:

1) The permittee shall compensate for permanent impacts to 1.97 acres of waters of the United States by restoring and enhancing at least 19 acres of riparian and wetland habitat within Chatsworth Reservoir. The permittee shall implement all the terms and conditions stipulated in the approved Final Mitigation Plan for the Chatsworth Reservoir dated June 2006 in full. The permittee shall initiate restoration and enhancement activities as stipulated in the approved mitigation plan for Chatsworth Reservoir no later than August 31, 2010.

6) By August 31, 2010, the permittee shall either record a conservation easement or covenant, which shall run with the land, obligating the permittee or their successor or assigns to maintain the 19-acre preservation and enhancement area as natural open space in perpetuity, or provide other documentation that provides the Corps with legal assurances that the 19-acre mitigation area will be preserved in perpetuity. The permittee shall receive written approval from the Corps of this easement/covenant or other documentation prior to it being finalized.

The terms and conditions of Permit No. 2002-00802-AOA, except as changed herein, remain in full force and effect.

Please note that a copy of this letter is being forwarded to U.S. Fish and Wildlife Service, Attn: Ms. Diane Noda, 2493 Portola Road, Suite B, Ventura, California 93003; U.S. Environmental Protection Agency, Attn: Mr. Jason Brush, Supervisor, Wetlands Regulatory Office (WTR-8), 75 Hawthorne Street, San Francisco, California 94105; California Department of Fish and Game, Attention: Ed Pert, 4949 View Ridge Avenue, San Diego, California 92123.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron O. Allen". The signature is written in a cursive style with a large, sweeping loop at the top that extends over the first part of the name.

Aaron O. Allen, Ph.D.
Chief, North Coast Branch
Regulatory Division