

IMPLEMENTATION AND MONITORING PROGRAM

PROJECT NO. 00--194 – (5) SUNSHINE CANYON LANDFILL EXPANSION Attachment to the Conditions of Grant for Conditional Use Permit 00--194 – (5)

PURPOSE. This implementation and monitoring program (IMP) is intended to implement and ensure compliance with conditions of the grant and to complement the enforcement and monitoring programs routinely administered by County agencies and by public agencies other than the County of Los Angeles.

PART I - LANDFILL ELEVATIONS. The following measures shall be carried out to monitor compliance with Conditions 2, 7, 14, 32 and 33 of the grant, which set limits upon the horizontal and vertical extent of the waste fill.

- a. Before commencing expansion of the landfill beyond the limits established by Conditional Use Permit 86-312-(5), the permittee shall install survey monuments around the perimeter of the approved fill area, as depicted on Exhibit "A", at points where they will not be subject to disturbance by landfill development.

The specific spacing, location, and characteristics of the monuments shall be as specified by the Director of Public Works.

The monuments shall be inspected and approved by the Director of Public Works after installation and an "as installed" plan approved by the Director, shall be provided to the Department of Health Services-Solid Waste Management Program, (DHS-SWMP), and the Director of Planning.

Not less than 60 nor more than 90 days before the due date for the annual monitoring report required in Part X, the permittee shall cause a licensed surveyor or registered civil engineer to conduct a survey of the landfill elevations and to submit the results to the Director of Public Works for approval. Such a survey shall also take place in the event of an earthquake in the vicinity of the landfill of magnitude (Richter) 5.0 or greater, or as directed by the Director of Public Works, and upon completion of the final fill.

The Director of Public Works may also conduct or order such on-site surveys as necessary or as requested by the DHS-SWMP and shall promptly report any apparent violation revealed by a survey to the Director of Planning and the DHS-SWMP.

- b. Should the Director of Public Works approve grading or other disturbance to areas outside the cut and fill shown on Exhibit "A-1" and/or Exhibit "A-2" pursuant to the provisions of Condition 32 of the grant, the Director shall refer a copy of such authorization to the Director of Planning and the DHS-SWMP.

PART II – WASTE PLAN CONFORMANCE. The provisions of this part are intended to ensure compliance with the provisions of Conditions 19, 20, 21, 22, and 24 of the grant, and conformity of landfill operations with the County of Los Angeles Countywide Integrated Waste Management Plan (CIWMP) adopted pursuant to Division 30 of the Public Resources Code.

- a. The permittee shall ensure the proper installation and maintenance of scales to verify the weight of solid waste received and placed in the landfill for disposal or diverted from the waste stream and exported from the Facility, and materials put to beneficial use on-site. The permittee shall maintain records necessary to document (1) said weights, (2) compliance with waste restrictions imposed pursuant to the conditions of grant, and (3) the fees charged for disposal at the Facility.
- b. All records shall be available for inspection by the DHS-SWMP and authorized representatives of the Departments of Public Works (DPW) and Regional Planning (DRP) and the Treasurer and Tax Collector (TT&C) during normal business hours and shall be forwarded to such agencies upon request.

PART III – WASTE ORIGIN DATA ACCURACY. The provisions of this part are intended to ensure compliance with the provisions of Condition 18 of the grant. The permittee shall adopt measures at the facility to ensure accuracy of waste origin data allocated to the County unincorporated areas. The measures shall apply to only customers of the Facility who identified a County unincorporated area as the source or origin of all or a portion of their waste and shall become effective within 90 days of the effective date of the grant. The measures will provide the following:

- a. Require written and verifiable documentation on source jurisdiction(s) and the site address where the waste was generated/originated, for loads from waste hauling industry customers (“Direct Haul Loads”), and documentation on source jurisdiction(s) for all loads from transfer/processing facilities (“Transfer/Processing Loads”) in a form to be developed by the Director of Public Works and distributed by the permittee.
- b. Exempt from such written documentation requirements that all customers tendering minimum loads, defined as having a net weight of less than one ton. Such customers must, however, continue to verbally state the source of their load.
- c. Provide for the permittee to investigate and verify the accuracy of the written documentation provided for applicable Direct Haul Loads for which a county unincorporated area is identified as the source of all or a portion of the waste.
- d. Provide for the permittee to forward to the Director of Public Works for review and verification written documentation provided for applicable Transfer/Processing Loads for which a county unincorporated area is identified as the source of all or a portion of the waste.

- e. Provide for the permittee to forward to the Director of Public Works for review and verification, written documentation provided for direct haul loads from solid waste enterprises/waste haulers owned and operated by the permittee or its subsidiaries for which a County unincorporated area(s) is identified as the source or origin of all or a portion of the waste.
- f. Provide a fee in an amount to be formulated by the permittee in consultation with the Director of Public Works to be imposed at the time that Direct Haul Loads and applicable Self Haul Loads are tendered at the site without the required written documentation. The fee is to be non-refundable to offset the permittee's cost to track non-complying loads and to follow up with the customer.
- g. Provide that if the Director of Public Works determines that of a solid waste enterprise, waste hauler, and/or transfer/processing facility operator has failed to substantiate the origin of the waste reported by the facility as having originated in a county unincorporated area, the Director will notify and direct the permittee to impose a non-refundable penalty equal to \$5.00 per ton, to be applied to all waste allocated to the county unincorporated area by the solid waste enterprise, waste hauler, and/or transfer/processing facility operator for that reporting period (reporting period not to exceed one month). The permittee shall be responsible for collecting the penalty and submitting it to the Department of Public Works within 60 days following such notification. Penalties received by the Department of Public Works shall offset the cost of administering the waste origin verification program and implementing programs to mitigate detrimental effects on the County's efforts to comply with the California Integrated Waste Management Act of 1989, as amended.
- h. Unless approved otherwise by the Director of Public Works the permittee shall suspend the disposal privileges of customers who fail to provide required written documentation within 14 calendar days following the tendering of and applicable load at the landfill, or who provides false, misleading, and/or inaccurate written documentation. Suspensions shall be for successively longer periods for multiple violations up to a maximum of 60 days for any single suspension.
- i. Provide for extending the period of suspension of disposal privileges for periods longer than 60 days, including possible termination, for transfer/processing facilities and waste haulers that repeatedly fail to substantiate the origin of the waste load as required and/or fail to pay the required penalties.
- j. Provide a procedure to appeal to the permittee and the Director of Public Works or their designees any suspension of disposal privileges pursuant to this Part III, and for immediate reinstatement of such privileges if the appeal is successful.

Prior to the implementation of the above measures, the permittee shall, subject to the approval of the Director of Public Works, develop a waste origin verification and reporting program to include, but not be limited to, an outreach program to educate all customers of the Sunshine Canyon Landfill regarding the need to provide waste origin information for all

loads, the requirements of the measures adopted pursuant to this Part III, and an explanation of the consequences for failure to comply with the measures. Following the effective date of the measures, the permittee shall provide a 90-day grace period to provide for customer education prior to taking any enforcement action pursuant to the measures. Based on the initial results obtained from the verification and reporting program, the verification and reporting requirements established by these measures may be amended or modified by the Director of Public Works. The Director of Public Works shall have the discretion to terminate the verification and reporting program at any time.

Twice a month, the permittee shall submit to the Director of Public Works results of the verification and reporting program along with written documentation providing transaction information for each waste load tendered at the Sunshine Canyon Landfill site for which a county unincorporated area is identified as the source of all or a portion of the load.

PART IV – HAZARDOUS WASTE EXCLUSION. This part incorporates the program that the permittee and the DHS-SWMP shall carry out to exclude liquid, radioactive and hazardous wastes from the landfill in accordance with the provisions of Condition 24 of the grant.

The permittee shall maintain a comprehensive waste load checking program, which shall include the following:

1. All waste hauling vehicles shall be screened at the scales with a radiation detector device, acceptable to the DHS-SWMP, for the presence of radioactive materials.
2. Sensors capable of detecting volatile organic compounds, acceptable to the DHS-SWMP, shall be available at the landfill and used as directed by the DHS-SWMP.
3. The scale operator shall question drivers of suspect loads as to the source and nature of the load and shall inspect for contamination all large loads of earth brought into the landfill from points not known to be free of contamination.
4. The dumping area shall be continuously inspected for hazardous and liquid waste, medical waste, and radioactive waste/materials. This inspection shall be accomplished by equipment operators and spotters who have been trained in an inspection program approved by the DHS-SWMP.
5. Unless otherwise specified by DHS-SWMP, manual inspection of randomly selected refuse loads shall be conducted by the permittee. The frequency of inspections shall be a minimum of six incoming waste loads each operating day for a minimum total of thirty-six incoming waste loads per week.

6. In addition, a test series of twelve, intensive unannounced manual inspections of refuse loads shall be conducted over a twelve month period during the life of this permit.
7. If on the basis of continuing inspections of the dumping area and of daily random inspections, the DHS-SWMP determines that significant amounts prohibited waste may be entering the landfill, the DHS-SWMP may direct an expanded inspection program, including additional, unannounced manual inspections.

PART V – INDEMNIFICATION AGREEMENT. Prior to the use of the grant, the permittee shall enter into an agreement with the County providing for indemnification of the County for any damages to public property which may result from landfill operations and for any expenses which may be incurred by the County in performing any on- and off-site remedial work which may be necessitated by the permittee's failure to operate or maintain the landfill at an acceptable level or the permittee's failure to perform in a timely manner. The performance areas covered shall include, but not be limited to, landscaping, litter and dust control, noise control, vector control and maintenance of slopes and drainage structures. The standard for operation and maintenance shall be as established by the provisions of the grant and applicable law.

To secure performance on the agreement, the permittee shall tender to the County a letter of credit or other security acceptable to the County in the amount of \$10 million.

The security shall be in addition to all other security required by federal, state and local regulations and permits, including other performance security required by this permit and State landfill closure regulations.

PART VI - BIOLOGICAL/HORTICULTURAL MONITORING. This part is intended to promote compliance with provisions of Conditions 41 and 42 concerning on-site planting, revegetation and maintenance. Runs with life of grant.

- a. The permittee shall, before use of the grant, retain the services of a consulting horticulturalist/forester to supervise the on and off-site slope planting and oak tree mitigation programs required as a condition of grant and this implementation and monitoring program. The permittee's selection shall be approved by the County Forester.

The consulting horticulturalist/forester shall be a person who by education, training, experience and professional standing, as evidenced by appropriate licensing, registration and/or academic standing in the field of horticulture/forestry, is qualified to carry out the specific requirements of the position.

- b. The permittee shall, before use of the grant, retain the services of a consulting biologist, whose duties shall include (a) periodic review of any updated listings of threatened and endangered species contained in the Federal Register for the

purpose of determining whether species existing at the project site have been re-classified as a species with a “Category 1” status; and (b) participation in the revegetation program adopted for the landfills.

The consulting biologist shall be a person who by education, training, experience and professional standing, as evidenced by appropriate licensing, registration and/or academic standing in the field of biology, is qualified to carry out the specific requirements of the position.

- c. Should at any time during the life of the grant plus any additional required maintenance period the initially selected consultant terminate employment, a replacement shall be retained and approved as provided in Part VIA.

The permittee shall make and maintain records to track fill areas in accordance with the Regional Water Quality Control Board requirements. These records shall be used to indicate areas transferred to an inactive status and therefore potentially subject to being vegetated as provided in Condition 41. The permittee shall make copies of such records available to the consulting horticulturalist/forester, the Local Enforcement Agency, the County Forester and other regulatory agencies when a fill area becomes inactive.

PART VII – ARCHEOLOGICAL/PALEONTOLOGICAL MONITORING. The permittee shall implement the monitoring program described in this part to conserve archaeological and paleontological resources as required by Condition 59 of the grant.

- a. Before commencing grading activities in previously undisturbed areas, the permittee shall nominate to the Director of Planning a Society of Professional Archaeologists (SOPA) – certified archaeologist and a qualified paleontologist which the permittee intends to retain to perform the monitoring and conservation work required by this part and Condition 59 of the grant. If approved by the Director, the archaeologist and paleontologist shall each submit a letter to the Director stating that he or she has been retained to perform or supervise the work required by Condition 59 and this part and that he or she agrees to report to the Director any noted failure to comply with the conditions of grant or this part.
- b. The archaeologist and the paleontologist shall submit a written report to be included with each biennial monitoring report until completion of on-site excavation activity and/or to the Director upon termination of employment.
- c. Should the selected archaeologist or paleontologist terminate employment before completion of all excavation associated with the landfill, a replacement shall be selected, approved, retained and certified as described above.

PART VIII – ANCILLARY FACILITIES. This part is intended to provide a means to enforce compliance with Condition 2 of the grant concerning the provision of ancillary facilities at the landfill, and to verify that such facilities are consistent with other conditions of grant and with the provisions of the County Zoning Ordinance.

Before commencing development or obtaining building permits for any additional ancillary facilities, the permittee shall submit to the Director of Planning a specific site plan for such facilities. The plan shall be in sufficient detail to establish compliance with the conditions of grant and with the standards of the County Zoning Ordinance, including the provisions of said ordinance relating to the development and maintenance of parking, screening and signs, as set forth in Chapter 52, Title 22 of the County Code.

PART IX – COMMUNITY ADVISORY COMMITTEE. The Community Advisory Committee, appointed by the Board of Supervisors, shall continue to serve as a liaison between the permittee and the community and as a means for the community to communicate with the Regional Planning Commission and other regulatory agencies on an ongoing basis regarding issues involved in the development and operation of the landfill. The committee shall be composed of persons who reside in the vicinity of the landfill and are nominated by recognized community and neighborhood associations. The supervisors in whose district the landfill is located and the district most nearly adjacent to the landfill shall appoint a representative from each such district to serve as coordinators for the Committee and shall nominate Committee members.

As required by the Board of Supervisors, the permittee shall continue to do the following:

1. Provide qualified personnel to regularly attend committee meetings;
2. Provide reasonable access to the landfill site and information concerning landfill operations necessary for the committee to perform the committee's functions;
3. Provide accommodations for committee meetings; and
4. Provide funding, not to exceed \$20,000 per annum, for the committee to retain independent consultants; provided that any consultant retained shall be a person who by education, training, and experience is qualified to undertake the work for which the consultant is retained and who has no conflict of interest with the permittee or any member of the committee.

The committee shall be provided access to all reports submitted by the permittee to regulatory agencies, including the annual monitoring report. The permittee shall also consult the committee on planning matters that would affect the physical development or future use of the landfill site.

PART X – MONITORING REPORTS. This part is intended to provide for a means of continuing oversight of landfill operations as a supplement to the routine enforcement activities of the various regulatory agencies having control over the development, operation, and maintenance of the landfill.

- a. The permittee shall prepare and submit annual monitoring reports to the Regional Planning Commission, due on June 1, every year, until closure of the landfill. At least 60 days before the due date, draft copies of the report shall be submitted to the following for review and comment:
1. DHS-SWMP;
 2. Director of Public Works;
 3. Los Angeles County Forester and Fire Warden;
 4. Regional Water Quality Control Board-Los Angeles Region;
 5. South Coast Air Quality Management District;
 6. County Museum of Natural History;
 7. Sunshine Canyon Landfill Advisory Committee; and

Each referral shall include a request that comments be sent to the permittee within 30 days of receipt of the draft report but not later than 15 days before the due date of the final report. The permittee shall provide documentation of each referral to the Director of Planning in a form acceptable to the Director.

The permittee shall respond to each comment received and shall include each comment and response with the final report submitted to the Commission. A copy of the final report shall be provided to the local county library and posted on the permittee's website.

- b. Each monitoring report shall contain the following:
1. A cumulative total of all waste deposited in the landfill (i.e. City, County, and/or combined City/County portions), the percent of total available volume consumed, the remaining disposal capacity in volume and in tons, and a detailed site map/plan showing the sequence of landfilling operations.
 2. A copy (which may be reduced and simplified to fit the report format) of the most recent approved landfill survey (as required in Part I of this IMP) showing the height and extent of the fill.
 3. The achieved ratio of weight to volume of waste placed in the landfill and a comparison of that ratio with the ratio achieved at comparable landfills operating in the County of Los Angeles, and an explanation of any significant deviation.
 4. A summary of the rates of waste received, recycled or otherwise diverted at the Facility, disposed, and sent offsite for further handling/processing, from a period to be specified by the Director of Public Works, or the last report, as applicable, in sufficient detail to explain significant changes and variations over time and an explanation of any significant variations or changes.

5. A summary of measures undertaken by the permittee to divert and recycle material at the Facility, and how such measures interact with waste management plans adopted by cities and the County and the overall effectiveness of such measures in achieving the intent of the grant and the waste management plans.
6. A summary of the number and character of litter, noise, fugitive dust, and odor complaints received in the reporting period, the disposition of such complaints, and any new or additional measures that have been undertaken to address future complaints.
7. A detailed accounting of any citations for violations received from any regulatory agency in connection with operation of the landfill (including those for litter, odor, fugitive dust, noise, landfill gas, and other environmental control systems) and the disposition of the citations, including any penalty assessed and fees paid.
8. A report on interim and final fill revegetation, including an assessment of the success of such revegetation and any additional measures necessary or proposed to effect successful revegetation.
9. The archaeological and paleontological reports required in Part VII.
10. A summary of the measures taken by the permittee toward promoting and implementing alternative technologies that may be most appropriate for Southern California from an environmental and economic perspective, pursuant to Condition 65 of the grant.
11. A summary of the measures taken by the permittee with regard to transportation improvements in the surrounding areas of the Facility, pursuant to Condition 55 of the grant.
12. A summary of the measures taken by the permittee with regard to minimizing truck traffic, pursuant to Conditions 22, 54, 55, 56, and 57 of the grant.
13. A summary of the measures taken by the permittee towards utilizing landfill gas to generate energy at the site pursuant to Conditions 28 and 49 of the grant.

Upon receipt of the monitoring report, the Regional Planning Commission may request that the permittee submit such additional information as it deems necessary to carry out the purposes of this IMP.

- c. Nothing in this Part X shall be construed to in any way limit the authority of the Regional Planning Commission or the Board of Supervisors to initiate any

proceeding to revoke or modify the grant as provided in Condition 11 of the grant and Part 13, Chapter 56, of Title 22 of the County Code.

PART XI – COMPENSATION. The permittee shall compensate all affected County departments, as applicable, for expenses incurred in the administration of the grant, including this IMP and the Mitigation Monitoring and Reporting Summary (MMRS), not otherwise covered by permit or other fees. Such compensation shall be computed using the actual hours expended multiplied by the most current applicable hourly rates, approved by the County Auditor Controller, that are available at the time that expenses are incurred.

The permittee shall compensate the DHS-SWMP for expenses, including personnel, equipment, and transportation costs, incurred in the administration of the grant, including this IMP and the MMRS, not otherwise covered by fees paid for administration of the solid waste facilities permit for the landfill. Such compensation shall be computed using the actual hours expended multiplied by the most current applicable hourly rates, approved by the County Auditor Controller, that are available at the time that expenses are incurred.

PART XII – TECHNICAL ADVISORY COMMITTEE (TAC) An ad hoc committee of County Departments, chaired by the Director of Planning or Designee, shall be established for the purpose of reviewing, coordinating, and certifying satisfactory completion of plans, permits and agreements required and/or authorized by this grant, including all its conditions and MMRS before commencing work or operating the landfill as a City/County Project and during its operation.

- a. Composition. The committee shall be composed of representative(s) of the following County Departments, and other County Departments on an as-needed basis:
 1. Department of Health Services/Local Enforcement Agency
 2. Department of Regional Planning
 3. Department of Public Works
 4. The Forester and Fire Warden
- b. Meeting/Purposes. The TAC shall meet at least twice a year. It shall ensure that the purposes of the subject of this grant/approval are satisfied and ensure compliance with the approvals and regulations of State and Federal agencies involved in regulating and permitting of the landfill.

Upon the permittee's application for compliance to the conditions of grant/approval, the TAC shall meet to determine if all requirements precedent to commencement of development of the City/County Project (excepting final approval of plans, permits and agreements) have been met. If the TAC so determines, it shall certify completion.

Each year, the TAC shall meet to review the annual report submitted by the permittee as required by Part X – Monitoring Reports and certify that all

requirements of the conditions of grant/approval are being met. The TAC shall review specific requests from the Community Advisory Committee regarding compliance with the requirements of this grant.

- c. Access to Site and Information. The permittee shall provide to the TAC and its independent consultant(s), access to all areas of the site during normal hours of operation and shall respond to all information requests from the TAC in a timely manner as specified by the TAC regarding compliance with Conditions of this grant and the MMRS.
- d. The permittee may appeal an adverse determination of the TAC to the Director of Regional Planning whose decision will be final.