



Chair David W. Louie and Commissioners  
Regional Planning Commission  
320 West Temple Street  
Los Angeles, CA 90012

Dear Chair David Louie and Commissioners:

**Support for the Proposed Modification of the  
Puente Hills Materials Recovery Facility Conditional Use Permit 92251-(4)**

Key Disposal, Inc. supports the proposed change in operating hours for the Puente Hills Materials Recovery Facility (PHMRF). Key Disposal, Inc. has provided solid waste and recyclables collection services to communities in Southern California for over 35 years.

We currently use the Puente Hills Landfill for the disposal of much of our residual waste. When the Puente Hills Landfill closes, unless the hours of operation of the PHMRF change, we will not be able to use the PHMRF to the same extent that we currently use the landfill: we still need a place to unload the waste and recyclables that we collect in the mornings and the afternoons. During these times, our trucks will have to drive to more distant facilities unless the permit for the PHMRF is changed. Changing the hours that the PHMRF can accept material will greatly increase the efficiency of our business, will make it more convenient for us to have our material recycled and will reduce traffic congestion and associated air quality impacts from trucks driving longer distances.

Key Disposal, Inc. supports the proposed change in the hours that the PHMRF can accept waste and recyclables, and respectfully requests that the Regional Planning Commission approve the proposed modification to the Conditional Use Permit.

Very truly yours,

cc: Richard J. Bruckner, Director, Department of Regional Planning  
Maral Tashjian, Regional Planner

MAY 13 2013

Project 1092251-4  
M. T. ... / R. R. ...

May 7, 2013

**Chair David W. Louie and Commissioners  
Regional Planning Commission  
320 West Temple Street  
Los Angeles, CA 90012**

**Dear Mr. Louie and Commissioners:**

**On behalf of the Los Angeles County Disposal Association (LACDA) we wish to voice our SUPPORT for the Proposed Modification of the Conditional Use Permit for the Puente Hills Materials Recovery Facility (PHMRF).**

**LACDA represents solid waste recyclers, haulers, facility owners/operators and associated industry suppliers throughout L.A. County and Southern California. We are strong advocates for industry competition and work closely with most Southern California municipalities to assist with recycling and waste collection.**

**For many years the Puente Hills Landfill has represented the benchmark in Southern California in terms of affordable disposal rates for industry, for environmental-based operating practices, and for the development and implementation of new technologies. With the pending closure of the Landfill, we anticipate the PHMRF will continue to provide the same important services to industry. By providing these recycling and processing services at competitive rates savings are passed down to the municipalities and the residents and businesses.**

**As they say time-is-money and timing is a critical element in our industry. For the PHMRF to be fully utilized by our industry, their hours of operation must compliment the need for morning and afternoon operations. The ability to operate 24-hours a day will allow early morning deliveries, while spacing out the truck trips which will result in reduced traffic congestion and the associated air quality impacts. There are other safety issues involved also, we discourage waste being left in trucks overnight.**

**Because of these factors we encourage your support for the proposed change in the hours that the PHMRF can accept waste and recyclables, and request that the Regional Planning Commission approve the proposed modification to the Conditional Use Permit.**

Sincerely,

A handwritten signature in black ink that reads "Ron Saldana". The signature is written in a cursive style with a large initial "R" and a long, sweeping underline.

**Ron Saldana**  
**Executive Director**

**Cc: Richard J. Bruckner, Director, Department of Regional Planning**  
**Maral Tahjian, Regional Planner**  
**Mark Blackburn, President, Universal Waste Systems, LACDA**



BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

856 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012 / (213) 974-4111

GLORIA MOLINA  
SUPERVISOR, FIRST DISTRICT

July 20, 2007

RECEIVED  
MAY 13 2013

REGIONAL PLANNING COMMISSION  
Project No 92251-4  
M. Tavajani/RRUIZ

Ms. Marilyn Kamimura, Co-Chair  
North Whittier Neighborhood Watch  
Avocado Heights Coalition  
843 Caraway Drive  
Whittier, California 90601

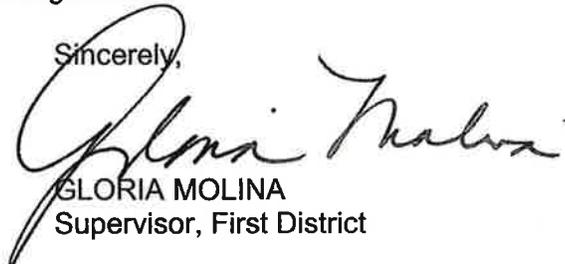
Dear Ms. Kamimura:

Thank you for sharing your concerns about the potential cancer risks associated with the proposed Waste By Rail Project Intermodal Facility in the City of Industry, which is in an area already impacted by a nearby landfill, freeways and environmentally challenging industries. I understand your objections, and I agree that your community has been unfairly impacted.

As you may recall, in response to your earlier concerns, I successfully requested an extension of the public comment period on the expected Environmental Impact Report (EIR). I continue to advocate to the Los Angeles County Sanitation District for an adequate public process to address quality of life and health concerns related to the facility and the rail line. Additionally, I asked Stephen R. Maguin, Chief Engineer and General Manager of the County Sanitation Districts of Los Angeles County, to respond directly to you in writing to outline how these concerns will be addressed. I also notified Mr. Mike Kissell, Planning Director with the City of Industry. As you know, the Sanitation District is preparing the Environmental Impact Report, and the City of Industry is processing the project's Conditional Use Permit application

I absolutely agree that the facility must not exceed the currently proposed limit of 8,000 tons of trash per day; I do not expect the facility to be expanded beyond this limit, and I hope this allays some of your concerns. I also support siting another rail haul facility elsewhere, and I further anticipate that the environmental health issues will be adequately identified, studied, and mitigated in the EIR. I will vigilantly monitor the EIR process to ensure that any health impacts to our community are mitigated. Please know that I will continue to vigorously advocate for an inclusive public process to determine the appropriate mitigations.

Sincerely,

  
GLORIA MOLINA  
Supervisor, First District

GM/nc/sm

c: Congressmember Grace Napolitano, 38<sup>th</sup> District  
State Senator Gloria Romero, 24<sup>th</sup> District  
State Assemblymember Ed Hernandez, 57<sup>th</sup> District  
Mr. Stephen R. Maguin, County Sanitation Districts  
Mr. Mike Kissell, Planning Director, City of Industry

Permit # 92-251 5/13/13  
PHMRF Cup Modification 8

Victoria Anderson  
1039 Bunbury Dr.  
Whittier CA 90601

May 13, 2013

Department of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012

RECEIVED  
MAY 13 2013

REGIONAL PLANNING COMMISSION

Project no 92251-4  
M. Tajirian/R Ruiz

**RE: PERMIT #92-251 PHMRF CUP MODIFICATION 8**

Dear Commissioners of the Department of Regional Planning:

The reason to increase hours to the PHMRF to 24/6 is financial sustainability for the Sanitation District. The Sanitation District's literature that I obtained at their recent Earth Day states 'incoming and outgoing truckloads are restricted to off-peak hours to minimize any impact on neighborhood traffic, reduce fuel consumption and improve air quality.' So now it's OK to impact neighborhood traffic and ignore air quality? Based on the data sheet, it is assumed there are no impacts on traffic or air quality.

An increase in recycling and a recession has impacted the 20 year plan. We don't have the volume of trash as in previous days. The poor planning by the Sanitation District does not make it our problem.

The Sanitation Department's response to my concern regarding adverse environmental effects states: *Under Section 15093 of the CEQA Guidelines, the decision-making agency is required to "balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable."*

Since the proposed modification is considered by the Sanitation District 'a public benefit' does this mean we have no choice and we are expected to accept these changes?

In a Sanitation District brochure, it says 'It (The PH landfill) has been owned and operated by the Sanitation District since 1970, always with an eye to cost efficiencies, sound environmental practices, and good neighbor policies. However, the up to 13,200 tons of waste being delivered per day will soon need a new home.' Does this 'new home' have to go through our home? The map of Permitted Large Volume Solid Waste Transfer and Processing Facilities shows a number of close by 'homes' for this trash.

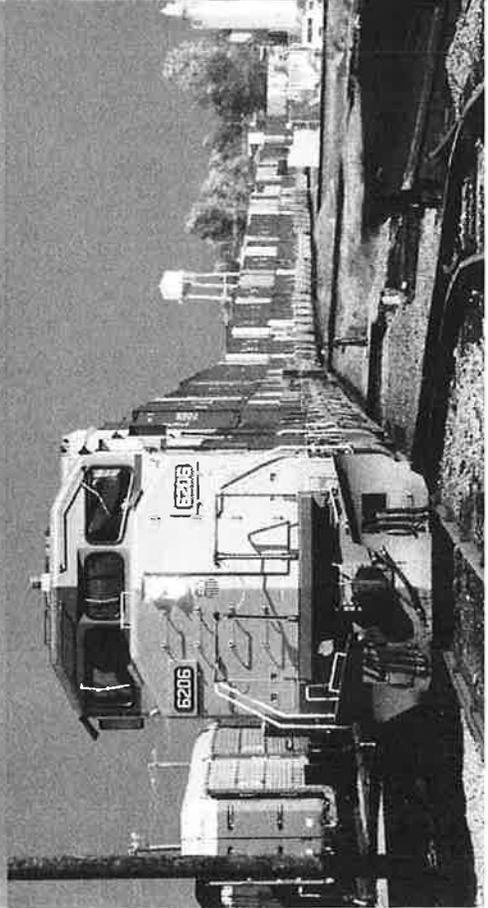
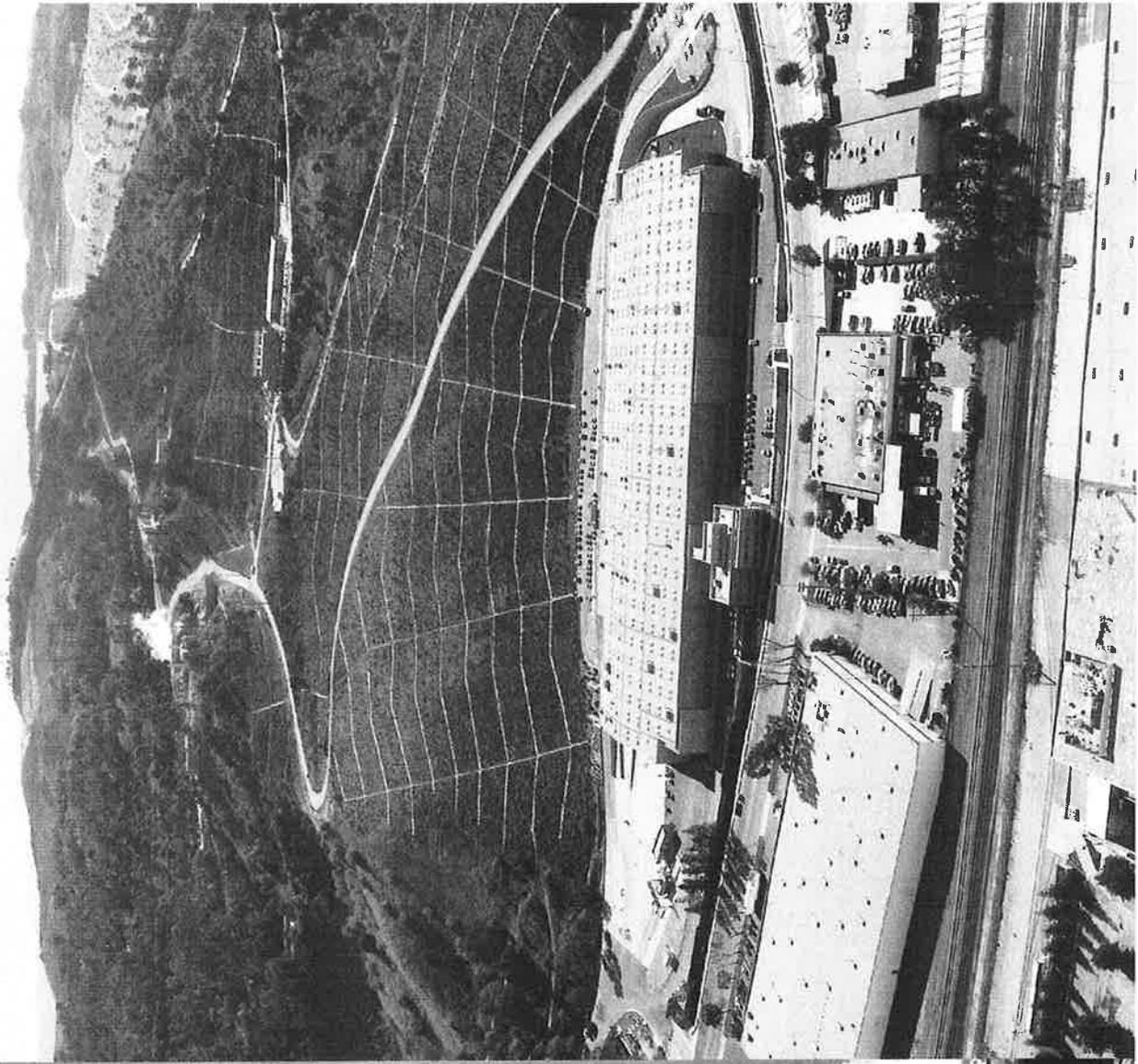
The Puente Hills Landfill has received three 10-year extensions of its original land use permit. Is this the beginning of more modifications to the PHMRF?

Victoria Anderson

## THE MRF IS CRITICAL BECAUSE THINGS ARE FILLING UP FAST AT THE PUENTE HILLS LANDFILL

The Puente Hills Landfill currently serves the needs of one-third of Los Angeles County. It has been owned and operated by the Sanitation Districts since 1970, always with an eye to cost efficiencies, sound environmental practices, and good neighbor policies. However, the up to 13,200 tons of waste being delivered per day will soon need a new home because the closure date for the landfill has been set by permit for November 2013. That's when the MRF, as part of the Waste-by-Rail program, will become the champion of this new era, where waste left over after recycling will be containerized for transport by rail to the Mesquite Regional Landfill.

Puente Hills MRF with Puente Hills Landfill and Rose Hills Cemetery in the background



**MARIA J. MEJIA**  
**Attorney**

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P.O. Box 6523 Burbank, California 91510  
Telephone: (818) 389-1998

May 13, 2013

VIA HAND DELIVERY

Regional Planning Commission  
Sanitation Districts of Los Angeles County  
1955 Workman Mill Road  
Whittier, California 90601

Re: Sanitation District County of Los Angeles Puente Hills Material Recovery Facility Proposed Project, 2808 S. Workman Mill Road, Whittier, CA 90601; Project Number 92251-(4); Conditional Use Permit No. 92251; Environmental Assessment No. 201200208; and, Addendum to Final Environmental Impact Report For the Puente Hills Materials Recovery Facility January 2013

Honorable Regional Planning Commission:

On behalf of Marilyn and Richard Kamimura, we submit the following comments in opposition to the above-referenced Sanitation District County of Los Angeles Puente Hills Material Recovery Facility Proposed Project, including Addendum to Final Environmental Impact Report For the Puente Hills Materials Recovery Facility January 2013 ("PHMRF" or "Project"). The Sanitation District County of Los Angeles is herein referred to as ("Sanitation District"). The Sanitation District purports to change Condition Number 8 of the 1999 Conditional Use Permit Number 92251 ("CUP") by allowing inbound and outbound traffic at the Project site 24 hours a day, and thereby deleting language in Condition Number 8 that prohibits traffic to the Project site during peak hours. In addition, the CUP seeks to expand operations without restrictions by expanding the Project's operations to include commodities and residuals, in addition to waste, via inbound and outbound shipment. The Sanitation District claims to rely on information dated in various environmental impact reports dated in the 1990s, and concludes, without any basis, and certainly without substantial evidence, that no subsequent or supplemental review is required since the environmental impact reports dated in the 1990s.

The public has not had adequate notice of either the Sanitation District's or the County of Los Angeles' proposed actions in consideration of the Project.

The California Environmental Quality Act ("CEQA") requires that a subsequent environmental impact report ("EIR") be prepared, or, in the alternative, that a supplemental EIR be prepared in the instant case. Substantial changes are proposed in the Project, substantial changes occur with respect to the circumstances under which the Project is undertaken, new

information of substantial importance since the 1990s exists, and significant effects previously examined will be substantially more severe by relying on EIRs that are over 20 years old and by rewriting the Project's Condition Number 8. [CEQA Guidelines, §15162.] Therefore, the Addendum to Final Environmental Impact Report For the Puente Hills Materials Recovery Facility January 2013 ("Addendum") and the proposed modifications to Condition Number 8 of the 1999 Conditional Use Permit Number 92251("CUP") are legally inadequate and a subsequent or supplemental EIR is required before Project approval. The proposed Project "modification" affects the entire Project approval and affects factors such as traffic, air quality, land use/planning, greenhouse gas emissions, and cumulative impacts.

The Sanitation District's projects, including the instant Project, as well as the Landfill and Intermodal Facility, consisting of waste and its consequences, have been concentrated in this area, and environmental justice requires that this stop.

Therefore, the County of Los Angeles should grant a continuance of today's hearing, allowing for public availability of the thousands of pages of Project documentation and further public comment. Moreover, the County should deny Project approval and require a subsequent EIR or a supplemental EIR.

## **I. PRELIMINARY STATEMENT**

The Project Regional Planning Commission Packet ("RPC Packet") consists of approximately 225 pages. The RPC makes references to various EIRs, including a draft EIR that was prepared in connection with the Project site--the Puente Hills Waste Management Facilities ("1992 DEIR"). The Sanitation was designated the lead agency for the PHMRF in connection with the 1992 DEIR. RPC Packet, Staff Analysis, pages 2- 3 of 8. These EIRs included traffic studies. The 1992 EIR relied on 1990 and 1992 traffic studies, see for example, Letter from traffic Engineer Clyde E. Sweet dated May 11, 2013 ("CES Letter"), along with his resume, attached hereto as **Exhibit A**; see also 1992 DEIR, transportation and circulation, pages 4.7-5-4.7-7. The Project site is adjacent to the 60 Freeway and 605 Freeway freeways, nonetheless, the 1992 DEIR did not consider traffic during the evening peak hours.

The 1992 DEIR refers to six other developments in Figure 9, Location of Other Development, attached hereto as **Exhibit B**. However, the Sanitation District omits several other developments immediately in the vicinity since 1992, including Metlife, Comerica, Fry's, E-T-N, Cal Lift, Crossroad Business Park, which includes Kaiser and Everest, Crossroad Business Park, Topocean, Fedex, and Gateway point. **Exhibit C** hereto includes additional development, added as A through K to Figure 9. Furthermore, other developments within five miles include the Athens material recovery facility, located at 14048 Valley Blvd., City of Industry, CA 91796, and the Quemetco battery recycling facility, located at 720 South 7<sup>th</sup> Avenue, City of Industry, CA, 91746, which were also omitted.

In 1994 and 1995, the Sanitation District prepared an Intermodal Facility and Waste by Rail Disposal System Originating from the Puente Hills Materials Recovery Facility, Draft Environmental Impact Report State Clearinghouse Number 93121114, A Supplement to the Puente Hills Waste Management Facilities Environmental Impact Report (“1995 EIR”).

The Sanitation District also applied for Conditional Use Permit No. 92-251-(4) (“CUP”) in connection with the 1992 DEIR and the 1995 EIR. The August 3, 1999 CUP Findings and Conditions -- Board of Supervisors Approval, certified the Final EIRs and adopted the attached findings, conditions, and order approving the CUP.

On August 3, 1999, the Los Angeles County Board of Supervisors (“BOS”) approved the 1992 DEIR, the 1995 EIR, and CUP Number 92251. 1999 BOS Approval; RPC Packet, Staff Analysis, page 2 of 8.

The Sanitation District also owns and operates the Puente Hills Landfill (“Landfill”), which it operates pursuant to CUP Number 02-027-(4), and owns the Puente Hills Intermodal Facility (“Intermodal Facility”), which also has applicable conditional use permits, both of which are in close proximity to the Project. The Landfill is scheduled to close in October 2013, and the Intermodal Facility has yet to be completed and operated. In or around 2003, the Landfill conditional use permit was extended to allow continued operations.

On or about January 2, 2013, the Sanitation District prepared an Initial Study for the Project. Two versions of the Initial Study are enclosed in the RPC packet. One version is missing the even-numbered pages. The Initial Study (“IS”) states that the proposed change to the approved project is to eliminate existing restrictions between 6:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 7:00 p.m. on the *inbound* and *outbound shipment of commodities, residuals* and *waste* over public roads and on employee arrival and departure. IS, at p. 3. The IS inaccurately states there would be no other changes to the facility, its capacity, its operation, or any other permit conditions. ..The PHMRF will continue to operate in an environmentally sound and cost-effective manner in compliance with all permit conditions, receiving and processing up to a permitted limit of 4,400 tons of refuse per day. “ *Id.* The Addendum was approved by the Sanitation District’s Board of Directors on January 9, 2013. The Sanitation District thereafter prepared a Notice of Determination inaccurately describing the Project.

The IS checks the box, “The proposed project COULD NOT have a significant effect on the environment, and an ADDENDUM TO THE EIR or **NEGATIVE DECLARATION** will be prepared.” [IS, at p. 4; emphasis added.] The IS continues to rely on inaccurate, incomplete, and misleading statements. For instance, under aesthetics, at p. 5, the IS states, “The proposed change in the approved project will *not result in any physical changes to the facility or to its capacity, nor will it result in any operation changes other than eliminating hour restrictions....*”

The BOS 1999 Approval, CUP Number 02-027-(4), and the Project's CUP consist of several conditions and restrictions. For example, the Project's CUP Condition Number 8 states the following:

**Condition No. 8:**

"8. This grant allows the construction and operation of a materials recovery facility subject to the following **restrictions** as to use:

- a. The facility shall receive and process only non hazardous municipal solid *waste*.
- b. *Waste* received and processed at the facility shall not exceed **24,000** tons per week or **4,400** tons per day. Any *waste* received at the facility and then transferred to the adjacent Puente Hills Landfill for deposit in the landfill shall count against the daily and weekly *waste* limits for the landfill as set forth in Condition 10 of Conditional Use Permit 92-250(4).
- c. All *waste* shall be received and processed within an enclosed building. A heating, ventilation and air conditioning system shall be installed which contains *odors* and *dust* within the inside of the building.
- d. Any *waste* kept outside the processing building shall be within closed containers only.
- e. All outside *storage* areas shall be fully screened in accordance with the provision of Title 22 of the County Code.
- f. The permittee shall sweep all open yard areas and access drives and shall police other areas at least once per operating day (and more often if necessary) to *remove dirt* and *litter accumulations*.
- g. Structure exteriors and signs shall be of a color compatible with the surroundings.
- h. Business signs shall be as permitted in Zone C-I for a highway frontage of 100 feet except that no freestanding sign shall exceed 15 feet in height.
- i. The permittee shall undertake programs to minimize traffic impacts, including the following:
  - Schedule *employee shifts* so that arrival and departure is in *off-peak* hours;
  - Require that *refuse vehicles* deliver *waste* between **9:00 a.m. and 4:00 p.m.** and between **7:00 p.m. and 6:00 a.m.**

- Actively promote programs aimed at encouraging employees to arrive at work by means other than a single-occupancy vehicle.”

(Emphasis added.)

**Proposed changes to Condition No. 8**

- “i. The permittee shall actively promote programs aimed at encouraging employees to arrive at work by means other than a single-occupancy vehicle, to minimize traffic impacts.
- j. The permittee may schedule the inbound and outbound shipment of *commodities, residuals and waste* over *public roads 24 hours per day*, Monday through Saturday.
- k. The permittee may schedule *employee shifts*, as required, to accommodate *24 hour per day* operation.”

**[non-stop and expanding the use, not just waste, but also commodities and residuals]**

Substantial changes since the 1999 BOS Approval include, but is not limited to:

- Additional development immediately adjacent to the Project, including the Intermodal Facility, Fed Ex, etc.
- Additional development in the adjacent vicinity, within five miles, including Athens and Quemetco
- Additional conditional use permits, including a 2002 extension to the Landfill, and in connection with the Intermodal Facility
- The severe traffic on the 60 Freeway and the 605 Freeway,
- In 1999, the Project in its totality was approved by the BOS, currently the Sanitation District has approved the Project and not the BOS
- *Increasing* delivery of waste to *commodities, residuals, and waste* by inbound and outbound shipments rather than refuse vehicles

In addition, much information is required, such as:

- *New development* since 1990 and 1992 [CES Letter];
- In connection with *Congestion Management Routes*, a *five mile radius* traffic

analysis(*Id.*);

- Analysis for movement over 50 percent [*Id.*];
- Traffic counts that are less than **two years** old [*Id.*];
- Comment and analysis for **current level of service** on affected streets, including truck traffic and all other traffic [*Id.*]; and,
- **Passenger car equivalents** need to be correctly examined to obtain current levels of service for the intersections, especially so close the freeway and Congestion Management Plan routes; Passenger car equivalents can be **2, 3, or 4 for heavy trucks and trailers** [*Id.*]. [Emphasis added.]

The RPC Packet contains a Puente Hills Materials Recovery Facility – Extended Hours Fact Sheet, consisting of three pages (“Fact Sheet”). The Fact Sheet omits much material information, such as the 24,000 tons per week or the 4,400 tons per day limits; the Fact Sheet Table I makes it appear as if there are no limits in the 1992 DEIR. The traffic analysis was based on the concurrent operation of the Landfill and MRF. However, the Fact Sheet fails to state the Landfill operation was extended after the 1992 EIR, around 2002. The Fact Sheet also mischaracterizes the facts and proposed changes. Furthermore, the Fact Sheet fails to mention that the waste in Condition 8 is now being expanded to include **commodities, residuals, and waste**. Rather, under 2.e., the Fact Sheet inaccurately states the project restricted “inbound and outbound shipments.” Furthermore, the Fact Sheet fails to mention that a few years ago, when car pool lanes were added to the 60 Freeway, highway lanes were reduced from a 12-foot width, to an 11-foot width, making them substandard, and negatively affects the traffic flow. The Fact Sheet also omits the open space and recreation areas of the Landfill.

The RPC Packet references several EIRs, including the 1992, 1995, and 1999 EIRs. It also references several conditional use permit numbers and includes various conditions. This is confusing as they are not all referenced in a single location, but rather over 200 pages. Also, no clarification exists, as to the applicable conditions. For example, the 1999 BOS Approval contains conditions relating to the materials recovery and rail loading facility subject, including condition number 10, which mirrors the CUP’s Condition Number 8. Residents have asked the Sanitation District for applicable EIRs, and have received conflicting responses. For example, residents have been told the applicable EIRs are the 1992 EIR, then the 1995 EIR, then the 1999 EIR. In January 2013, one of the residents was told by the Planning Department representative to wait until the hearings before the County to address disagreement with the Addendum, which the residents have relied upon. Where the Sanitation District and the County representatives provide inaccurate and/or misleading information to the public, the public is lost. No EIRs or CUPs were available on the City’s website nor on the Sanitation District’s website.

The RPC Packet states that the Project is completely independent of the Puente Hills Intermodal Facility, yet the RPC Packet contains conditions pertaining to said Intermodal Facility, which clearly limit hours, along with the Project's connection to the Intermodal Facility.

## II. LACK OF ADEQUATE NOTICE

The public was not afforded adequate notice of the Sanitation District's Project determination nor its approval of the Addendum in January 2013, nor any of the underlying documents. Some of the underlying documents include the complete proposed modification of the CUP conditions and restrictions, the Initial Study and Notice of Determination, the voluminous EIRs, and, the Fact Sheet. The lack of notice exists from at least January 2, 2013 through the present. The Sanitation District failed to publicly disclose that the BOS CUP 1999 Approval was going to be modified, not just with respect to the language in Condition Number 8, but also with respect to other conditions, severely impacting factors such as traffic, odor, dust, land use, and cumulative impacts. The language of Condition Number 8, is being extended to now include the **inbound** and **outbound** shipment of *commodities, residuals and waste*; whereas previously Condition Number 8 i pertained to refuse vehicle delivery of *waste*. Condition No. 8 a through i restricts the use on the Project site to *waste*, but the Project conveniently disregards the entire Condition Number 8 and focuses on 8i. Furthermore, other CUP conditions are impacted with proposed changes, including the conditions that relate to environmental factors such as traffic, odor, land use, and cumulative impacts, further discussed below.

The IS and the Notice of Determination are based on incomplete, inaccurate, and misleading statements, where these documents are basing their content on the Sanitation District's incomplete, inaccurate, and misleading statements relating to the Project. Therefore, the Sanitation District and the County are not adequately disclosing the extent of the Project for public awareness or comment.

In addition, the Sanitation District and the County have failed to make all the relevant EIRs and CUPs available to the public, even though residents have asked for the documentation. The EIRs alone are voluminous, consisting of over 9,000 pages, and it is impossible for anyone to have read these documents before the May 13, 2013 Regional Planning Commission hearing. Moreover, at least two residents were told by the County and Sanitation District that they had to look into determining the applicable year of the EIRs, and that the EIRs were not on the website, and that they would be uploaded to the internet. As of last Monday these documents were not available, and residents were told it would take days to obtain paper copies of the EIRs.

The Fact Sheet is also conclusory, omitting material information, and including inaccurate and misleading information. For example, it omits the limits of Condition Number 8, and fails to disclose that the Project will change and expand to include commodities and

residuals, in addition to waste. The Fact Sheet also conveniently omits the limits of tons per day, making it appear as if 4,400 tons per day is acceptable, without the 6-day and 24,000 tons per week limit. Multiplication of 4,400 tons per day by 7 days is a total of **30,800 tons per week**, which is **600 tons per week over** the limit.

The Project approval requires public disclosure and notice for participation before the Sanitation District and County processes, including the County Board of Supervisors that is the decision-making body. See CEQA Guidelines, §15164. It is apparent the Sanitation District and County are failing to disclose the extent of the Project because they are hiding the significant and substantial changes that will severely impact the environment in and around the Project site. This Project approval lacks adequate notice and public participation, and the Project approval should be denied.

**III. THE PROJECT'S EXPANSION TO (1) OPERATING 24 HOURS A DAY AND (2) EXPANDING ITS USE TO INCLUDE COMMODITIES AND RESIDUALS IN ADDITION TO WASTE, AND (3) REPLACING "REFUSE VEHICLES" WITH "INBOUND AND OUTBOUND SHIPMENT" IS A SUBSTANTIALLY DIFFERENT PROJECT REQUIRING A SUBSEQUENT OR SUPPLEMENTAL EIR**

A subsequent or supplemental EIR must be prepared because the Project is being augmented to operate continuously, that is, 24 hours a day, to include commodities and residuals in addition to waste, and to replace "refuse vehicles" with "inbound and outbound shipment." The Project applicant has *substantially changed* the Project; *substantial changes* exist regarding the *circumstances* under which the Project is being undertaken; and, (3) new, substantial Project information has become available which was not previously known. See Pub Res Code §21166; CEQA Guidelines, §15162. Regarding the new information, (1) new significant environmental effects, and (2) significant effects that are substantially more severe exist. See CEQA Guidelines, §15162(a)(3). Circumstances have changed to justify conducting additional Project environmental review, as the Sanitation District seeks to change and expand the Project operations to 24 hours a day, materially and adversely affecting traffic and circulation, air quality, land use/planning, greenhouse gas emissions, and cumulative impacts, among other things.

The California Supreme Court in *Concerned Citizens of Costa Mesa, Inc. v. 32<sup>nd</sup> District Agricultural Association* (1986) 42 Cal.3d 929, 937-38, and the Court of Appeal, in *Eller Media Company v. Community Redevelopment Agency* (2003) 108 Cal.App. 4<sup>th</sup> 25, and *Mira Monte Homeowners Association v. County of Ventura* (1985) 165 Cal.App. 3d 357 determined that substantial project changes require a subsequent or supplemental EIR, and would apply in the instant case. See also, *American Canyon Community United for Responsible Growth v. City of American Canyon* (2006) 145 Cal.App.4<sup>th</sup> 1062; *City of San Jose v. Great Oaks Water Co.*

(1987) 192 Cal.App. 3d 1005; *Sunnyvale West Neighborhood Assn. v. City of Sunnyvale City Council* (2010) 190 Cal.App.4th 1351.

## A. TRAFFIC/CIRCULATION

The Sanitation District and the County intend to approve a Project that has materially and exponentially changed from the 1999 BOS Approval, as significant and material adverse impacts exist regarding traffic and circulation. Traffic Engineer Clyde E. Sweet has concluded that no proper traffic analysis has been conducted for the Project. For example, material information is required to conduct a proper analysis in connection with the Project's proposed changes, including new development since 1990 and 1992; Congestion Management Routes within a five mile radius traffic analysis(*Id.*); analysis for movement over 50 percent; traffic counts that are less than two years old; comment and analysis for current level of service on affected streets, including truck traffic and all other traffic; and, passenger car equivalents ("PCE's) to correctly examine and to obtain current levels of service for the intersections, especially so close the freeway and Congestion Management Plan routes. [CES Letter.] Passenger car equivalents can be 2, 3, or 4 for heavy trucks and trailers [*Id.*], which means the heavy truck and trailer traffic may be 4 times the amount to establish LOS service. The Project relies on data that dates to **1990 and 1992**, over 20 years ago, which is clearly outdated and unacceptable. [*Id.*] Undoubtedly, traffic on the 60 and 605 freeways has become more severe since over 20 years ago.

The Fact Sheet cursorily mentions the Project, such as the deceptive amount of 4,400 tons per day, rather than the limited 24,000 tons per week, which has the potential to wrongfully reach 30,800 tons per week with the Project's associated traffic. Further, the Fact Sheet makes it appear as though the only traffic generated will be additional trucks and employee vehicles, instead of identifying vehicles other than Project trucks and employee trucks. It fails to include all vehicles travelling through the area, whether they are trucks or ordinary vehicles, including vehicles accessing the 60 and 605 freeway and any of the residential and commercial developments in the area. Moreover, the Project is deceptively replacing "refuse vehicles" with "inbound and outbound shipment." What does that mean? All vehicle travel must be disclosed and evaluated, including, but not limited to, vehicles transporting "commodities" and "residuals." Where is the parking for open storage trucks, containers, and any other vehicle the Project attempts to encompass? Change in operation of the Project site for 24 hours will increase the open storage for trucks and containers and parking.

The Project was approved with purported mitigation measures, yet the instant Project rescinds the approval by deleting the mitigation and expanding the Project operations that in turn negatively and severely impact the environment, including traffic and circulation. For instance, the Findings of the Board of Supervisors and Order Conditional Use Permit Number 92-251(4) ("Findings"), Item #23 states:

“The Courts ordered that the Sanitation District and the Board of Supervisors conduct further proceedings on the conditional use permit in compliance with *CEQA* for the purpose of considering the *environmental impacts* and *cumulative impacts* of potential intermodal facilities and waste-by-rail system which could result from the Puente Hills MRF.” Findings Item #23

Potential *transportation and circulation impacts* associated with the proposed MRF will be **mitigated** to the extent feasible by the conditions of project approval that require the scheduling of **employee shifts** so that arrival/departure times are on **off-peak hours**, the modification of hours of operation of the facility so that *refuse vehicles* may only deliver waste between the hours of 9:00 a.m. and 4:00 p.m. and between 7:00 p.m. and 6:00 a.m. and the active promotion of programs to encourage employees to utilize ride-sharing and public transportation. ...[S]ome unavoidable incremental traffic-increase impacts on the 605 and 60 freeways would still occur during **morning peak hours**. Findings, Item #38. ...[T]he **county** concurs in the lead agency’s determination that all feasible mitigation measures have been implemented and that the remaining impacts are outweighed by overriding health and safety and economic benefits of the project.” *Id.*

Thus, the expanded Project approved by the Sanitation District-- today before the Regional Planning Commission-- materially, significantly, and adversely changes the Project, requiring a subsequent or supplemental EIR.

## **B. AIR QUALITY**

### **1. ODOR**

The proposed Project changes will also severely, significantly, and adversely impact air quality, including odor and dust, and toxic air contaminants. The 1992 DEIR identified odors and fugitive dust emissions from the Project, and the mitigation measures relied on precluding peak hour traffic. 1992 DEIR, 4.8-3. The MRF presented a new source of emissions and nitrogen oxide emissions exceeded the suggested SCAQMD threshold, and had significant regional impacts. *Id.* at p. 4.8-19. However, the Project now promotes 24-hour traffic and different type of material, such as commodities and residuals, which they fail to define. Stationary and mobile air pollutant sources exist in the Puente Hills area. *Id.* at 4.8-11. The 1992 DEIR used 1988, 1989, and 1990 maximum concentrations recorded and air quality monitoring data showing that carbon monoxide, nitrogen dioxide, ozone, and PM10 exceed the applicable limiting air quality standards. *Id.* The operation of a landfill and materials recovery and rail loading facility result in mobile (vehicular) sources of emissions, including emissions from daily *refuse vehicle traffic*. *Id.* at 4.8-5. Emission estimates associated with mobile equipment used in daily operations have been made based on the type of equipment and actual

fuel usage. *Id.* Mitigation measures from mobile sources include reducing peak hour travel by scheduling materials recovery and rail loading facility employee and refuse traffic during off-peak hours and efficient parking would be implemented. *Id.* at 4.8-19.

The BOS Findings also addressed odor at the Project site and provided critical mitigation that is now being eliminated. “Potential odor impacts will be mitigated through the requirement that all waste processing take place within the interior of a MRF building which will contain a heating/ventilation/air conditioning system which provides for air filtration. Any waste materials stored outside must be fully containerized.” Findings, Item #31. By expanding the Project to include inbound and outbound shipment of commodities and residuals in addition to waste, the Sanitation District needs to disclose all material impacts of the Project.

BOS Approval further required: “Potential public health and safety impacts associated with the proposal shall be mitigated through the imposition of those measures relating to control of *noise, odors* and *surface water runoff* already discussed. The control of *rodents, flies and other vectors* shall be assured by *limiting waste* processing to building interiors, by requiring containerization of outside-stored waste and by timely processing waste delivered to the facility.” Findings, Item #39. However, instead of limiting waste, the Project will increase waste, “commodities,” and “residuals,” without disclosure of the PHMRF’s capacity.

## 2. DUST

The Proposed Project changes will also severely, significantly, and negatively impact dust. The Project Findings mitigated dust by stating, “Potential impacts related to fugitive dust will be mitigated .... All open yard areas and access drives must be swept at least once during each operating day to remove dirt or litter accumulation.” Findings, Item #32.

The modification of Condition Number 8 will negatively and significantly impact air quality, including odor and dust. Thus, substantial changes are proposed in the Project, substantial changes occur with respect to the circumstances under which the Project is undertaken, new information of substantial importance exists, and significant effects previously examined will be substantially more severe, requiring a subsequent or supplemental EIR.

## C. LAND USE/PLANNING

### 1. OPEN SPACE AND RECREATION

The Project’s changes significantly and adversely impact land use, including open space and recreation, but the Sanitation District and the County fail to disclose the impacts and the expansion to include commodities and residuals, in addition to waste, through the increase of traffic during peak hours and “inbound and outbound” shipments. “The 1,365 acres of landfill property include 225 acres of permanently dedicated native habitat preservation area in the southern portion of the site, referred to as Canyons 6, 7, and 8. These areas are located on the

southerly portion of the subject property. The Rio Hondo Wildlife Sanctuary ...[is] on the western portion of the landfill, ....” CUP # 02-027-(4), Page 7 of 22, Item 7. The landfill is located in A-2-5 and A-1-5 areas, agricultural areas, so the Sanitation District was required to obtain various conditional use permits to operate their waste facilities, which uses failed to comply with the General Plan and zoning, among other things. *Id.*, Item 8.

The Sanitation District mentions the Mesquite CUP, however, it fails to mention the Puente Hills Landfill Expansion CUP number 02-027(4), including Conditions 33, 35, 60, and 61 providing for *recreational* use and *native habitat preservation*. Condition 33 states that a portion of the landfill site upon closure has been identified as *recreational* use. Condition 35 states that portions of the remainder of the site not set aside for *active recreational* use have already been set aside for *native habitat preservation* (Canyons 6, 7, and 8). Condition 60 states that the permittee agreed to designate as open space for recreational use in perpetuity those portions of the site on which fill has been placed. Cup #02-027-(4), page 30 of 32. Pursuant to Condition 61, *hiking and equestrian trails* shall be designed and constructed. *Id.* at p. 31 of 32.

These open space and recreational uses will expand the use of human recreational use and the wildlife existence and use in the area. Moreover, equestrian trails, by definition, include horses. These are significant changes in land use/planning, that the Project must consider, and a subsequent or supplemental EIR is required.

#### **D. GREENHOUSE GAS EMISSIONS**

Greenhouse gas emissions were not examined in the 1990s or the Project site, and is new information that is needed in review of the changed Project.

#### **E. CUMULATIVE IMPACTS**

The 1992 EIR failed to consider cumulative impacts, and selectively considered six neighboring projects, and since that time, at least 11 project sites have been constructed in the immediate vicinity. [Exhibit A, B, and C hereto.] Lead agencies and decision-making bodies must define the geographic scope of the area affected by the cumulative effects of a project. See CEQA Guidelines, §15130(b)(3). The lead agency is required to discuss approved projects under construction and approved related projects not yet undertaken construction, and unapproved projects currently under environmental review with related impacts or which result in significant cumulative impacts. In the instant case, neither the Sanitation District nor the County have provided the geographic limitation used nor any project development information, other than 6 identified in the 1990's. The developments are new and significant impacts that must be considered, requiring the review of cumulative impacts through a subsequent or supplemental EIR.

#### **IV. THE PROPOSED CHANGES CONSTITUTE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE**

The 1990 BOS Approval considered the approved Project, including mitigation conditions and restricts, which the Project currently seeks to eliminate. The proposed Project rescinds the Project, and creates a new project that is a menace to the public, health, safety, and general welfare, which is contrary to CEQA and the County Code and regulations.

In the 1990s, the Board of Supervisors concluded:

A. The proposed use, with the attached *conditions and restrictions*, will be consistent with the adopted General Plan for the area. Findings, at p. 11.

B. As modified, and with the attached *restrictions and conditions*, the requested use will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare. *Id.* at pp. 11-12.

C. The site is adequate in size and shape to accommodate the development features prescribed in the Zoning Ordinance and otherwise required to integrate the use approved with the issues in the surrounding area. *Id.* at p. 12.

D. The site has adequate traffic access and is adequately served by other public or private facilities which it requires. *Id.* at p. 12.

“THEREFORE, THE BOARD OF SUPERVISORS, acting in its role as responsible agency for the project, certifies that it has independently reviewed and considered the information contained in the Final Environmental Impact Reports prepared by the lead agency, determines that the conditions of approval attached hereto are the only mitigation measures for the project which are feasible and that the unavoidable significant effects of the project after adoption of said mitigation measures are as described in these findings, determines that the remaining, unavoidable environmental effects of the project have been reduced to an acceptable level ... as stated in the findings, approved the Final Environmental Impact Reports, approved this Conditional Use Permit 92-251(4) subject to the attached conditions....” *Id.*

Therefore, the Sanitation District must conduct proper review, and it cannot undo the BOS Findings.

#### **V. CONCLUSION**

The proposed Project significantly and aversely changes the Project approved in the 1990s, over 20 years ago, including factors such as traffic, air quality, land use/planning,

greenhouse gas emissions, and cumulative impacts, and a subsequent or supplemental EIR is required. The Landfill is closing, but several, large developments have emerged since the 1990s, and the Intermodal Facility, also owned by the Sanitation District, is replacing it. If the Sanitation District seeks a new project, then it must have proper review through proper notice, CEQA, and other applicable law. The Sanitation District has contravened the law and prevented environmental justice in undertaking the illegal approach to approving the Project.

Respectfully submitted,



MARIA MEJIA

Enclosures:

Exhibit A –Traffic Engineer, Clyde E. Sweet and Associates letter, dated May 11, 2013

Exhibit B –1992 DEIR, Figure 9, Location of Other Development

Exhibit C --1992 DEIR, Figure 9, Location of Other Development, with addition of 11 Developments since 1992, identified as A) through K)

**EXHIBIT A**

# CES Clyde E. Sweet and Associates

2459 Conejo Drive  
San Bernardino, CA 92404-4210  
office 909-882-7802 fax 909-883-1217  
e-mail traffic24@cs.com

FAXED to 323-469-1677

May 11, 2013

Ms. Maria Mejia  
Attorney At Law  
P. O. Box 6523  
Burbank, CA 91510

RE: Puente Hills Materials Recovery Facility, Proposed Expanded Hours

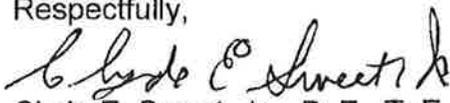
Dear Ms. Mejia:

I have reviewed the materials provided related to using the 1992 and 1995 data to make peak hour changes for the facility in Puente Hills in 2013. The projections have apparently been made from 1992 to 2013. The area has also had much new development since 1992 and this should be considered.

In addition, there are CMP routes in the area and the provided data shows more than 50 peak hour trips in an intersection which requires a five mile radius traffic analysis to be conducted. Some movements show increases over 50 percent and no analysis is presented. Also, the traffic projections are required to be made from traffic counts that are 2 years old or less. The current 2013 projection data is apparently from 1990 or 1992 counts which are clearly over 2 years old. This is unacceptable for traffic analysis.

There is no comment or analysis for current level of service on affected streets, neither total traffic nor considering truck trips. Passenger car equivalents (PCE's) need to be correctly examined to obtain correct levels of service for the intersections, especially so close to the freeway and Congestion Management Plan routes. All that is presented is trips. Additionally, am, mid-day and pm peaks should be examined, based on the data from 1990. PCE's can be 2, 3, or 4 for heavy trucks and trailer combinations. The report also states that trips will be concentrated on the Workman Mill access, which could increase the trip load at that point.

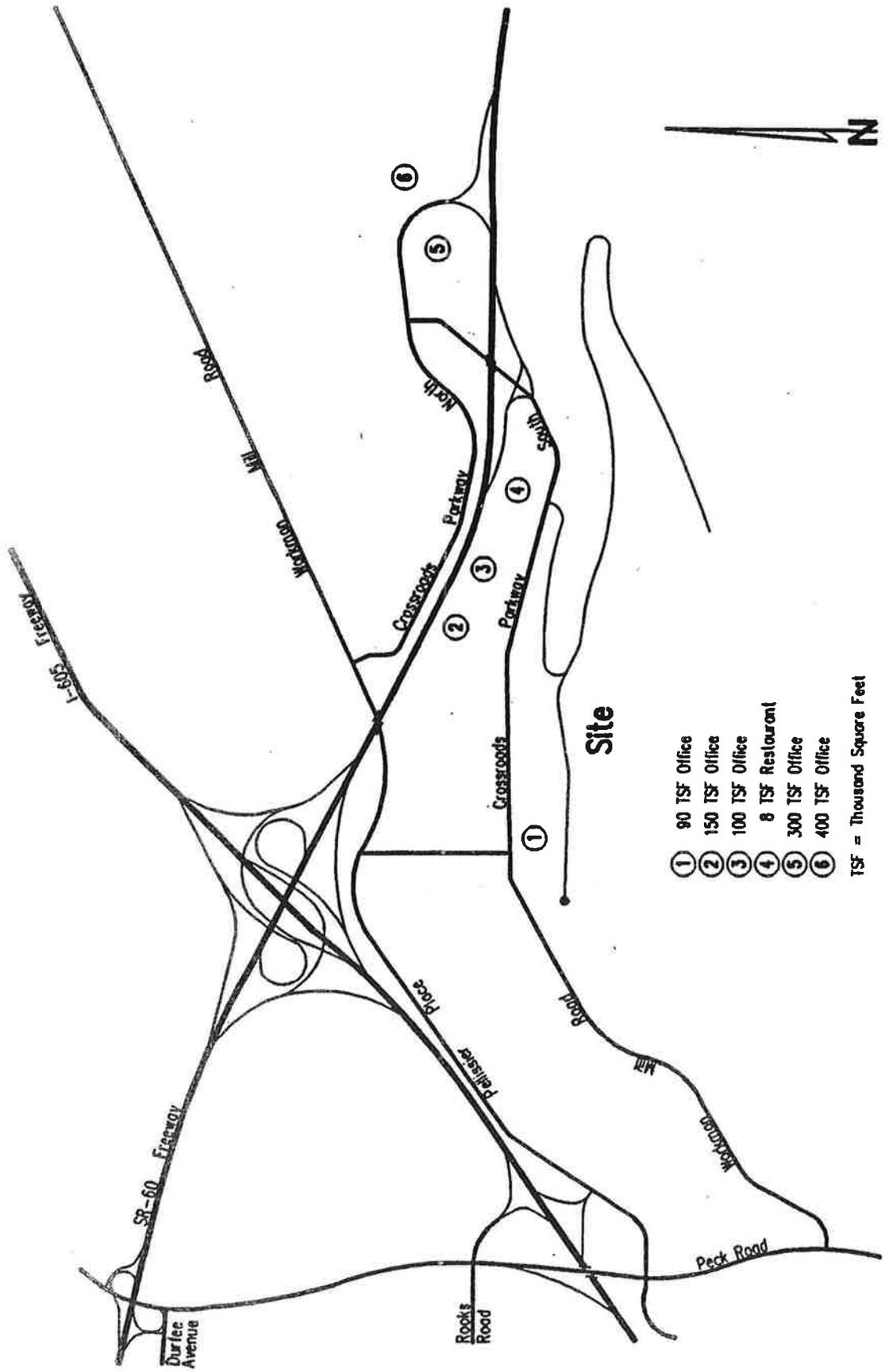
Respectfully,

  
Clyde E. Sweet, Jr. P. E., T. E.  
California Professional Engineer



**EXHIBIT B**

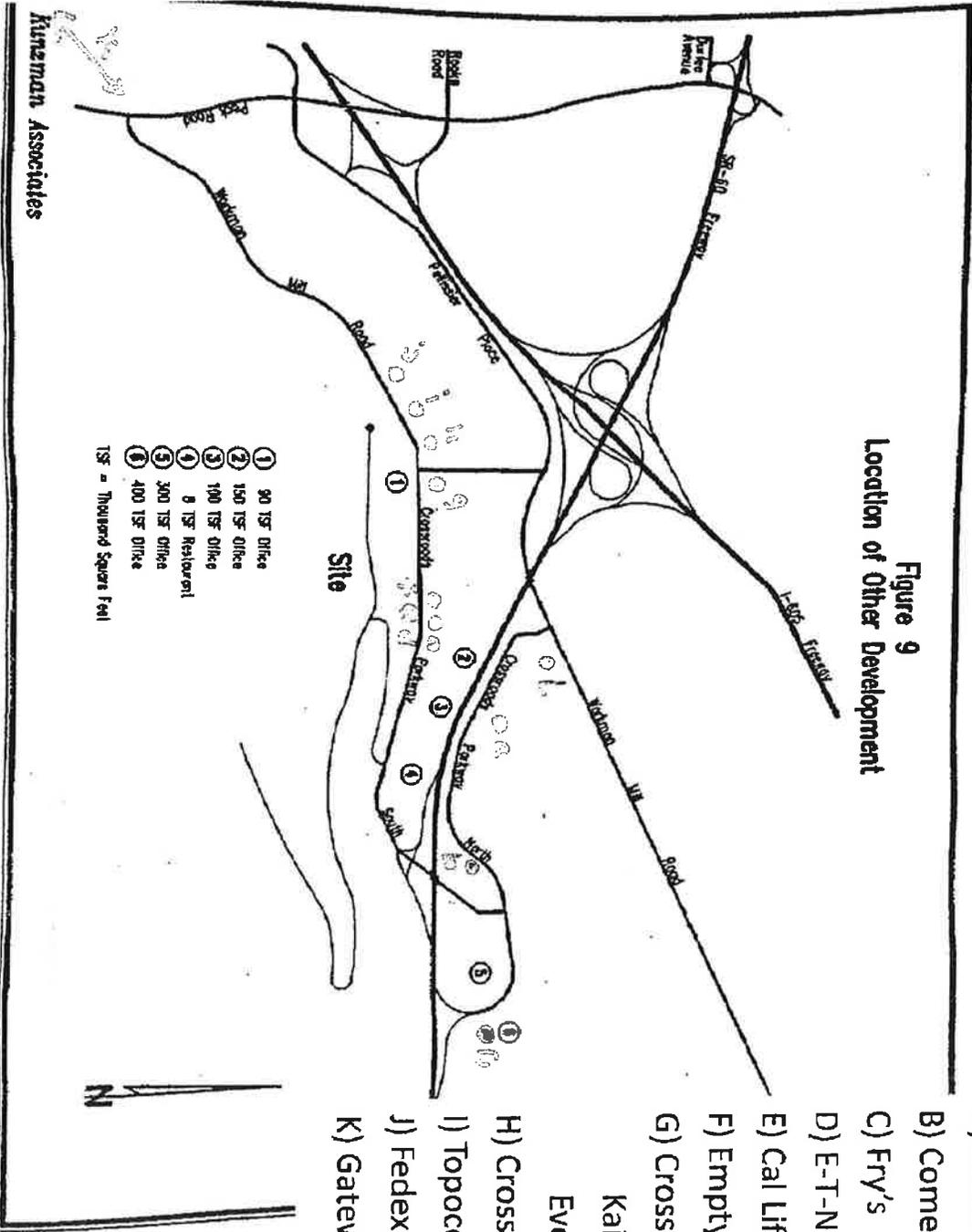
**Figure 9**  
**Location of Other Development**



**EXHIBIT C**

# New Development

Figure 9  
Location of Other Development



- A) MetLife
- B) Comerica
- C) Fry's
- D) E-T-N
- E) Cal Lift
- F) Empty
- G) Crossroad Business Park  
Kaiser  
Everest
- H) Crossroad Business Park
- I) Topocean
- J) Fedex
- K) Gateway Point

Kuneman Associates

# Public Hearing

## May 13, 2013

Permit No. 92-251  
PHMRF CUP Modification 8

We **OPPOSE** the Proposed change that would allow inbound & outbound shipments and employee arrival and departure **during peak traffic hours.**

# TABLE OF CONTENTS

## **I. Introduction**

- A) Identifying Our Opposition
- B) Surrounded by Trash
- C) We Had Enough
- D) Cumulative Impact

## **II. Reasons for Not Increasing Hours**

- A) Dominantly Northerly Downwinds
- B) Negative Impacts Reaches US
- C) Document 2414120, Section 6
  - Environmentally Sensitive?
  - Cost Effective Solid Waste Disposal?
- D) Traffic Study in Question
  - Outdated and Inadequate Review

## **II. Regional Planning Commissioners**

- A) Request to Deny Increase in Hours

## **IV. Conclusion – The People**

# The PHMRF wants 24 hours over Public Roads!



**Facility Is permitted to:**

**Open Mon. – Sat.**

**9 am – 4 pm**

**7pm – 6 am**

**Facility wants  
6 more Hours!**

**Open Mon. – Sat.  
24 HOURS**



# Modification, Condition No. 8 will read....

***With the requested modification,*** Condition No. 8 would read as follows:

***"8. This grant allows the construction and operation of a materials recovery facility subject to the following restrictions as to use:***

- ...  
i. The permittee shall actively promote programs aimed at encouraging employees to arrive at work by means other than a single-occupancy vehicle, to minimize traffic impacts.***
- j. The permittee may schedule the inbound and outbound shipment of commodities, residuals and waste over public roads 24 hours per day, Monday through Saturday.***
- k. The permittee may schedule employee shifts, as required, to accommodate 24 hour per day operation."***

## **No Restrictions!!!**

**“WE”**

**North Whittier,  
Avocado Heights,**

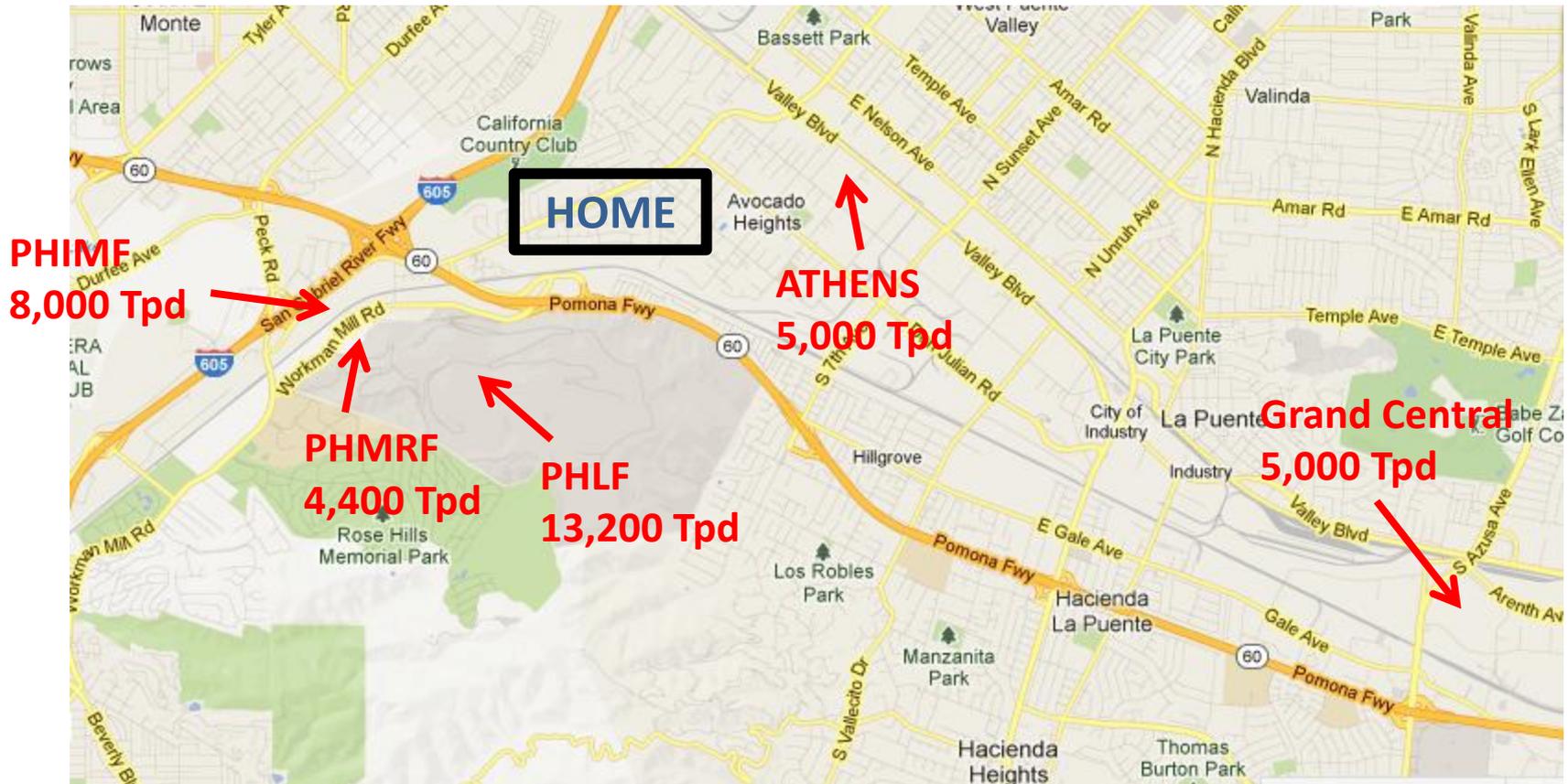
**Gladstone,**

**Whittier Woods &**

**Pellissier Village**

**Have Had Enough!**

# This is Our Home Surrounded by Tons of Trash



## EXHIBIT 2

### Aerial View of PHMRF/PHLF Entrance and Vicinity

Surrounded by big entities and growing!



# Study says the PHMRF is not Visible

## But it is to US!

EXHIBIT 3.2  
LINE-OF-SITE VIEWS  
Part 3: Views from Closest Community to PHMRF (Over 1/4 Mile Away)

**PHMRF is not Visible**



VIEW 3A

VIEW 3B





**We had Enough!**

# Puente Hills Landfill (PHLF)

**43 years of  
13,200 Tons per day**



# Puente Hills Material Recovery Facility (PHMRF)



**30 year Permit of  
4,400 Tons per day**



# Puente Hills Waste-by-Rail Intermodal Facility (PHIMF)

**30 year Permit of  
8,000 Tons per day**



# Cumulative Environmental Impacts in Avocado Heights/North Whittier

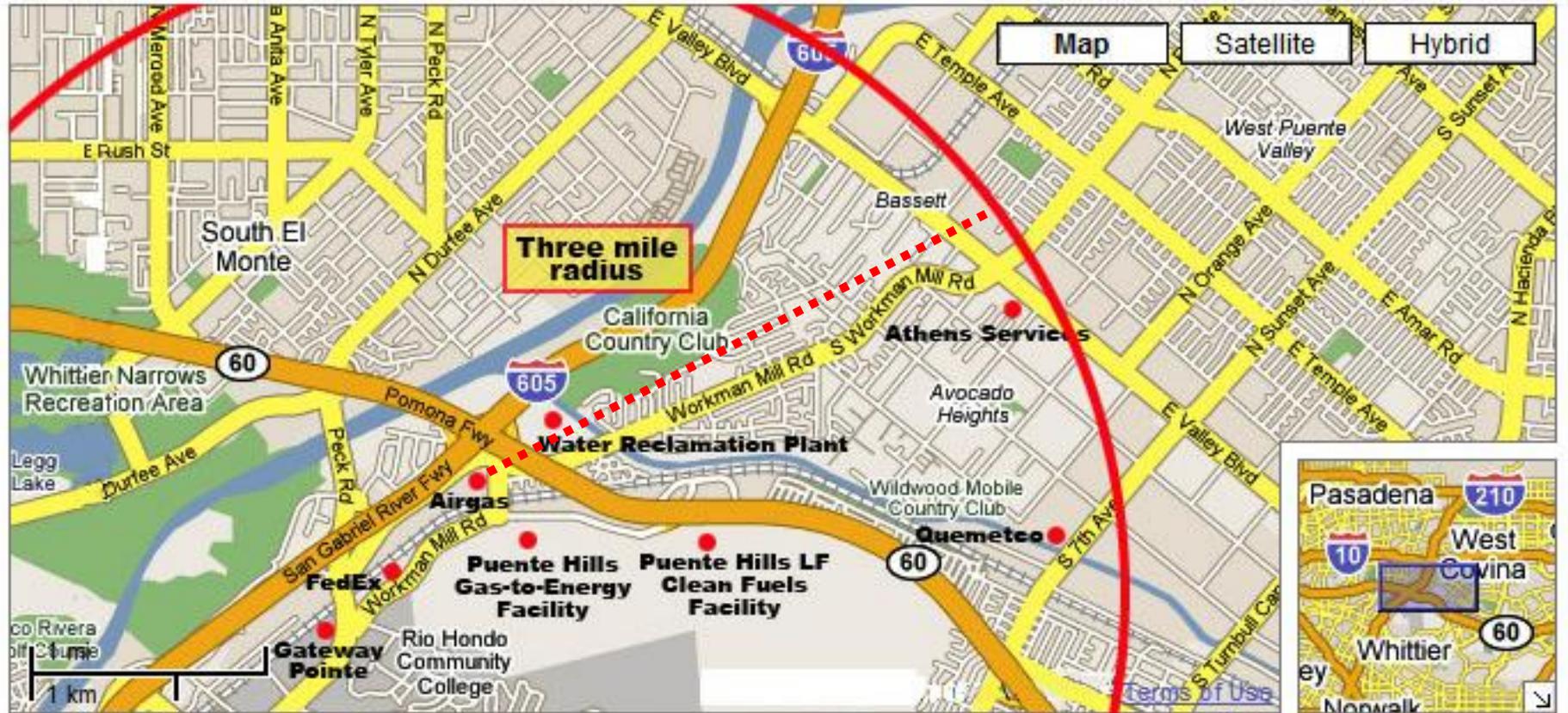
According to CEQA, “the **cumulative impact** from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related **past, present,** and reasonably foreseeable probable **future** projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.”

# We are surrounded by Cumulative Impacts!

EXHIBIT 1  
Aerial View of PHMRF and Vicinity



# Our Community Cumulative Impact begins at a ¼ mile from the PHMRF.



# PROPOSITION 65 WARNING

## Diesel Exhaust from Railroad Operations

Railroad locomotives and related equipment used in transporting goods and passengers are powered by diesel engines and emit diesel exhaust. Diesel exhaust is a chemical known to the State of California to cause cancer, and contains chemicals known to the State to cause birth defects or other reproductive harm.

Some people near railroad operations are exposed to diesel exhaust. Exposure depends on many factors, including the type and intensity of railroad operations, how close you are to the facility, how much time you spend there and whether there are other sources of diesel exhaust in your area. This map shows major railroad facilities in this area, although smaller facilities may also result in exposure:

**...we will get more FOUL AIR,  
DUST, NOISE & DIESEL EMISSION,  
because of predominately  
Northerly/Downwind.**

# Wind Pattern to **OUR HOME!**

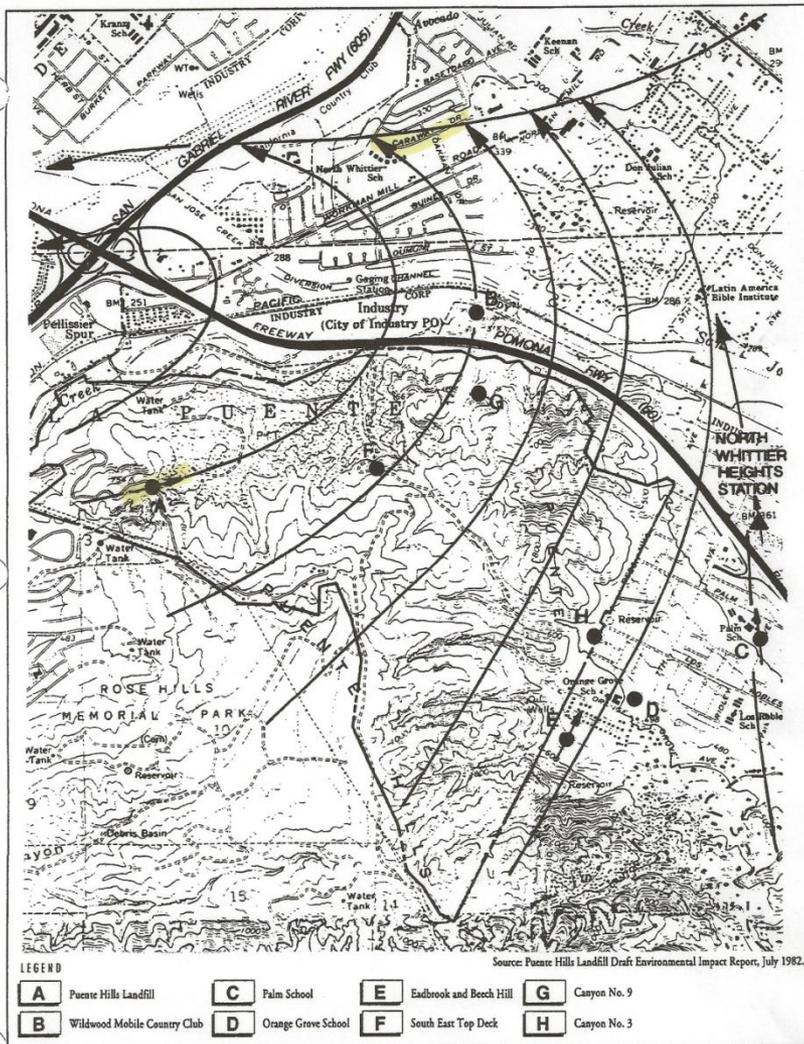
**Our HOME**



Wind  
Direction  
Per  
PHIMF EIR  
2008,  
SCH#200602  
1097

Figure 5.2-2

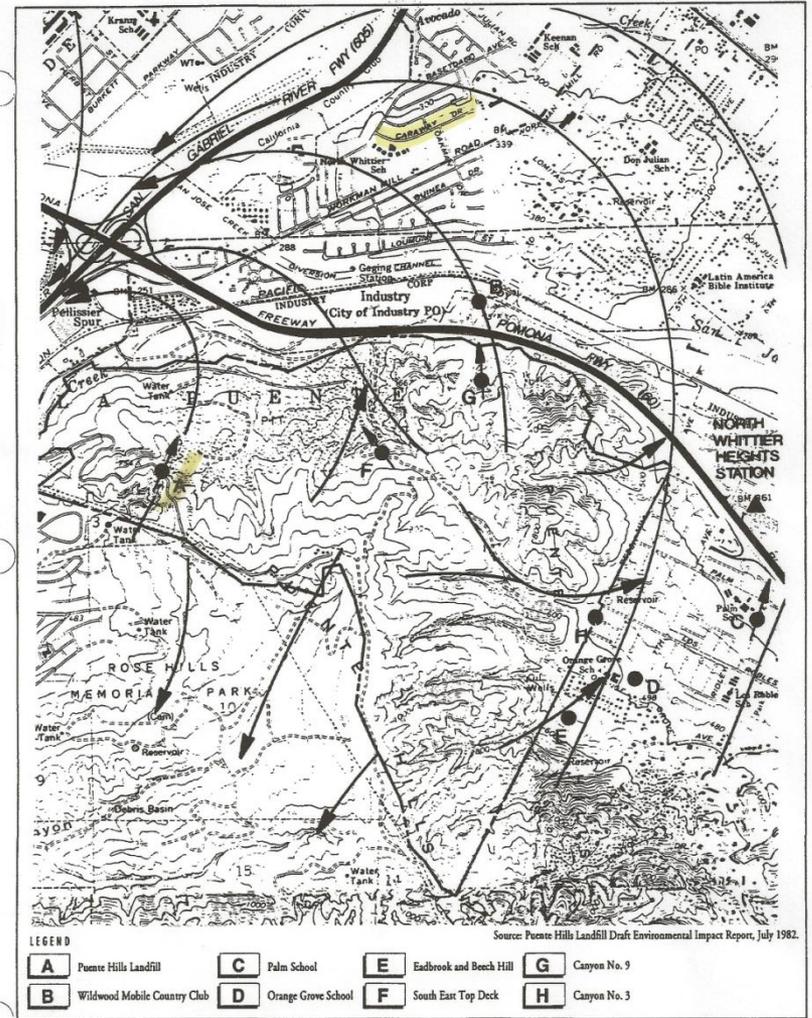
# Wind Flow Pattern from EIR 1992 **AM PEAK HOURS**



Wind Flow Patterns August 12:00 A.M. - 8:00 A.M.

EXHIBIT 4.8-2

peak



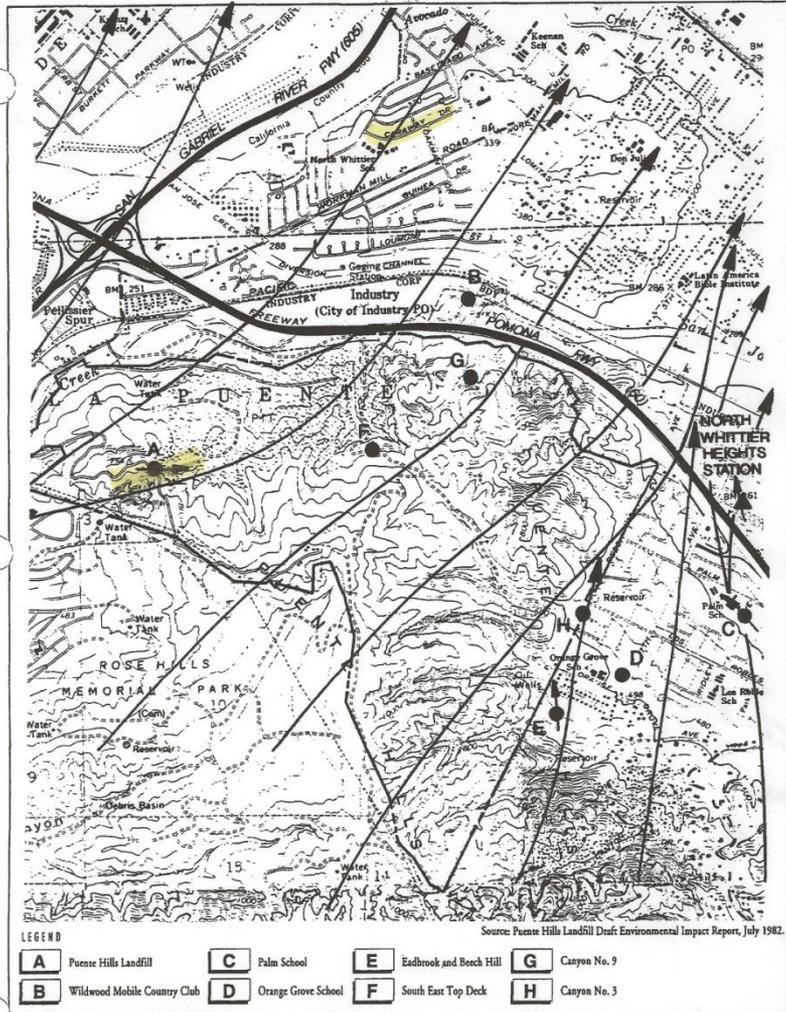
Wind Flow Patterns December 12:00 A.M. - 8:00 A.M.

EXHIBIT 4.8-5

peak



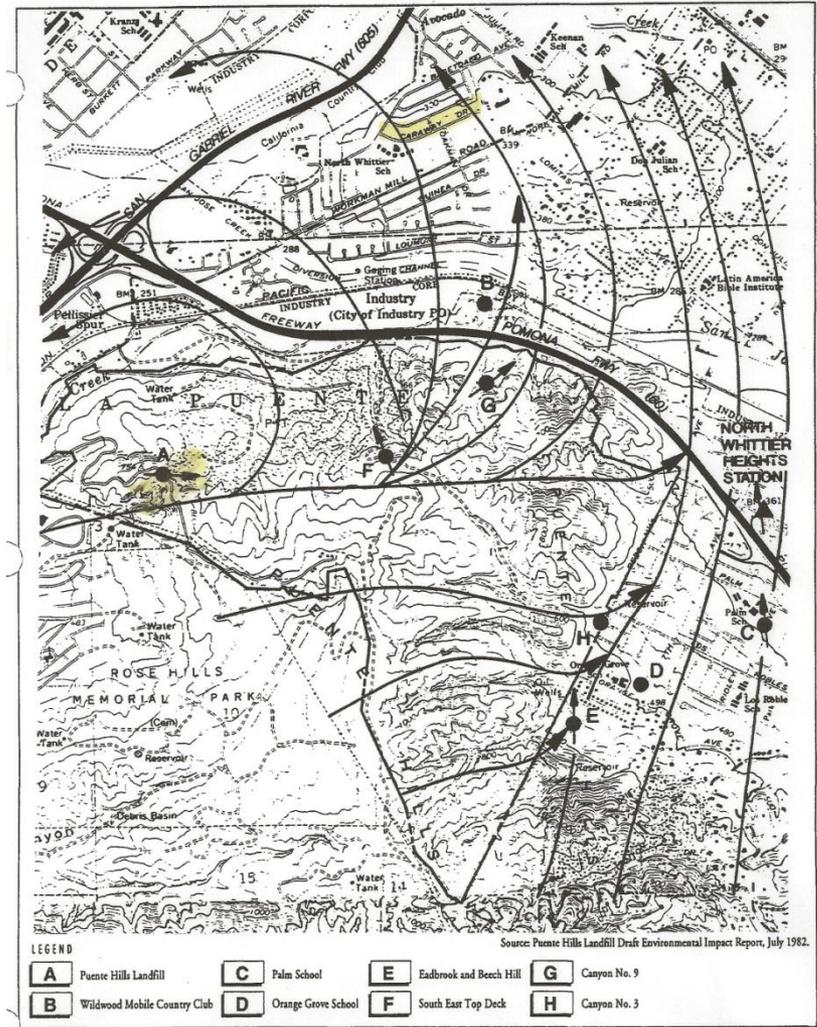
# Wind Flow Pattern from EIR 1992 **PM PEAK HOURS**



Wind Flow Patterns **August 5:00 P.M. - 12:00 A.M.**

EXHIBIT 4.8-4

*peak*



Wind Flow Patterns **December 5:00 P.M. - 12:00 A.M.**

EXHIBIT 4.8-7

*peak*



# Our Negative Environmental Impacts Concerns!

## 1. Foul Air

- From MRF operation
- Garbage Trucks Traveling over Public Road

## 2. Dust

- Black Dust

## 3. Noise

- Intensified at NIGHT

## 4. Diesel

- Downwind Pollutions travels more than a mile early PEAK mornings

# L.A. Times: Air Pollution Article

Freeway air pollution travels farther in **early** morning

Comments 4 Email Share 181 Tweet 89 Recommend 92 +1 10



**Peak  
Hours**



Traffic crawls through downtown Los Angeles on the 110 Freeway. New research shows that in the early morning, air pollution plumes from freeways can travel more than a mile downwind. (Robert Gauthier / Los Angeles Times / November 9, 2012)

# L.A. Times: Air Quality Article

Peak  
Hours

AA6 THURSDAY, APRIL 18, 2013

Los Angeles

## Air quality worse in early morning

### Air Pollution

- In the early morning, concentrated plumes of air pollution from freeways can **travel more than a mile downwind**
- Before sunrise, residential exposure to freeway pollution is more **far-reaching than previously thought**

### Health Effects from vehicle Pollution

- Elevated pollution levels are **harmful** causing
  - Asthma
  - Heart Disease
  - And other Health Problems

Residential exposure to freeway pollution is more far-reaching than previously thought, study shows.

BY BETTINA BOXALL

Two years ago, researchers outfitted an electric Toyota RAV4 with a set of test instruments and drove back and forth near four Los Angeles County freeways between 4:30 a.m. and 6:30 a.m., sampling the air.

They found that in the early morning, concentrated plumes of air pollution from freeways can travel more than a mile downwind, exposing more residents than previously thought to harmful pollution levels.

Most previous air quality studies, based on measurements taken during the day or evening, have found vehicle emission plumes generally blow no more than about 1,000 feet downwind from a major roadway before they break up.

But in the hours just before sunrise, weather conditions are different. Surface inversions caused by night-

time cooling trap air near the ground, slowing the dispersal of concentrated pollution particles and allowing them to travel farther than during the day.

A 2009 study documented extended emission plumes near the 10 Freeway in Santa Monica in the early morning.

To see if the same thing was happening elsewhere, researchers from UCLA and the California Air Resources Board in 2011 sampled the air in residential neighborhoods downwind of the 91 freeway in Paramount, the 210 in Claremont, the 110 in Carson and the 101 in downtown Los Angeles.

Their findings, published in December in the journal Atmospheric Environment, suggest that in the hours before sunrise, residential exposure to freeway pollution is more far-reaching than previously believed.

"It's clear [that] heavily trafficked roadways have a large impact on downwind populations, and a similar situation likely happens around the world in the early morning hours," said Suzanne Paulson, a UCLA atmospheric sciences professor and co-author of the paper. "The particles tend to

end up indoors, so a lot of people are being exposed inside their homes and schools."

Studies have shown that exposure to elevated levels of vehicle pollution can contribute to asthma, heart disease and other health problems.

In greater Los Angeles, where apartment buildings and single-family homes stand cheek by jowl with some of the busiest freeways in the nation, the researchers estimated that on any given morning, roughly a quarter of the population could be exposed to downwind pollution consisting of ultra-fine particles, nitric oxide and hydrocarbons.

Their advice: If you live within roughly a mile of a freeway and are downwind, keep your windows closed in the hours just before sunrise. Use air conditioning. Install HEPA air filters. Postpone outdoor exercise until later in the morning or exercise farther away from the highway.

After sunrise, the surface air warms up and the inversion breaks up, diluting the pollution.

bettina.boxall  
@latimes.com

# Air Pollution Impacting US!

## EXHIBIT 3.1

### LINE-OF-SITE VIEWS

#### Part 1: Aerial Showing Line-of-Sight Locations



Richard & Marilyn Kamimura  
843 Caraway Drive  
Whittier, Ca 90601

April 30, 2013

Department of Regional Planning of County of Los Angeles  
320 West Temple Street, Room 1348  
Los Angeles, Ca 90012

MAY - 2 2013

**RE: PERMIT #92-251 PHMRF CUP MODIFICATION 8**

Dear Regional Planning Commissioners:

We are forty year residents of Whittier/Avocado Heights. Because we want to preserve the "quality of life" of this community, we ask that you deny the Sanitation Districts of Los Angeles County's request for modification 8.

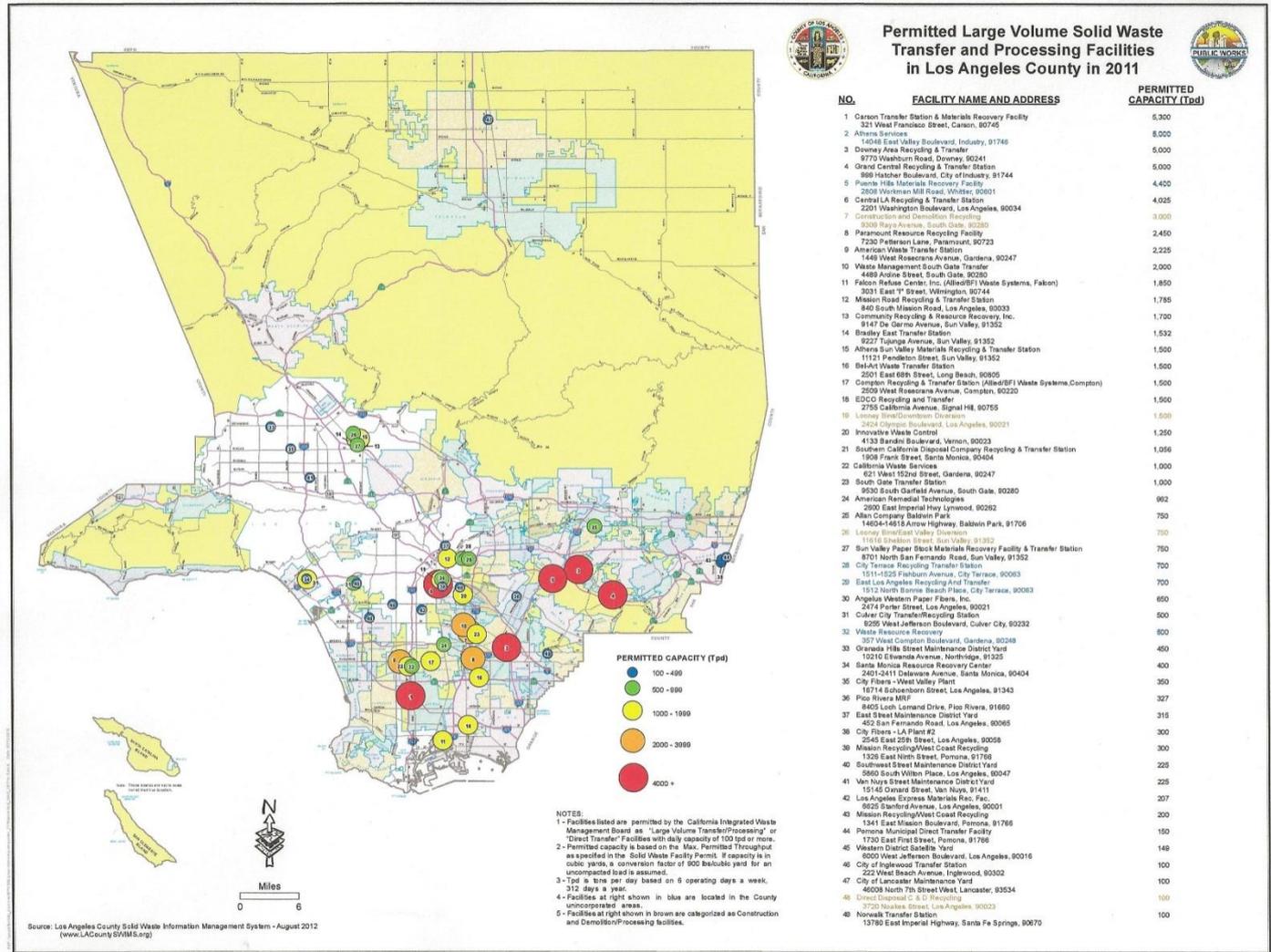
Traveling during peak hours is NOT FEASIBLE for the following reasons:

Sanitation Districts fact sheet document 2414120, dated after their formal denial February 19, 2013, Section 6, OTHER RATIONAL FOR SUPPORTING MODIFICATION states

a. "depends on a balance of privately and public owned and operated facilities providing service to residents of the county."---This balance was developed to provide an ENVIRONMENTALLY SENSITIVE AND COST EFFECTIVE SOLID WASTE disposal system for the County's residents.

This letter was not addressed in the Supplement RCP date May 8, 2013

# Environmentally Sensitive is Staying Locally



# Local Options

- City of Industry (Valley Blvd, Athens)
- City of Industry (Azusa Ave, Grand Central)
  - Open to General Public
- Azusa – Gladstone & Irwindale (Wast Mgt.)
- Pomona – Mission Recycling (2 facilities)
- City of Irwindale – Live Oak & Arrow
  - EIR period (Athens)

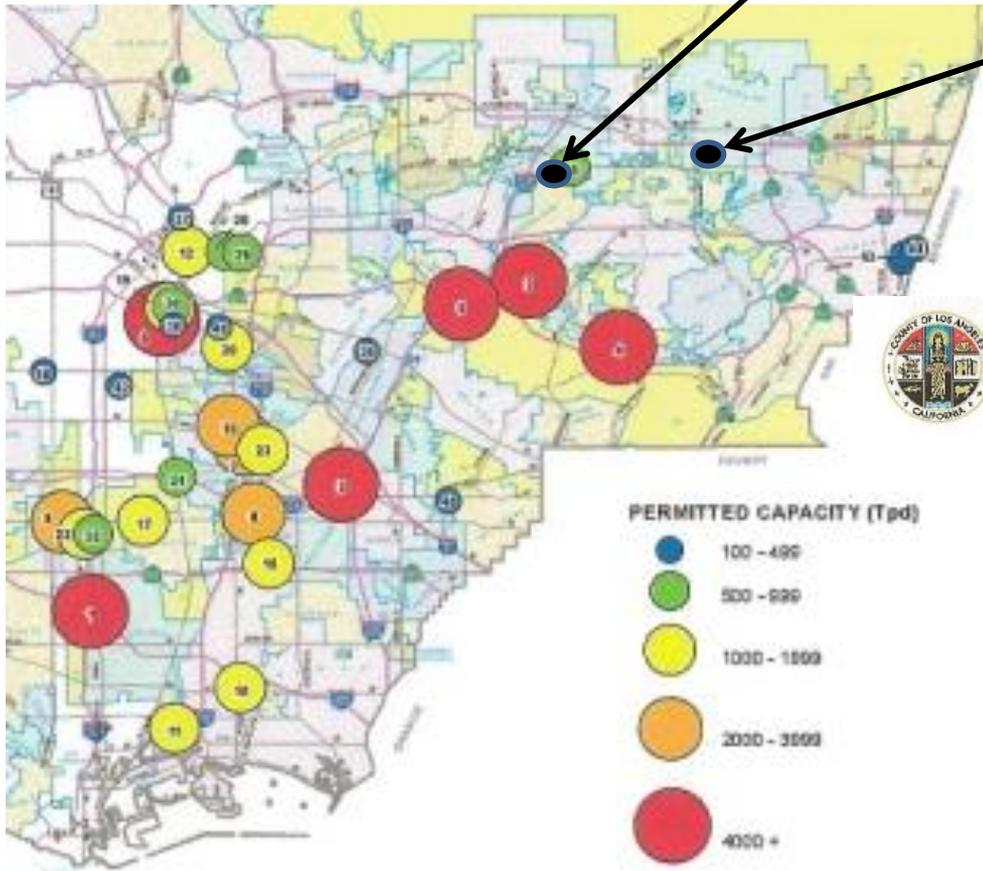
**\*All facilities are open during peak hours.**

**\*In time, private MRF's will be open to all haulers**

# Why Truck the Trash across cities?

Plus Live Oak

Plus Azusa



Permitted Large Volume Solid Waste Transfer and Processing Facilities in Los Angeles County in 2011



**There are 49 Facilities Listed in Los Angeles County List and growing.**

# Is Solid Waste Disposal System Cost Effective?

As a governmental agency the Sanitation District's directive is to MANAGE solid waste, thus they cannot pick up solid waste. They depend on the hauler to bring it to the PHMRF.

Giving the Sanitation District unlimited hours (24 hours) inbound and outbound 6 days a week will provide them unfair advantage over the private MRF's.

It is my understanding Grand Central (a public MRF open to all haulers) in the City of Industry is permitted for 24 hours but have chosen to limit their hours because it is not cost effective.

In conclusion, will the Sanitation Districts use taxpayers money to be more competitive even when it is not cost effective? All to garner the MRF market. Ultimately, government cannot be allowed to compete with private industry.

**The Sanitation District insist on US being victims at any COST!**

# TRAFFIC

Traffic Study was done in EIR 1992 & 1995

- Using data from 1990 (over 20 years old)
- And Traffic & Lighting said NO STUDY NEEDED



# Traffic & Lighting States...

Base on review of "original environmental document" (EIR 1992/1995)

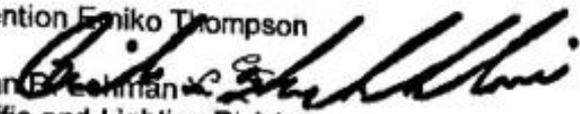
"operation is not expected to have significant impact"

"project is not required to submit a traffic impact analysis"

June 20, 2012

TO: Pat Proano  
Environmental Programs Division

Attention Emiko Thompson

FROM: Dean B. Schiffman   
Traffic and Lighting Division

## PUENTE HILLS MATERIALS RECOVERY FACILITY PROPOSED EXPANDED HOURS (FEBRUARY 2012)

As requested, we have reviewed the proposal to expand the hours for receipt of waste at the existing Puente Hills Materials Recovery Facility. The project site is located at 2808 Workman Mill Road, which is adjacent to the Puente Hills Landfill in the unincorporated area.

Based on the review of the project's original environmental documents and submitted information on truck trips, the proposed expansion to the hours of operation is not expected to have a significant impact to the County roadways and intersections in the area. Consequently, the project is not required to submit a traffic impact analysis for review and approval.

If you have any questions regarding the review of this document, please contact Suen Fei Lau of Traffic Studies Section at Extension 4820.

SFL:sm

P:\pub\WPFILES\LAND DEVELOPMENT REVIEW\FelEIR 12-0093 Puente Hills MRF Hours Extension.doc

## AFT ENVIRONMENTAL IMPACT REPORT PUENTE HILLS WASTE MANAGEMENT FACILITIES TECHNICAL APPENDICES

State Clearinghouse Number 91121070

Prepared by:

Solid Waste Management Department  
Sanitation Districts of Los Angeles County  
1955 Workman Mill Road  
Whittier, California 90601  
(310) 699-7411

June 1992

# The truth is the EIR data count is Outdated!

sion summarizes the results of a traffic and circulation study prepared for the Management Facilities project by Kunzman Associates in May, 1992. The study is in Appendix F of this Draft EIR.

## *Existing Landfill Traffic Distribution and Volumes*

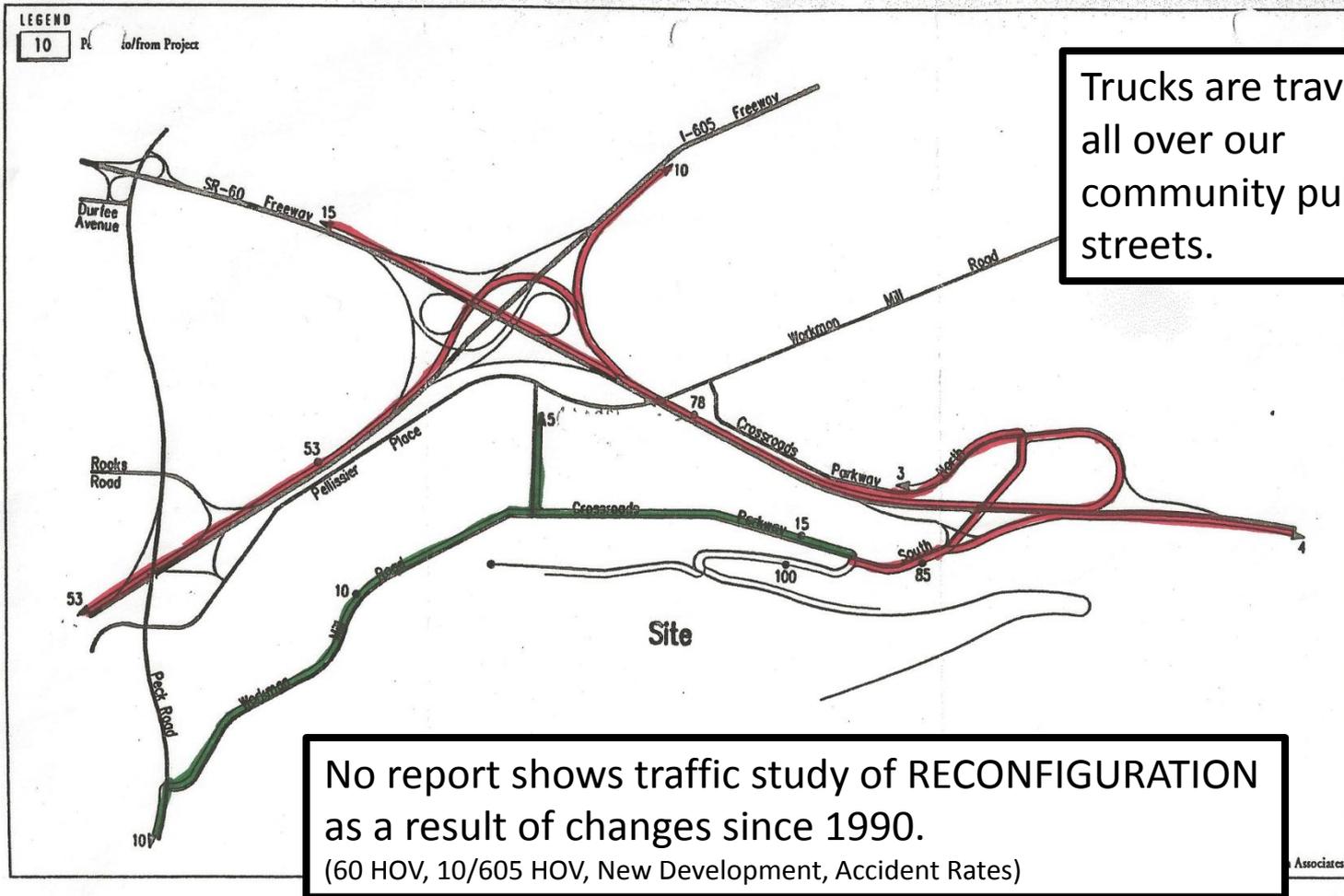
Twenty-four hour counts were taken at the entry roads to the landfill (C Workman Mill Road) in April, 1990. These data were used to calculate results when the landfill reaches its daily tonnage limit and closes to comm

## *Existing Daily Traffic Volumes*

Exhibit 4.7-4 depicts the average daily two-way traffic volumes on streets in the vicinity of the landfill, and are factored from counts taken by Kunzman Associates in January 1992. Traffic volumes were obtained from the County of Los Angeles 1990 Traffic Volumes and Caltrans 1990 Traffic Volumes on State Highways. Exhibit 4.7-5 depicts the weekday morning peak-hour (7:00 a.m. to 8:00 a.m.) and turning movement volumes at intersections in the vicinity of the project site, which include traffic volumes associated with the landfill.

Counts were taken on I-605 at Peck Road and on SR-60 at Crossroads Parkway South in March, 1992. The vehicles counted were separated into two categories: those with two axles and those with three or more axles.

# Project Traffic Distribution, EIR 1992

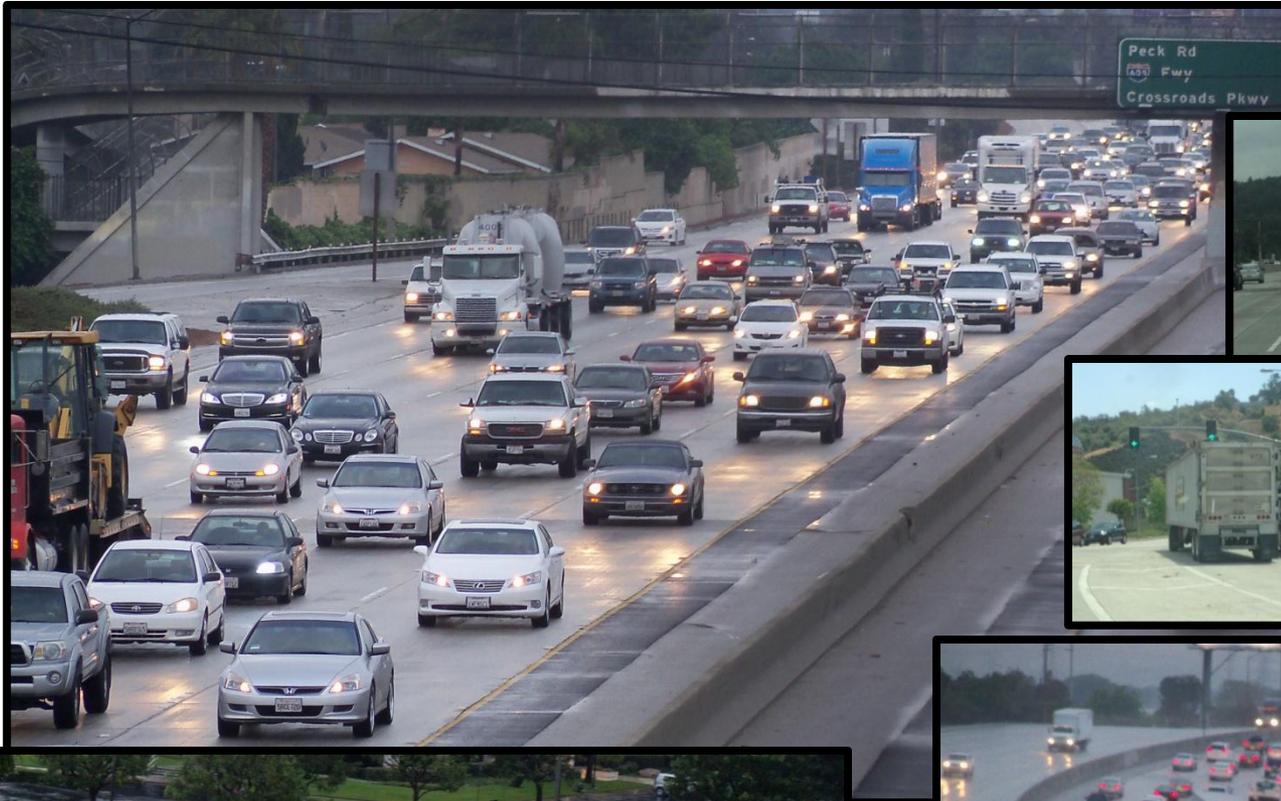


## Project Traffic Distribution

**Traffic Intensifies by...**

**Congestion**

# Congestion on our work routes 60 Fwy & 605 Fwy!



# Congestion on Our Local Street!

Crossroads Pkwy South



Pellissier Pl



Caraway Dr.



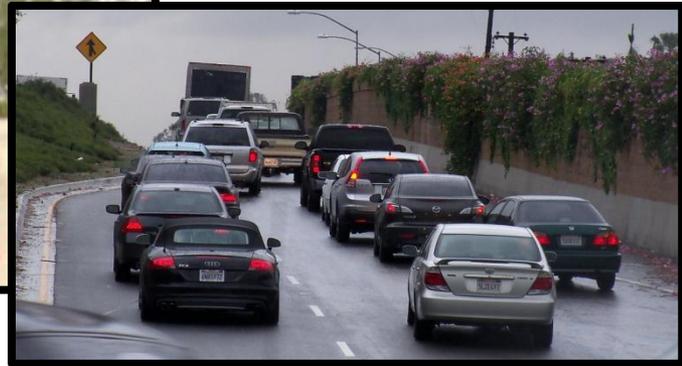
Valley Blvd.



# We have Trucks Everywhere all Day!



# The Truth is...we are Congested!



**Traffic Intensifies by...**

**Improved Economy**

# Improved Economy

Articles states:

For the first three months this year (2013), congestion was up **4%** compared to the same time last year.

## In a jam again: Traffic tie-ups back

Larry Copeland  
USA TODAY

After nearly two years of sharp declines, traffic congestion in the USA is on the rise again, thanks largely to an improving economy.

For the first three months this year, congestion is up 4% compared with the same time last year, INRIX, a Kirkland, Wash.-based firm that provides traffic information and driver services, says in its annual Traffic Scorecard, released today.

The uptick in the first quarter of this year follows a 22% drop in congestion in 2012 compared with 2011. This is the first such consecutive monthly increase in two years, and it parallels a steady increase in employment, which is up 1.3% for the year, INRIX says. This year's rise and last year's decrease were both tied to the economy and to political wrangling in Washington, according to INRIX.

**61**  
Number of cities that saw traffic worsen this year.

**6**  
Number of cities that saw traffic worsen in 2012.

Source: INRIX survey of the nation's 100 worst traffic cities.

"In 2012, what we saw was a stop and go situation, where a tax and fiscal deadline, combined with fluctuations in employment, had a detrimental impact on traffic congestion," says Jim Bak, INRIX's director of community relations. "As consumers and businesses took a wait-and-see approach, employers were slowing hiring, consumers were not spending that — all had an impact on congestion."

Adie Tomer, an associate fellow specializing in transportation at the Brookings Institution, agrees with

the economic portion of that analysis. "Infrastructure usage correlates with economic growth patterns," he says. Tomer notes that traffic congestion is still well below pre-recession levels. He says that though it has rebounded somewhat, there has been "a fundamental shift" in traffic congestion as people who have dropped out of the labor force have curtailed their driving. It's unknown whether that shift is permanent, he says.

In February, the Texas Transportation Institute quantified the cost of congestion for 2011: Traffic snarls that year caused U.S. motorists to spend an additional 5.5 billion hours on the road and purchase an extra 2.9 billion gallons of fuel for an annual congestion cost of \$121 billion.

A factor not influencing traffic so far this year: pain at the pump.

"The one thing we've not had come into play at all this year is fuel prices," Bak says. "They've remained relatively stable."

**USA  
TODAY™**  
**04.24.13**

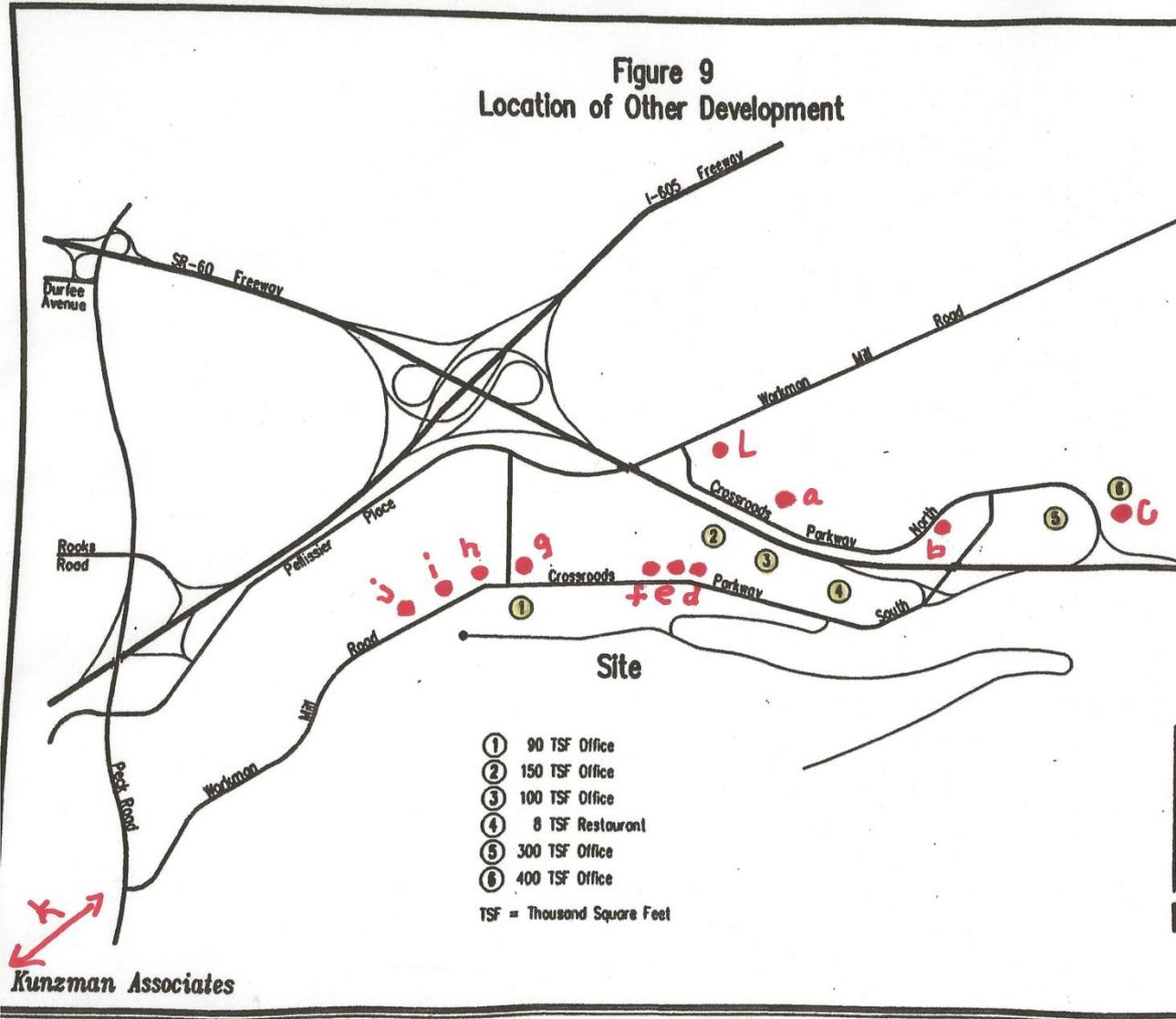
A GANNETT COMPANY

**Traffic Intensifies by...**

**New Development**

# New Development

Figure 9  
Location of Other Development



- A) MetLife
- B) Comerica
- C) Fry's
- D) E-T-N
- E) Cal Lift
- F) Empty
- G) Crossroad Business Park  
Kaiser  
Everest
- H) Crossroad Business Park
- I) Topocean
- J) Fedex
- K) Gateway Point

# New Development



Caltrans  
Metlife  
Comerica Bank

# New Development



Frys  
Chevron  
Jack in Box  
El Tepeyac  
Subway  
Waba

# New Development

FedEx

Crossroad Business Park



# New Development

Cal Lift

E-T-N

Kaiser

Everest College



# New Development



**Traffic Intensifies by...**

**Refueling Truck Traffic**  
**at the PHMRF**

# Refueling Traffic at PHMRF

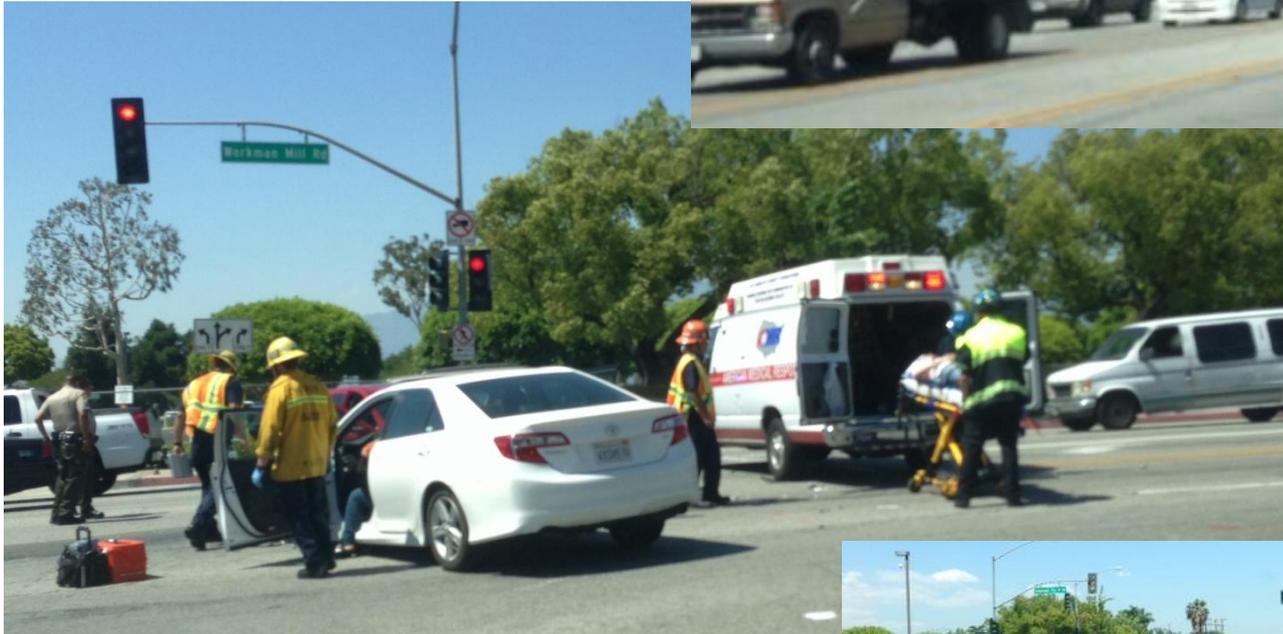


# **Traffic Intensifies by...**

**Accidents on road ways & freeways**

# Workman Mills Rd & Crossroads Pkwy

(front of Sanitation District 2)



# FACT is

Our freeways can't keep up with the repairs due to **heavy truck use of outside lanes.**



Our freeways are running at Level of Service F (**LOS F**), an unacceptable level which puts us at accident risk.

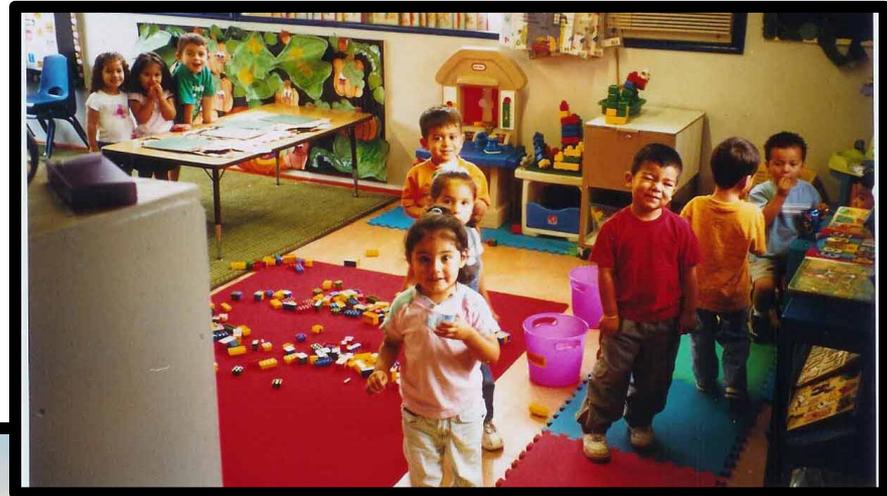
# Dear Regional Planning Commissioners,

It is clear that an updated environmental assessment was not done. Based on an outdated traffic study (over 20 years), the report is inadequate.

We have shown you that the changes are significant and substantial because of intensification from congestion, traffic and new development since 1992. We ask that the conditions on hours for the PHMRF not be increased.

(READ LETTER)

# We need to protect OUR children of the FUTURE!



# We are Residents of North Whittier



41 years  
Caraway Dr. & Pencin Dr.  
(2 Generations)



40 years  
Bunbury Dr.

# North Whittier Residents



15 years  
Caraway Dr. (next door neighbors)  
(3 Generations)

40 years  
Pamela Kay Ln. & Coleford St.  
(3 Generations)



# North Whittier Residents



38 years  
Loumont Dr.  
(4 Generations)



8 years  
Cunningham Dr.  
(2 Generations)

# North Whittier & Avocado Heights



13 years  
Peckham Dr.  
(2 Generations)



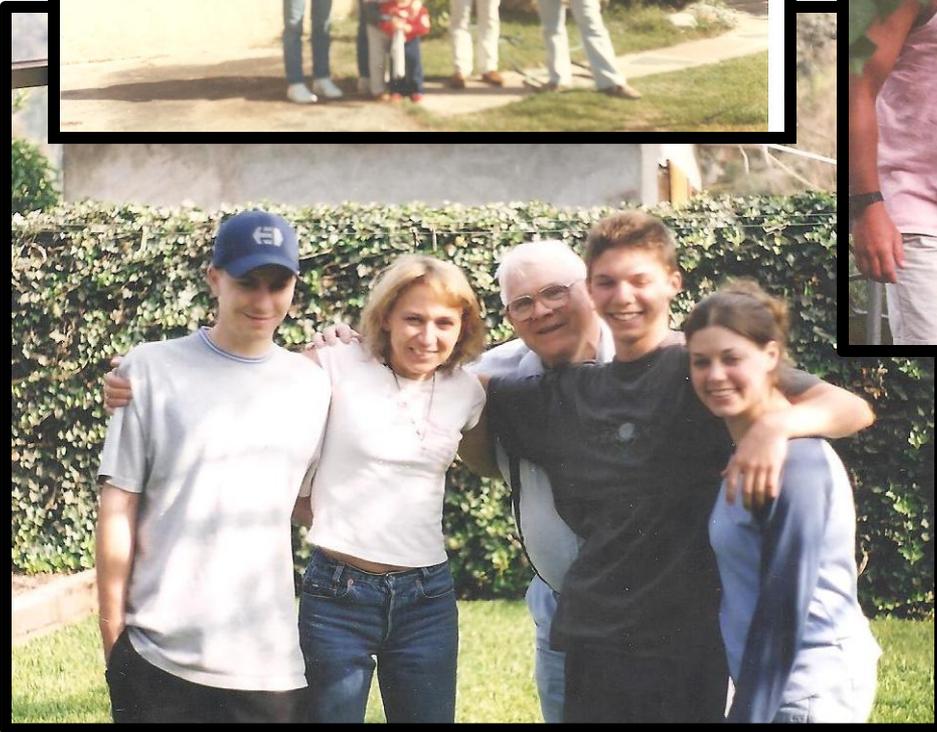
9 years  
Alanwood Rd.  
(2 Generations)



1 month  
Alanwood Rd.  
(cousin, bought next door)

# Gladstone Resident for 50 yrs.

PHLF



Grandmother still lives on Gala, Gladstone Community which is a ¼ mile from the PHMRF.

**This community is small  
but tight in family and  
friendships.**



**We love where we live.**