

REGIONAL PLANNING COMMISSION Transmittal Checklist

Hearing Date April 28, 2010
Agenda Item Number 8

Project Number: 01-223-(2)
Case(s): Conditional Use Permit No. CP01-223
 Environmental Assessment No. IS01-223
Contact Person: Mi Kim mkim@planning.lacounty.gov x46443

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPH Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input checked="" type="checkbox"/>	<input type="checkbox"/>	IOA and CUP 91-260 expired conditions of approval

Reviewed By: *Mark C...*



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443

PROJECT NO. 01-223-(2)
CASE NO. CP01-223
 IS 01-223

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM	
PUBLIC HEARING DATE April 28, 2010	

APPLICANT WRR Inc	OWNER WRR (Waste Resources Inc)	REPRESENTATIVE Mr. David Oeffling
-----------------------------	---	---

REQUEST
 Conditional use permit to authorize the continued operation of a materials recovery facility and transfer station (MFR) with improvements in the M-2 (Heavy Manufacturing) Zone.

LOCATION/ADDRESS
 357 W Compton Blvd

ACCESS Compton Blvd	ZONED DISTRICT Victoria
-------------------------------	-----------------------------------

ASSESSORS PARCEL NUMBER 6129-002-029	COMMUNITY West Rancho Dominguez-Vitoria
--	---

SIZE 2.38 acres	COMMUNITY STANDARDS DISTRICT West Rancho Dominguez - Victoria CSD
---------------------------	---

	EXISTING LAND USE	EXISTING ZONING
Project Site	Materials recovery facility and transfer station	M-2
North	Warehouses and light industrial	M-2
East	Warehouses and light industrial	M-2
South	Warehouses and light industrial	M-2
West	Warehouses and light industrial	M-2

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide	I - Major Industrial	N/A	See Staff Analysis

ENVIRONMENTAL DETERMINATION
 Mitigated Negative Declaration

PROJECT DESCRIPTION
 The proposed project requests the continuation of the existing materials recovery facility and transfer station (MRF) with improvement. The facility receives 500 tons per day. No changes in the permitted daily tonnage is requested. Proposed improvements include moving the existing scale to the east side of the project site; demolition of the existing canopy, MRF building, and offices; construction of a larger canopy and tipping floor, new smaller MRF building and offices, construction of underground passage to improve truck circulation; and construction of a new perimeter fence.

- KEY ISSUES**
- Satisfaction of Section 22.56.040 et seq. of Title 22 of the Los Angeles County Code, conditional use permit burden of proof requirements.
 - Satisfaction of Section 22.44.130 et seq. of Title 22 of the Los Angeles County Code, West Rancho Dominguez - Victoria CSD requirements.
 - Satisfaction of Section 22.32.160 et seq. of Title 22 of the Los Angeles County Code, Development Standards, M-2 Zone (Heavy Manufacturing).
 - Consistency with the Countywide General Plan.

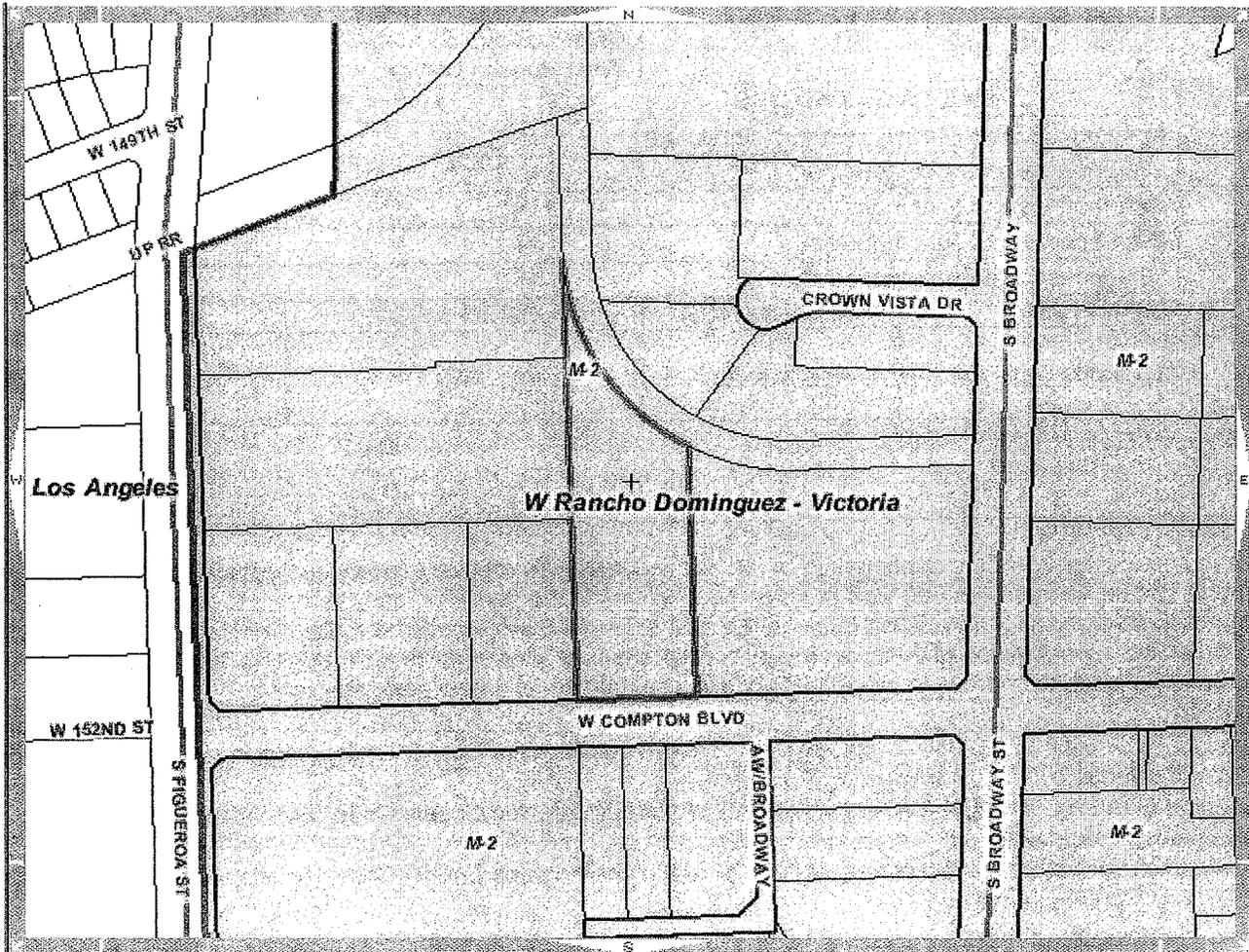
TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS*	PETITIONS	LETTERS
(O) (F)	(O) (F)	(O) (F)

*(O) = Opponents (F) = In Favor

PROPERTY LOCATION MAP

Site Address:
357 West Compton Boulevard
Gardena, CA 90248



**STAFF ANALYSIS
PROJECT NUMBER 01-223-(2)
CONDITIONAL USE PERMIT NO. 01-223**

ENTITLEMENT REQUEST

Conditional use permit (CUP) for a “waste disposal facility” in an M-2 (Heavy Manufacturing) Zone as required by County Code Section 22.32.190 A.4.

PROJECT DESCRIPTION

Waste Resource Recovery Inc. (WRR) is seeking a new conditional use permit (CUP) for the continuation and upgrade of an existing material recovery facility (MRF) and transfer station on 2.38 acres at 357 West Compton Blvd within the unincorporated community of West Rancho Dominguez – Victoria.

A conditional use permit (CP 91-260) for the existing MRF and transfer station was first approved in 1991 for the daily intake of 500 tons of nonhazardous solid waste for sorting and hauling. The permit expired in 2001 and the owner/operator filed a new CUP to continue the use.

The upgrade of the existing facility consists of the demolition of the existing open canopy housing the MRF and transfer station and construction of a new, enclosed canopy for the MRF and transfer station. The upgrade also includes the extension of the existing pit tunnel for improved truck circulation, construction of a new office building and perimeter fencing, relocation of the scale house, and improved landscaping. No increase in the daily intake of solid waste is requested; however, the applicant requests the extension of operating hours on Saturdays from 6 a.m. to 12 p.m. to 6 a.m. to 2 p.m.

A Mitigated Negative Declaration has been prepared for this project in accordance with the California Environmental Quality Act (CEQA) reporting requirements. The Initial Study showed that potential impacts for noise, water quality, air quality, cultural resources, Fire/Sheriff services, and environmental safety will be mitigated to a level of no significance with the Mitigation Monitoring Program (MMP).

DESCRIPTION OF SUBJECT PROPERTY

Location: The subject property is located on 357 West Compton Blvd between Figueroa Street to the west and Broadway Street to the east within the unincorporated community of West Rancho Dominguez – Victoria, Victoria Zoned District, Second Supervisorial District.

Physical Features (topography, vegetation): The subject property is 2.38 acres and flat. Very little vegetation can be found on the property except for landscaping near the street frontage.

Access: From West Compton Blvd.

EXISTING ZONING

Subject Property: M-2 (Heavy Manufacturing) Zone.

Surrounding Properties:

North: M-2

East: M-2

South: M-2

West: M-2

EXISTING LAND USES

Subject Property: MRF and transfer station

Surrounding Properties:

North: Southern Pacific Railroad (SPRR), warehouses, light industry

East: Warehouses, light industry

South: Warehouses, light industry, auto sales, nursery, kennel, auto repair, Mobile Home Park

West: Warehouses, light industry, church

PREVIOUS CASES/ZONING HISTORY

Ordinance No. 6756 established the M-2 zoning on the property on September 6, 1955. This ordinance also established the Victoria Zoned District as well as the zoning and land uses within the district.

The subject property was developed with a manufacturing plant prior to its current use. On September 11, 1991, Conditional Use Permit No. 91-260 permitted the conversion of the manufacturing plant to a MRF and transfer station. The CUP allowed the facility to receive a maximum of 500 tons per day of nonhazardous waste for sorting. The permit expired on October 1, 2001 and a new CUP application was filed on October 10, 2001. When the CUP expired, the Solid Waste Facility Permit, issued by the Los Angeles County Department of Public Health, Environmental Health, Solid Waste Management Program (SWMP), Local Enforcement Agency (LEA), also expired. The

facility was allowed to operate under the Interim Operating Agreement (IOA). The IOA was agreed to by the LEA, Department of Regional Planning (DRP) and California Integrated Waste Management Board in 2004 pending approval of the new CUP. During the case processing period, ownership of the property was transferred from Si-Nor (Coastal Material Recycling Facility and Transfer Station) to WRR Inc, the current applicant.

EXISTING SITE CONDITIONS

The property is currently developed with a one-story 17,200-square-foot brick MRF building, which is currently not in operation. An open canopy (145 feet x 63 feet) covers the tipping floor and trailer pit. The site is also developed with a scale and scale house, office, and parking.

PROPOSED SITE PLAN

The existing MRF building will be demolished and replaced with a new 9,375-square-foot enclosed MRF building 40 feet in height. The new MRF would contain a sorting line, baler, and bale storage. The existing open canopy over the transfer station and tipping floor will be removed and replaced by a 14,210-square-foot canopy 42 feet in height. The canopy over the tipping floor will be enclosed on three sides, and a misting system will be installed for improved dust and odor control.

To improve truck circulation, a new tunnel will be constructed under the MRF building. The tunnel will connect to the existing tipping floor trailer pit. The trucks will be loaded and unloaded within the enclosed tipping floor canopy. To construct the tunnel, 4,500 cubic yard of soil will be excavated and balanced on site.

The existing scale and scale house (176 square feet) will be relocated to the eastern portion of the project site. Also, a new, two-story office building (1,600 square feet) will be constructed on the south side of the proposed transfer station and tipping floor.

Other site improvements include the construction of a new fence on the northern property boundary, a total of 2,979 square feet of landscaping along street frontage and in the northeast corner of the site, and thirty-eight parking spaces, including one handicap parking space and seven transfer trailer parking spaces.

SITE OPERATION

The facility is currently permitted to operate from 6 a.m. to 5 p.m, Monday through Friday and 6 a.m. to 12 p.m., Saturday. The applicant is requesting the extension of operating hours on Saturdays from 6 a.m. to 2 p.m.

The MRF and transport station accepts, separates, and transports commercial waste generated within 20-mile radius of the project site. Waste is rolled off of collection trucks onto the tipping floor. Wood, clean paper, metals, concrete and other recyclables would be loaded onto conveyor belts from the tipping floor. Inside the MRF, paper, cardboard and various plastics are sorted and at the end compacted, baled, and temporarily stored for transport to recycling facilities. Residual materials are directed to the hauling trailers to be transported to landfills.

The MRF portion of the facility has not been operational since 2004 under the IOA. Once the new CUP is approved, the facility can receive up to 200 tons per day of source separated waste, i.e. newspaper, plastic, cardboard...etc.

The estimated composition of commercial waste received and processed at the facility consists of 39.9 percent paper, 31.3 percent organic material, 9.8 percent plastic, 6.4 percent construction and demolition debris, 6.0 percent glass, and others.

The facility employees thirty-one people. Currently the facility is only open to WRR Inc. and private contract customers, but the new CUP would allow self haulers (public) to utilize the facility.

COUNTYWIDE GENERAL PLAN CONSISTENCY

Land Use Policy Map Designation

The subject property is designated as "I" or "Major Industrial" under the countywide General Plan. Properties with this designation are appropriate for major industrial uses including manufacturing, mineral extraction, refineries, warehouses, and product research and development. The intent of this category is to assure a wide range of industry and industry-related activities that will provide jobs (1980 General Plan 24).

The continuation of the MRF and transfer station at the subject property is consistent with the "Major Industrial" land use policy map designation as it is an industrial activity that provides 31 jobs.

Industrial and Solid Waste Disposal Policies

The proposed project is also consistent with the General Plan's solid waste management objectives and policy statements as follows:

Objectives:

To develop improved systems of resource use, recovery, and reuse.

To provide efficient water and waste management services. (General Plan VI-20)

The proposed project will sort and separate solid waste, recovering recyclable materials to be sent off-site to third party vendors for reuse.

Policy Statements:

Improve Service Efficiency Policies

Service efficiency has suffered because of a lack of effective coordination among these agencies [...and...] lack of uniform criteria and performance standards for evaluating the services and facilities provided. (General Plan VI-21)

Project review and environmental review for this case have been coordinated with LEA, Public Works, Fire, and the state (CalRecycle).

Reduce Service Deficiencies

Major deficiencies include [...] the shortage of solid waste landfill capacity. Technological advancements may reduce reliance on landfills. (General Plan VI-22)

MRF operations will reduce reliance on landfills by sorting and recovering materials for reuse instead of being sent to landfills.

Reduce Detrimental Impacts on Natural and Man Made Environments

Adverse effects on the natural, social, and man-made environment arising from water and waste management development must be anticipated and mitigated where they cannot be avoided. (General Plan VI-23)

The proposed upgrade of the facility reduces the impacts of the MRF and transfer station operations by enclosing these facilities within new structures. Proposed upgrades also include a mister for dust and odor control, improved circulation of trucks through an underground tunnel and trailer pits, and streamlined loading, unloading and transfer of waste. These measures ensure the compatibility of the use with surrounding uses and mitigates potential impacts of the facility.

Promote Conservation, Recycling, and Reuse

Policy 23: Facilitate the recycling of wastes such as metal, glass, paper, and textiles (General Plan VI-24)

The permitting of the proposed project would promote recycling. Currently, the MRF where recyclables are sorted is not in operation under the IOA. The proposed project would allow the MRF to operate and sort recyclables out of the loads and transfer residual waste to landfills. MRF has the capacity to process 200 tons per day of recyclables, potentially keeping this load out of landfills.

COMPLIANCE WITH APPLICABLE ZONING STANDARDS

M-2 Zone Development Standards

Parking

Per Section 22.52.1140 of the County Code, one parking space is required for each two persons employed or intended to be employed on the shift having the largest number of employees, or each 500 square feet of floor area of the building used for such use, whichever is the larger. If the use is considered a warehouse as defined in Section 22.08.230(80 percent used for warehousing), one parking space is required to be provided for each 1,000 square feet of floor area used for warehousing.

The MRF and transfer station, which has a combined floor area of 23,585 square feet, can be considered a warehouse as most of the building is used for the temporary storage of waste that has been sorted or will be hauled to landfills. The required parking ratio for this portion of the project is one parking space for each 1,000 square feet of floor area, thus, the required parking for the MRF and transfer station is 24 spaces.

The other structures on the property, office building, equipment repair building, scale house, can be considered an industrial use requiring one feet of parking space per each 500 square feet of floor area. The required parking for these buildings (3,127 square feet) is six spaces.

The combined required parking for the subject property is 30 spaces. The applicant is providing 38 parking spaces including one handicap parking space. Additionally, in compliance with Section 22.52.1080 A, two Type-C loading spaces for industrial uses with 18,001 to 36,000 square feet of gross floor area are provided. The site plan shows two trailer pits or loading spaces.

Signs

The site plan does not depict any proposed signs. A condition of approval will require that all future signs must comply with the development standards in Part 10 of Chapter 22.52 of the County Code.

West Rancho Dominguez – Victoria Community Standards District (CSD)

The subject property is located within the boundaries of the West Rancho Dominguez – Victoria CSD. The following CSD development standards apply.

Graffiti Removal

Section 22.44.130 C.1 of the CSD requires graffiti removal within 72 hours. Removal of graffiti within 24 hours of occurrence is a condition of approval.

Proximity to residential uses

Section 22.44.130 D.8.b prohibits the location of junk salvage, scrap metal processing , and automobile dismantling yards from locating within 500 feet of residential use. The nearest residential use is located 800 feet from the subject property.

Walls and Fences

Section 22.44.130 D.8.c requires a wall or fence along street frontage that is at least eight feet in height and setback at least three feet. The setback area is required to be landscaped with shrubs and one 15-gallon tree for every 50 square feet. The site plan shows compliance with these requirements.

Minimum Lot Size and Width

Section 22.44.130 D.8.d requires a minimum lot size of 20,000 square feet and minimum lot width of 100 feet. The subject property has lot size of 103,530 square feet, and a lot width of 200 feet.

Landscaping

Section 22.44.130 D.5.a requires buildings and structures to be set back a minimum or ten feet from the front property line. This area, excluding access, parking, and circulation areas is required to be landscaped. The site plan shows a ten-foot setback landscaping on West Compton Blvd.

Green Building Program

The proposed project is subject to the Green Building Program Ordinances as follows:

Drought Tolerant Landscaping

- Minimum 75 percent of all landscaping must be drought-tolerant.
- Grass or turf must not exceed 25 percent of all landscaping, 5,000 square feet must be water efficient, and at least five feet in width.
- Plants with similar water needs are to be grouped together.

A notarized copy of a covenant agreeing to landscaping and maintaining the property in accordance with the Drought Tolerant Ordinance is a condition of approval

Green Building

- Plant one 15-gallon tree per 10,000 square feet of developed area. At least 65 percent of the trees must be from the Drought Tolerant Plant List.
- Project must comply with Green Building requirements unless waived or modified by Los Angeles County Department of Public Works.
- Third party LEED Certification or equivalent is required.

Low Impact Development (LID)

This project is exempt from LID requirements as it was filed and deemed complete before the January 1, 2009 ordinance effective date.

BURDEN OF PROOF/FINDINGS

Conditional Use Permit Burden of Proof

The applicant is required to substantiate to the satisfaction of the Regional Planning Commission the facts as provided in Section 22.56.040 of the Los Angeles County Code. The applicant's response to the Burden of Proof is attached. It is Staff's opinion that the applicant has met the Burden of Proof.

Applicant's Burden of Proof responses are attached.

ENVIRONMENTAL DOCUMENTATION

In accordance with the State and County CEQA guidelines, a Mitigated Negative Declaration was prepared for the project. The Mitigated Negative Declaration concludes that with mitigation measures, the project will not have a significant effect on the environment.

This determination is based on an initial Study that was prepared for this project. The Initial Study was circulated to Los Angeles County agencies, including Department of Public Works, Fire Department, Public Health Department, and Sanitation District. The Initial Study was also circulated to other agencies, including CalRecycle (Integrated Waste Management Board), Caltrans, Regional Water Quality Control Board, and Southern California Air Quality Management District.

Additionally, the completed Initial Study was submitted to the State Clearinghouse.

COUNTY AGENCY COMMENTS AND RECOMMENDATIONS

Department of Public Works

In a letter dated January 27, 2010, the Land Development Division of the Department of Public Works provided draft conditions of approval regarding road improvements and drainage. (Letter Attached)

Fire Department

In a letter dated February 25, 2010, the Fire Department recommended conditions of approval regarding fire flow and access. (Letter Attached)

Department of Public Health

In a letter dated December 3, 2009, the Solid Waste Management Program/Local Enforcement Agency Division of the Department of Public Health provided a letter

stating that Solid Waste Management Permit will be required following the approval of the CUP. (Letter Attached)

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

The California Department of Resources Recycling and Recovery (CalRecycle)

In a letter dated January 25, 2010, CalRecycle noted that the agency reviewed the Mitigated Negative Declaration and did not have any comments.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Hearing notices were mailed to the applicant and 29 neighbors within a 500-foot radius of the project site and 13 other interested parties on March 23, 2010. Required case materials were mailed to the AC Bilbrew Library on March 24, 2010. Newspaper advertisements were published in LA Opinion and the Daily Breeze on March 24, 2010. Hearing notices were posted at the site on March 24, 2010, at least 30 days before the hearing date.

PUBLIC COMMENTS

No comments have been received to date.

STAFF EVALUATION

The applicant is requesting a conditional use permit for the continued operation and upgrade of an existing transfer station and MRF with no increase in daily waste tonnage, but with an extension of operating hours on Saturdays from 6 a.m. to 12 p.m. to 6 a.m. to 2 p.m. The facility was established in 1991 and has been operating for the last 19 years.

The proposal to continue and upgrade the existing use is consistent with the countywide General Plan policies regarding waste management in the county. With the approval of the requested CUP, the applicant will be able to operate the MRF, which is currently not in service because of the IOA. An operational MRF will separate recyclables from residual waste. The recyclables will be sent off-site to third party vendors and residual waste will be hauled to landfills. At full capacity, the MRF can process up to 200 tons of high quality recyclables per day, leaving that much less to be hauled to landfills.

The proposed upgrade of the facility complies with the West Rancho Dominguez – Victoria CSD and M-2 Zone development standards. The site plan shows the requisite

amount of parking and landscaping. The site plan also shows that the new facility will be enclosed for better dust and odor control. The construction of a tunnel under the facility improves truck circulation on-site and ensures that the unloading and transfer activities take place in an enclosed space.

With the proposed upgrades, recommend project conditions, and Mitigation Monitoring Program, the continuation of the proposed use is compatible with the surrounding land uses consisting of warehouses and light industry.

FEES/DEPOSITS

If approved as recommended by staff, the following fees, and other fees as may be required by the Environmental Programs Division of Public Works, will apply unless modified by the Planning Commission:

California Department of Fish and Game:

Fees totaling \$2085.25 to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game, and for filing and posting the Mitigated Negative Declaration Notice of Determination with the Los Angeles County Clerk.

Department of Regional Planning, Zoning Enforcement:

Cost recovery deposit of \$5,000 to cover the cost of 12 recommended zoning enforcement inspections, and cost associated with reviewing reports. Additional funds would be required if violations are found on the subject property.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

If the Commission finds the request satisfies the conditional use permit burden of proof requirements, then staff recommends **APPROVAL** of Conditional Use Permit No. CP01-223-(2) subject to the attached conditions.

SUGGESTED APPROVAL MOTION

I MOVE THAT THE REGIONAL PLANNING COMMISSION ADOPT THE NEGATIVE DECLARATION ASSOCIATED WITH CONDITIONAL USE PERMIT CASE NO. CP01-223-(2)

"I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION APPROVES CONDITIONAL USE PERMIT NO. CP01-223-(2) WITH FINDINGS AND CONDITIONS."

Prepared by Mi Kim, Principal Regional Planning Assistant
Reviewed by Mark Child, AICP, Supervising Regional Planner

Attachments:

Factual

Property Location Map

Draft Findings

Draft Conditions of Approval and Other Department Conditions and Comments

Conditional Use Permit Burden of Proof

Environmental documents

Site Plan, Floor Plan and Elevations

Land Use Map

GIS Map

Site Photos

MC:MKK 4/13/10

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NO. 01-223-(2)
CONDITIONAL USE PERMIT NO. CP01-223
ENVIRONMENTAL ASSESSMENT NO. IS01-223**

REQUEST:

Waste Resource Recovery (WRR) Inc requests a conditional use permit for the continuation and upgrade of an existing material recovery facility (MRF) and transfer station in the M-2 (Heavy Manufacturing) Zone. No increase in the current load of 500 tons per day daily intake is requested, but the extension of the operating hours on Saturdays from 6 a.m. to 12 p.m. to 6 a.m. to 2 p.m. is requested. The facility currently processes waste from residential, commercial, and construction sources and the facility will be open to commercial as well as self haulers.

REGIONAL PLANNING COMMISSION HEARING DATE:

PROCEEDINGS BEFORE THE COMMISSION:

Findings

1. The applicant is requesting a Conditional Use Permit to authorize the continuation and upgrade of an existing material recovery facility (MRF) and transfer station, including the demolition of the existing structures and construction of a new MRF and transfer station buildings, office building, equipment building, scale and scale house, and tunnel.
2. The property is zoned M-2 (Heavy Manufacturing). The proposed project is comparable to a "waste disposal facility," which is allowed with a conditional use permit in the said zone per Section 22.32.190 A.4 of the Los Angeles County Code.
3. The property is 2.38-acres and located at 357 West Compton Blvd within the Victoria Zoned District of the Second Supervisorial District and subject to the West Rancho Dominguez – Victoria Community Standards District (CSD). The property is accessed directly from West Compton Blvd, located to the south.

4. The applicant requested an extension of Saturday operating hours from 6 a.m. to 12 p.m. to 6 a.m. to 2p.m.
5. Surrounding properties are zoned as follows:

North: M-2
East: M-2
South: M-2
West: M-2
6. Surrounding land uses within 500 feet radius include:

North: Southern Pacific Railroad (SPRR), warehouses, light industry
East: Warehouses, light industry
South: Warehouses, light industry, auto sales, nursery, kennel, auto repair, mobile home park
West: Warehouses, light industry, church
7. Conditional Use Permit No. 91-260 approved a transfer station and MRF on September 11, 1991. The permit expired in 2001 and the applicant filed for a new CUP in 2001. To allow the facility to operate while the CUP was being processed, an Interim Operating Agreement was agreed upon by the Department of Regional Planning (DRP), Solid Waste Management Program/ Lead Enforcement Agency (LEA), and California Integrated Waste Management Board in 2004.
8. The subject property is designated as "I" or "Major Industrial" under the countywide General Plan. Properties with this designation are appropriate for major industrial uses including manufacturing, mineral extraction, refineries, warehouses, and product research and development. The intent of this category is to assure a wide range of industry and industry-related activities that will provide jobs. Thirty-one employees work at the project site.
9. The project is consistent with Industrial and Solid Waste Disposal objectives and policies of the Countywide General Plan as follows:
 - To develop improved systems of resource use, recovery, and reuse. To provide efficient water and waste management services. (General Plan VI-20)
 - Improve Service Efficiency Policies: Service efficiency has suffered because of a lack of effective coordination among these agencies [...and...] lack of uniform criteria and performance standards for evaluating the services and facilities provided. (General Plan VI-21)

- Reduce Service Deficiencies: Major deficiencies include [...] the shortage of solid waste landfill capacity. Technological advancements may reduce reliance on landfills. (General Plan VI-22)
 - Reduce Detrimental Impacts on Natural and Man Made Environments: Adverse effects on the natural, social and man-made environment arising from water and waste management development must be anticipated and mitigated where they cannot be avoided. (General Plan VI-23)
 - Promote Conservation, Recycling, and Reuse: Policy 23: Facilitate the recycling of wastes such as metal, glass, paper, and textiles (General Plan VI-24)
10. The project reduces the impacts of the facility by enclosing its operations. The existing open canopy will be replaced by an enclosed canopy. Upgrades also include a mister for dust and odor control, circulation of trucks through an underground tunnel and trailer pits for loading, unloading and transfer of waste.
 11. The project promotes recycling by allowing the MRF to operate. Waste would be sorted for recycling at the MRF, which has not been in operation since 2004. The new CUP allows the MRF to operate and sort recyclables out of the loads to be baled and sold to off-site third party vendors. Residual waste would be hauled to landfills. At full capacity, the MRF has the capacity to process 200 tons per day of recyclables, keeping this load out of the landfills.
 12. The existing MRF building will be demolished and replaced with a new 9,375-square-foot enclosed MRF building 40 feet high. The existing open canopy over the tipping floor will be removed and replaced by a 14,210-square-foot canopy 42 feet high. This canopy will be enclosed on three sides, and a misting system will be installed for dust and odor control.
 13. A new tunnel under the MRF building will improve truck circulation. The tunnel will connect to the existing tipping floor trailer pit. The trucks will be loaded and unloaded underground within the enclosed canopy. To construct the tunnel, 4,500 cubic yard of soil will be excavated and balanced on site.
 14. The existing scale and scale house (176 square feet) will be moved to the eastern portion of the project site. A new, two-story office building (1,600 square feet) will be constructed on the south side of the proposed transfer station/tipping floor.
 15. Site improvements include the construction of a new fence on the northern property boundary, total of 2,979 square feet of landscaping along street frontage and in the northeast corner of the site, and thirty-eight parking spaces, including one handicap parking space.

16. The property is enclosed on all sides by fences and solid walls. A nine foot high fence is shown on the south side of the property at West Compton Blvd street frontage. Landscaping is also provided at this street frontage and in the northeast corner of the property.
17. The approved site plan (Exhibit "A") complies with the M-2 Zone development standards and West Rancho Dominguez-Victoria CSD standards regarding parking, graffiti removal, landscaping, and distance from residential uses.
18. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. Based on the Initial Study, the Department of Regional Planning prepared a Mitigated Negative Declaration for this project. Project mitigation measures will reduce potential impacts to a level of no significance. The applicant is required to comply with all provisions in the Mitigation Monitoring Program.
19. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area;
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, 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;
- C. That the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Regional Planning Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and mitigation monitoring program for the project.
2. In view of the findings of fact presented above, Conditional Use Permit No. CP01-223 is **APPROVED** subject to the attached conditions.

c: Each Commissioner, Zoning Enforcement, Building and Safety

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MC:MKK
4/15/10

DEFINITIONS

1. Definitions: Unless otherwise apparent from the context, the following definitions shall apply to these conditions:
 - a. "Ancillary Facilities" shall mean the facilities authorized by this grant that are directly related to the operation and maintenance of the Facility, and shall not include the facilities related to any other enterprise operated by the Permittee or any other person or entity.
 - b. "Approval Date" shall mean the date of the Regional Planning Commission's approval of this grant.
 - c. "Board" shall mean the Los Angeles County Board of Supervisors.
 - d. "CalRecycle" Shall mean the California Department of Resources Recycling and Recovery.
 - e. "CARB" shall mean the California Air Resources Board.
 - f. "Commission" Shall mean the Los Angeles County Regional Planning Commission.
 - g. "County" shall mean the County of Los Angeles.
 - h. "County Code" shall mean the Los Angeles County Code.
 - i. County Local Enforcement Agency ("County LEA") shall mean the entity or entities (currently the Los Angeles County Department of Public Health) designated by the Board pursuant to the provisions of Division 30 of the California Public Resources Code to permit and inspect solid waste facilities and to enforce State regulations and permits governing these facilities; provided, however, that should the State assign the function of the LEA to an entity other than a Board-designated entity, the duties and responsibilities of the County LEA assigned to this grant which are above and beyond the LEA's function as assigned by the State shall be performed by the Department of Public Health – Solid Waste Management Program.
 - j. "Department" shall mean the Los Angeles County Department of Regional Planning.
 - k. "Department of Public Health" shall mean the Los Angeles County Department of Public Health.
 - l. "Department of Public Works" shall mean the Los Angeles County Department of Public Works.

- m. "Effective Date" shall mean the date of the Permittee's acceptance of this grant pursuant to Condition No. 3.
- n. "Facility" shall mean the entirety of the subject property and all activities authorized on the subject property by this grant. The subject property address is 357 West Compton Boulevard, Gardena, CA 90248.
- o. "Garbage" shall mean "Solid Waste" as defined in this grant.
- p. "Impermeable Cover" shall mean "Impermeable Material" as defined in this grant.
- q. "Impermeable Material" shall mean material which can not be pervaded by water and gas.
- r. "Materials Recovery Facility" shall mean a facility that separates Solid Waste into recyclable materials and residual waste.
- s. "Permittee" shall mean the applicant and any other person, corporation, or other entity making use of this grant.
- t. "Processing" shall mean the controlled separation, recovery, volume reduction, or recycling of Solid Waste including, but not limited to, organized, manual, automated, or mechanical sorting, and the use of vehicles for spreading of waste for the purpose of recovery.
- u. "Project" shall mean the activities of the currently operational MRF/TS solid waste facility and its expansion within the area depicted on Exhibit "A" and other activities as approved by this grant. The Project includes the MRF/TS solid waste facility and Ancillary Facilities and activities as described in Condition 2, including but not limited to, waste diversion facilities, offices, and other employee facilities.
- v. "Putrescible Solid Waste" shall mean waste that is capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances due to odors, vectors, gases or other offensive conditions, and include materials such as, but not limited to food wastes.
- w. "Recovered Material" shall mean material which has been retrieved or diverted from disposal for the purpose of recycling, reuse, or composting. "Recovered Material" does not include those materials generated from and reused on-site for manufacturing purposes.
- x. "Recycle" or "Recycling" shall mean the process of collecting, sorting, cleansing, treating, or reconstituting materials that would otherwise become Solid Waste, and

returning them to the economic mainstream either directly or in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. Recycling does not include transformation as defined in Section 40201 of the Public Resources Code.

- y. "Refuse" - see "Solid Waste" as defined herein.
- z. "Residual Waste" shall mean the waste remaining after removal of recyclable material from the Solid Waste stream.
- aa. "RWQCB" shall mean the Regional Water Quality Control Board, Los Angeles Region.
- bb. "SCAQMD" shall mean the South Coast Air Quality Management District.
- cc. "Site Plan" shall mean the plan depicting all or a portion of the subject property, including any Ancillary Facilities approved by the Director of the Department. "Site Plan" shall include what is referred to in this grant as Exhibit "A".
- dd. "Solid Waste" shall mean all putrescible and non-putrescible solid and semi-solid wastes, such as refuse, garbage, rubbish, paper, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes. "Solid Waste" excludes materials or substances having commercial value which have been salvaged for reuse, recycling, or resale. Solid Waste includes Residual Waste received from any source.
- ee. "Source Separated Solid Waste" shall mean Solid Waste materials separated at the point of generation and delivered to the MRF/TS solid waste facility for Processing and for uses other than land disposal or incineration.
- ff. "TAC" shall mean the Los Angeles County Technical Advisory Committee established pursuant to Part IV of the Implementation and Monitoring Program.
- gg. "Transfer Station" shall mean a facility that receives Solid Waste for the purpose of (1) storing, handling or Processing the waste prior to transferring the waste to another solid waste facility or recycling facility; and/or (2) transferring Solid Waste directly from one container to another or from one vehicle to another for transport to another solid waste facility.

Unless otherwise expressly provided in this grant, applicable federal, state, or local definitions shall apply to the terms used in this grant. Also, whenever a definition or other provision of this grant refers to a particular statute, code, regulation, ordinance, or other regulatory enactment, that definition or other provision shall include, for the life of

this grant, any amendments made to the pertinent statute, code, regulation, ordinance, or other regulatory enactment.

GENERAL

2. This grant shall supersede Conditional Use Permit (“CUP”) 91-026-(2) which was approved by the Commission on September 11, 1991 and the Interim Operating Agreement dated November 22, 2004, entered into between the owner (Si-Nor/Coastal Recycling Facility) of this facility and the Department. This grant shall authorize the continued operation of a Material Recovery Facility/Transfer Station (MRF/TS) solid waste facility on the subject property. This grant shall also authorize the following Ancillary Facilities and activities at the Facility, as shown on the most currently approved site plan(s) (Exhibit “A”), subject to the conditions of this grant:
 - a. Office and employee facilities directly related to the MRF/TS solid waste facility;
 - b. Waste handling and Processing operations;
 - c. Facilities necessary for the maintenance and repair of machinery and equipment used at the Facility, including refuse collection equipment and vehicles, and equipment or machinery used by the Permittee;
 - d. Facilities necessary for environmental protection and control systems, including storage tanks; and,
 - e. Storage bins utilized for Recovered Material.
3. Within sixty (60) days of the Effective Date, the Permittee shall submit to the Director of the Department for review and approval four (4) copies of a Exhibit “A”, similar to that presented at the public hearing, that depict all required changes, including, but not limited to, the following:
 - a. All proposed and existing landscaping;
 - b. The location of the MRF/TS solid waste facility, Ancillary Facilities/uses, and storage areas;
 - c. Site access, interior circulation, parking, appropriate traffic controls, designated and marked waste loading and unloading area(s), adjacent intersections; and,
 - d. All fences and gates on-site;

Prior to submittal to the Director of the Department, the Permittee shall submit the revised plans to the Director of the Department of Public Works for its review and approval.

The property shall be maintained in conformance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the Permittee shall submit four (4) copies of the proposed plans to the Director of the Department for review and approval with copies of the submittal filed with the Director of the Department of Public Works and the County LEA. All revised plans must be accompanied by the written authorization of the property owner.

No changes in design and operation of the MRF/TS solid waste facility are permitted unless revised site plans are approved by the Director of the Department, in consultation with the Director of the Department of Public Works and the County LEA. No revision to the site plan shall be approved unless consistent with the conditions of this grant. A copy of all approved revised site plans shall be filed with the Director of the Department of Public Works and the County LEA upon approval by the Director of the Department.

4. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Department an affidavit stating that they are aware of, and agree to comply with, all of the conditions of this grant, and have paid all fees and provided all deposits required by the conditions of this grant, including Conditions Nos. 3, 35, 39, 40, 41, 50, 55, 68, 69, 70, and 71. Notwithstanding Condition No. 7 of this grant, the filing of such affidavit constitutes a waiver of the Permittee's right to challenge any provision of this grant.
5. The Permittee shall fully perform each action required of the Permittee under the Implementation and Monitoring Program (IMP) and the Mitigation Monitoring Report (MMR) attached to the supporting environmental documentation for this project, which actions are incorporated into these conditions by reference.
6. This grant shall expire unless it is used within one (1) year from the Approval Date. The Permittee may request a three-month time extension to use this grant if compliance with these conditions cannot otherwise be fulfilled, provided an application with the appropriate fee requesting such extension is filed with the Department at least one month before the use by expiration date.
7. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant to the satisfaction of the Director of the Department, and in full compliance with all statutes, ordinances, or other regulations applicable to any development or activity on the subject property. The Permittee shall also comply with all permits, approvals, or findings issued by other governmental agencies or departments, including, but not limited to, the permits, approvals, or findings issued by:

- a. The County LEA & CalRecycle;
 - b. The CARB;
 - c. The RWQCB;
 - d. The SCAQMD;
 - e. The County of Los Angeles Department of Public Health; and,
 - f. The County of Los Angeles Department of Public Works
8. Upon the Effective Date, the Permittee shall cease all development and other activities that are not in full compliance with Condition No. 7, and failure to do so shall be a violation of this grant. The Permittee shall keep all required permits in full force and effect and shall fully comply with all requirements thereof.
 9. Failure of the Permittee to provide any information requested by County staff for the purposes of determining compliance with any of the conditions of this grant or regarding any such required permit, shall constitute a violation of this grant and shall be subject to any and all penalties described in Condition No. 19.
 10. It is hereby declared to be the intent of this grant that if any provision of this grant is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
 11. To the extent permitted by law, the Department or County LEA shall have the authority to order the immediate cessation of MRF/TS solid waste facility operations or other activities at the Facility if the Department or County LEA determines that such cessation is necessary for the health, safety, and/or welfare of the County's residents. Such cessation shall continue until such time as the Department or County LEA determines that the conditions leading to the cessation have been eliminated or reduced to such a level that there no longer exists an unacceptable threat to the health, safety, and/or welfare of the County's residents.
 12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780 et seq. of the County Code, revoke or modify this grant, if the Commission or Hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance. In the event that the county deems it necessary to initiate such proceedings, the Permittee shall compensate the County for all costs incurred in such proceedings.

13. Nothing in these conditions shall be construed to require the Permittee to engage in any act that is in violation of any state or federal statute or regulation.
14. The Permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, annul or seek damages or compensation in connection with this permit approval and/or the conditions of this permit approval, which action is brought within the applicable time period of Section 65009 of the Government Code or other applicable limitation period. The County shall notify the Permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.
15. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten days of the filing pay the Department an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the Permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the Permittee according to Los Angeles County Code Section 2.170.010.

16. Prior to the use of this grant, the property owner or Permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or Permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
17. Upon approval of this grant, the Permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by said Department.

18. The Permittee shall give irrevocable permission to the County of Los Angeles or its authorized agents to enter the Facility during the Facility's business hours for the purpose of conducting an inspection. The inspector shall comply with the Facility safety protocol during the inspection. During the inspection, the Permittee shall fully cooperate with the inspector and shall not impede the inspector's work unless necessary to comply with the safety protocol. The inspector may be escorted by the Permittee's staff. The inspection report and any notice of violation issued to the Permittee shall be reported to the Director of the Department within 24 hours of the site inspection.
19. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor pursuant to Section 22.60.340 of the County Code. Notice is further given that the Commission or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780, et seq., of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to public health or safety, or so as to be a nuisance.

In addition to, or in lieu of, the provisions just described, the Permittee shall be subject to a penalty for violating any provision of this grant in an amount determined by the Director of the Department, not to exceed \$1,000 per day per violation. For this purpose, the Permittee shall deposit the sum of \$10,000 in an interest-bearing trust fund with the Department prior to the Effective Date to establish a draw-down account. The Permittee shall be sent a written notice of any such violation with the associated penalty, and if the noticed violation has not been remedied within 30 days from the date of the notice, to the satisfaction of the Director of the Department, the stated penalty, in the written notice shall be deducted from the draw-down account. If the stated violation is corrected within 30 days from the date of the notice, no amount shall be deducted from the draw-down account. Notwithstanding the previous sentence, if the stated violation is corrected within 30 days from the date of the notice but said violation recurs any time within a 6 month period, the stated penalty will be automatically deducted from the draw-down account upon such recurrence and the Permittee will be notified of such deduction. If the deposit is ever depleted by 50 percent of the initial deposit amount (\$5,000), the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit (\$10,000) within 10 business days of notification of the depletion. There shall be no limit to the number of supplemental deposits that may be required during the life of this grant.

If the Permittee is dissatisfied with any notice of violation as described in the preceding paragraph, the Permittee may appeal the notice of violation to a Hearing Officer pursuant to Section 22.60.390(C)(1) of the County Code within 15 days of receipt by the Permittee of the notice of violation. The Hearing Officer shall consider such appeal and shall take one of the following actions regarding the appeal:

- a. Affirm the notice of violation;

- b. Refer the matter back to the Director for further zoning enforcement review with or without instructions; or
- c. Set the matter for public hearing before the Hearing Officer pursuant to Section 22.60.170, et seq., of the County Code, where applicable.

The decision of the Hearing Officer on the appeal under (A) (where no public hearing is held) and (C) (after the public hearing is held) shall be final and shall not be subject to further administrative appeal. If the Hearing Officer refers the matter back to the Director under (B), once the Director reconsiders the matter and renders a new decision, the appellate process described in the preceding paragraph shall apply to the new decision.

TERMINATION REQUIREMENTS

- 20. This grant shall terminate on **April 28, 2020** from the Approval Date.
- 21. Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new conditional use permit application shall be filed with the Department at least one year prior to the termination of this permit, whether or not any modification of the use is requested at that time.

FACILITY CAPACITY

- 22. The amount of Solid Waste received at the Facility for material recovery, transfer, and/or processing purposes, on any given day, six working days per week, shall not exceed 500 tons. In determining the amount of Solid Waste received by the Facility, the quantity shall include all incoming Solid Waste and recyclable materials, but not be limited to, the following: Solid Waste materials received for Processing at the Facility, source separated Solid Waste delivered to the Facility, recyclable materials delivered to the Facility, and materials received in conjunction with any other solid waste handling enterprise at the Facility.

All Solid Waste materials received and/or processed at the Facility shall be weighed.

- 23. The Permittee shall conduct all waste Processing and separation activities within designated areas only as identified on the site plan (Exhibit A) approved pursuant to condition 3.
- 24. Within 90 days of the Effective Date, or a longer period if approved by the Director of the Department of Public Works, the Permittee shall adopt measures to ensure that the

method to determine the amount of tonnage processed at the Facility is accurate. These measures shall include, but not be limited to:

- a. Requiring all solid waste haulers to submit accurate waste origin data.
- b. Implementing a system to verify the accuracy of the data submitted.
- c. Implementing a system to verify that Solid Waste reported as having originated in the County unincorporated area actually has such origination.
- d. Adopting education and outreach programs for solid waste haulers and other customers of the Permittee regarding the need for accurate waste origin data.
- e. Imposing penalties on solid waste haulers and other customers of the Permittee for non-cooperation with these measures, or for repeatedly providing false information regarding waste origin data to the Permittee.

The waste origin verification and reporting program developed by the Permittee shall be approved by the Director of the Department of Public Works, and the Permittee shall submit the data from this program on a monthly basis to the Department of Public Works for review. Based on the initial results from this program, the Director of the Department of Public Works may require the Permittee to modify the program or to develop or implement additional monitoring or enforcement programs to ensure that the intent of this Condition No. 24 is satisfied. The Director of the Department of Public Works may also, at his or her discretion, terminate the program at any time.

OPERATING HOURS

25. The Facility shall be subject to the following operating hours:

- a. Facility operations, such as Waste Processing, may be conducted only between the hours of 6:00 a.m. and 5:00 p.m., Monday through Friday, and from 6:00 a.m. to 2:00 p.m. on Saturdays. Adequate lighting must be provided during dawn and sunset hours of operation.
- b. The Facility and all its operations shall be closed on Sundays.
- c. Truck and equipment maintenance activities at the Facility may be conducted only between the hours of 6:00 a.m. and 5:00 p.m., Monday through Saturday.
- d. Construction activities at the Facility may be conducted only between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday.

- e. Diesel vehicles and forklifts may be operated at the Facility between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday.
- f. Notwithstanding anything to the contrary in this Condition No. 25, emergency operations, mitigation measures necessary to avoid negative environmental impacts, and equipment repairs, which cannot be accomplished within the hours set forth in this Condition, may occur at any time if approved via written authorization by the County LEA. A copy of this authorization shall be provided to the Director of the Department.

PROHIBITED WASTE

- 26. The Permittee shall maintain adequate on-site staff, with appropriate training and experience during all hours of operation for the Facility. The staff's qualification and level of experience shall be subject to approval of the County LEA, which may, in its discretion, establish minimum training requirements for designated positions at the Facility. All on-site staff shall be familiar with the conditions of this grant.
- 27. At all times, the Permittee shall maintain properly calibrated radiation monitoring equipment at the Facility as required by Department of Public Health and provide evidence thereof to the Department. The Permittee shall at all times comply with the County's policies on radiation monitoring. For purposes of this section, properly calibrated hand held radiation monitoring devices are acceptable.
- 28. All tipping floor personnel at the Facility must be trained to identify Prohibited Waste in the proper handling procedures for its legal processing, removal and/or sequestration. A copy of the Facility's training certificates and a written "prohibited/hazardous waste handling procedures manual" must be available on-site at the Facility for the inspectors' review. "Prohibited Waste" shall mean all waste other than Solid Waste, including radioactive waste, liquid waste, medical waste, hazardous waste, and any waste that would be illegal or otherwise prohibited at the Facility.
- 29. The Permittee will use its best efforts to prevent the intake and processing of waste that may pose a risk to public health or safety or the environment. Permittee shall process waste in strict compliance with its Solid Waste Facility Permit. At minimum, the Permittee will assign an employee to inspect incoming waste consistent with its Solid Waste Facility Permit. All Prohibited Waste or materials containing otherwise unsafe or unpermitted waste will be rejected or segregated for disposal that meets all applicable laws or regulations.

STORAGE

30. The Permittee shall not store or hold odoriferous Solid Waste material at the Facility for a period exceeding 24 hours with the exception of food waste, green waste, putrescible and unusually odoriferous waste, which shall be shipped off site immediately, but in no event shall these materials remain on-site for a period longer than 24 hours of receipt. All Solid Waste materials, Recovered Material, and Residual Waste materials shall be stored within the facility yard. All Solid Waste materials, Recovered Material, and Residual Waste materials shall be stored in such a manner that it cannot be blown from the facility yard. All Solid Waste, Recovered Material, and Residual Waste shall be covered with an Impermeable Cover, if stored overnight. All storage bins shall be covered with an Impermeable Cover if materials are stored overnight or if not in use.
31. The Permittee shall not store Recovered Materials more than 21 days, unless a longer period is approved by the County LEA. Said materials shall be covered with an Impermeable Cover. The County LEA may shorten the maximum storage period of 21 days to protect public health and safety and to prevent public nuisances.
32. All containers, including roll-off bins, and/or all collection vehicles containing waste that are present overnight must be parked inside the enclosed building at the Facility. The building must be maintained clean and free of vermin pursuant to its Solid Waste Facility Permit. The Permittee shall also abide by all County of Los Angeles Fire Department regulations. No waste may be stored in containers or vehicles, including transfer trailers, for longer than 24 hours. Storage of containers and/or vehicles inside the enclosed building may take place only if such storage can be done safely without damage to the building, containers or the vehicles. In the event of special circumstances that storage of containers and/or vehicles will require more than 24 hours, Department of Public Health must be notified and approval received. Special circumstances arise from unscheduled delays or closures at landfills (or other facilities) and/or from special directives from other regulatory agencies, e.g., directive to isolate and park a truck due to radiation reading, etc.
33. Storage of empty dumpsters and similar containers outside of the enclosed building located at the Facility is permitted only if the empty dumpsters or containers have been screened as provided in Part 7 of Chapter 22.52 of the Los Angeles County Code. Dumpsters and storage bins shall not obstruct any parking spaces or drive ways depicted on the Site Plan.
34. The Permittee shall immediately repair cracks on the tipping floor in accordance with the approved Site Plan pursuant to Condition 3.

ODOR

35. Prior to the Effective Date, the Permittee must prepare and submit to the County LEA for review and approval an Alternative Odor Management Plan (AOMP) or a South Coast Air Quality Management District Rule 410 Odor Management Plan (Rule 410 OMP). Either odor plans shall include procedures to identify and handle odiferous incoming loads of Solid Waste. The County LEA shall consult with the SCAQMD prior to approving an AOMP.
- a. The Permittee shall annually review the Plan to determine if and when revisions are necessary.
 - b. The Department and County LEA shall use the Plan to determine if the Facility is following the procedures established by the Permittee. If the Department or County LEA determines that the Plan is not being followed, the Department or County LEA may require the operator to either comply with the Plan or to revise it, in consultation with SCAQMD.
 - c. The Department or County LEA shall have the authority to require the Permittee to implement additional corrective measures when such measures are deemed appropriate to protect public health and safety.
36. Within 90 days of the Effective Date, the Permittee shall implement an odor control system to prevent public nuisances, including, but not limited to, the installation of automatic misting systems to prevent odor migration offsite). The odor control system shall be reviewed and approved by the County LEA.

In the event such measures are determined inadequate by the County LEA, the County LEA may approve alternative odor mitigation measures proposed by the Permittee, if it determines that such measures will be equal to or more effective in controlling odor impacts.

NOISE

37. The Permittee shall take all necessary measures to ensure that noise emissions from the Facility, including construction equipment, at all residential receptors are within the limits of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the County Code.
38. The Permittee shall implement mitigation measures necessary to reduce impacts due to noise emissions to the satisfaction of the Department of Public Health, Environmental Hygiene Program and the County LEA. Unless said agencies state otherwise, within 90 days of the Effective Date, the Permittee shall select the most effective system in controlling noise emissions. The Department of Public Health and/or the County LEA

shall have the authority to require the Permittee to implement additional corrective measures when such measures are deemed appropriate to protect public health and safety.

VECTOR CONTROL

39. Prior to the Effective Date, the Permittee shall implement effective vector control measures at the Facility. All vector control measures shall be reviewed and approved by the Los Angeles County Department of Public Health, Vector Management Program and the County LEA prior to implementation. Additional vector control measures may be required by the Department of Public Health, Vector Management Program and the County LEA.

DUST

40. The Permittee shall implement mitigation measures necessary to reduce impacts due to dust emissions to the satisfaction of the County LEA. Prior to the Effective Date or unless the County LEA states otherwise, the Permittee shall select the most effective system in controlling dust emissions. The County LEA shall have the authority to require the Permittee to implement additional corrective measures when such measures are deemed appropriate to protect public health and safety.

LITTER

41. Prior to the Effective Date, the Permittee shall develop and maintain a litter control and recovery program, to the satisfaction of the Director of the Department of Public Works and the County LEA. The program shall include the following provisions:
- a. All Solid Waste vehicles utilizing the Facility must tarp their loads.
 - b. All Solid Waste vehicles utilizing the Facility must remove debris from the rear axles prior to exiting the facility.
 - c. All paved surfaces within the Facility grounds, and the sidewalk in front of the Facility, must be swept at least twice daily.
 - d. All Facility access roads must be monitored at regular intervals during operating hours to ensure litter is not spilling from solid waste vehicles utilizing the Facility.
 - e. The sweeping frequency on- and off-site may be increased as warranted to prevent accumulation of litter.

ROAD

42. The Permittee shall implement the following road improvements.
- a. Reconstruct/construct any new parkway improvements (sidewalk, commercial driveways, landings, etc.) that either serve or form a part of a pedestrian access route to meet current American with Disabilities Act requirements to the satisfaction of Public Works.
 - b. Plant street trees on Compton Boulevard along the property frontage. Existing trees in the right of way shall be removed and replaced if not acceptable as street trees.
 - c. Repair any damaged or deteriorated curb, gutter, sidewalk, street trees, pavement, and driveway aprons on Compton Boulevard along the property frontage to the satisfaction of Public Works.
 - d. Acquire street plan approval or direct check status before obtaining grading/building permit.
 - e. Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

TRAFFIC AND LIGHTING

43. Within 60 days of the effective date, the Permittee shall provide sufficient queuing space on-site to accommodate the queuing of vehicles accessing the site. The Permittee shall submit a report to the Department of Public Works which includes the typical number of vehicles accessing the site on a daily basis, the standard time required to process the delivering of waste, and the estimated number of queuing vehicles. The Permittee should include in the report any agreements made with users of the site for scheduling the delivery of waste. Based on the information in this report, the Permittee will be required to maintain an on-site queuing area which accommodates the estimated number of queuing vehicles. If site cannot accommodate on site estimated number of queuing vehicles, the Permittee shall submit a proposed off site queuing area plan to TAC for review and approval. This requirement must be implemented to the satisfaction of the Director of Public Works prior to opening the Facility to the public.
44. Within 180 days of the Approval Date, the Permittee shall install street lights on concrete poles with underground wiring along the property frontage on Compton Boulevard to the satisfaction of the Department of Public Works. The Permittee shall

submit street lighting plans along with existing and/or proposed underground utilities plans for review and approval by the Director of Public Works .

45. Within 180 days of the Approval Date, the Permittee shall enter into a secured agreement with the Director of Public Works for the installation of street lights in the amount of \$15,000. This amount is subject to change upon submittal of final street lighting plans. The Permitteet shall comply with the Lighting Districts guidelines specified by the Department of Public Works and other conditions necessary for the Lighting Districts to pay for the future operation and maintenance of the street lights. The street lights shall be installed by the Permittee per approved plans prior to issuance of a Certificate of Occupancy.
46. FIRE Prior to the issuance of any building permits, the Permittee shall submit any architectural plans to the Fire Prevention Engineering unit of the County of Los Angeles Fire Department for review and approval.

LANDSCAPING AND GREEN BUILDING PROGRAM

47. Prior to the Effective Date, the Permittee shall submit a landscape plan, which includes all frontage landscape, to the Director of the Department for review and approval.
48. The Permittee shall maintain all landscaping in a neat, clean and healthful condition, including watering, proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.
49. The permittee shall comply with Drought Tolerant Landscaping Ordinance requirements as follows:
 - a. Minimum 75 percent of all landscaping must be drought-tolerant.
 - b. Grass or turf must be maximum of 25 percent of all landscaping, 5,000 square feet, water efficient, and at least five feet in width.
 - c. Plants with similar water needs are to be grouped together.
50. The permittee shall comply with Green Building Ordinance as follows:
 - a. Plant three 15-gallon tree per 10,000 square feet of developed area, at least 65 percent of which trees must be from the Drought Tolerant Plant List. Existing

trees (any species) greater than or equal to six inches in diameter may count towards required tree planting.

- b. Project must comply with Green Building requirements unless waived or modified by Los Angeles County Department of Public Works.
 - c. Third party LEED Certification or equivalent is required.
 - d. Three copies of a landscape plan shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscaping may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Landscape watering facilities, if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover.
51. Prior to the Effective Date, the Permittee shall submit a notarized copy of a covenant agreeing to landscape and maintenance of the property in accordance with the Drought Tolerant Ordinance.

PARKING

52. A minimum of 38 parking spaces shall be provided. At least one of these spaces shall be reserved for persons with disabilities and shall be van accessible. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. A minimum of two Type-C loading spaces shall be provided.

These parking spaces as well as driveways for the Facility shall comply with the standards and requirements established in Part II of Chapter 22.52 of the Los Angeles County Code, including Section 22.52.1205.

SIGNAGE

53. Signs shall comply with the standards and requirements as set forth in Part 10 of Chapter 22.52 of the County Code.

MARKINGS

54. The Permittee shall remove all graffiti in public view on buildings, fences, walls, and structures at the Facility within 24 hours of its placement, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of adjacent surfaces.
55. All fences and walls, excluding masonry and approved permanent finish panels, shall be painted in a uniform, neutral color, which blends with the adjacent properties, and said improvements shall be maintained in a neat, orderly condition at all times.

COMPLIANCE WITH ADDITIONAL PERMITS/ REQUIREMENTS

56. The Permittee shall be prohibited from initiating any activity for which an Industrial Waste Disposal Permit and/or Underground Storage Tanks Permit is required at the Facility before the required or revised permit is obtained from the Department of Public Works. The activities covered by this Condition No. 49 include, but are not limited to, the installation, modification, or removal of any underground storage tank and/or industrial waste control facility. For purposes of this Condition No. 49, an industrial waste control facility includes its permanent structures for treating post-development storm water runoff.
57. The Permittee shall develop and obtain approval from the Department of Public Works a Standard Urban Storm Water Mitigation Plan (SUSMP) for the Facility's activities, unless the Department of Public Works determines that such plan is unnecessary.
58. The Permittee shall only accept Solid Waste, as defined, for processing and transfer. The Facility's tipping area shall be washed down daily at the end of each operating day. The resulting wastewaters must enter a permitted SUSMP system and must be pumped immediately so that at all times the Facility remains free of standing water, including at the sump pits. The berms that direct the flow of water must be maintained in good condition and repaired as needed to perform its intended function.
59. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
60. Upon the effective date, all equipment and diesel fleet vehicles, including transfer trucks, entering the Facility shall be CARB compliant.

Additionally, upon the effective date, all newly purchased fleet vehicles, including packer trucks, roll-off trucks, and transfer trucks, must be alternative fueled. Alternative fueled vehicles means a vehicle that uses compressed or liquefied natural gas, liquefied petroleum gas, methanol, electricity, fuel cells, or other advanced technologies approved by TAC. The Permittee may appeal this requirement to TAC, but only on the bases of whether a particular alternative fuel vehicle is technologically or economically feasible.

By July 1 of each year, the Permittee shall submit an annual report to the Director of the Department documenting that all equipment and diesel trucks are in compliance with this Condition 54, including, but not limited to, Title 13, California Code of Regulations, Section 2020, et seq.

61. All vehicles or trucks to be used in the construction and operation of the MRF/TS solid waste facility shall comply with Sections 27150, 27204, and 27206 of the California Vehicle Code.
62. All parking lot and other exterior lighting should be hooded and directed away from neighboring properties to prevent direct illumination and glare, and shall be turned off within 30 minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
63. All vehicles associated with the Permittee and use of the grant shall be stored and maintained within the Facility or property owned by the Permittee, and shall not be parked on public streets or right-of-way.
64. The permittee shall comply with all Fire Department requirements or as otherwise modified by said Department.
65. In the event of a conflict between the provisions of this grant and other regulations, the more stringent shall apply.

PERMITTEE FEES

66. Within three (3) days of the Effective Date, the Permittee shall remit a \$2,085.25 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code.
67. Within thirty (30) days of the Effective Date, the Permittee shall deposit with the Department the sum of \$5,000. These monies shall be placed in a performance fund

that shall be used exclusively to (1) compensate the Department for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plans on file, (2) compensate the Department for all actual expenses incurred in reviewing and verifying the information contained in any required reports, and (3) any other activities of the Department, including but not limited to, enforcement, permitting, coordination of mitigation monitoring, and administrative support. The Permittee shall be financially responsible for and shall reimburse the Department for all actual expenses exceeding the initial deposit (\$5,000).

68. For the life of this grant, the Permittee shall pay on a monthly basis to the Department \$0.50 per ton of Solid Waste received at the Facility. The said payments shall be deposited into an interest-bearing Community Benefit and Environmental, Education Trust Fund, created and maintained by the Department. This fund shall be used to fund environmental, educational, and quality of life programs in the unincorporated surrounding communities, and to fund regional public facilities that serve these communities. All monies in the fund shall be spent as directed by the Second Supervisorial District. All interest earned on the monies in the Fund shall remain in the Fund.
69. The Permittee shall pay on a monthly basis to the Department of Public Works a fee of \$0.25 per ton of Solid Waste received at the Facility. This fee shall be used for the implementation and enhancement of waste diversion programs in County unincorporated areas.

COMMUNITY COMPLAINTS/INQUIRIES

70. The Permittee shall maintain a record of all complaints received and measures taken to resolve those complaints. The record of complaints shall include the date and time, nature of complaints, and actions taken to identify and mitigate the complaint. The Permittee shall resolve all complaints to the satisfaction of the Director of the Department. The record shall be maintained for three years and made available upon request.
71. The Permittee shall post a sign at the entrance gate to the Facility providing the following information:
 - a. The telephone number to contact the Permittee on a 24-hour basis to register complaints regarding the Facility's operations. All complaints received shall be reported to the Director of the Department, and other agencies, as appropriate, on the same day but no later than 10:00 a.m. of the following business day;

- b. The telephone number of the Department's Zoning Enforcement Section, and the hours when the number is staffed; and,
 - c. The telephone number of the County LEA and the hours when the number is staffed.
72. Copies of all confirmed Notices of Violations shall be provided to the Department's Zoning Enforcement Section, within 24 hours of receipt. In addition, the Permittee shall identify all measures undertaken by the Permittee to address these complaints and/or correct the violations. The Department and the County LEA shall have the authority to require the Permittee to implement additional corrective measures for complaints of this nature when such measures are deemed necessary to protect public health and safety.
73. If more than three (3) confirmed Notices of Violations are received within a six (6) month period, the Department's Zoning Enforcement Section or the County LEA shall notify the Director of the Department. The Director of the Department shall require that the Permittee meet immediately with the TAC to discuss resolution and prevention of these violations.

**WASTE RESOURCE RECOVERY FACILITY
PROJECT NO. 01-223
CONDITIONAL USE PERMIT CASE NO.01-223-(2)
IMPLEMENTATION AND MONITORING PROGRAM (IMP)**

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

PART I – WASTE COMPOSITION REPORT. The intent of the waste composition report is to ensure the accuracy of the County unincorporated area disposal tonnages.

Within 180 days of the effective date of this grant, and annually thereafter, the permittee shall conduct a waste composition study to determine the composition (waste category and material type), by sector, of all incoming wastestream originating in the unincorporated County areas. The study report shall contain, at a minimum, the incoming wastestream profile, the percent of recovered materials or recycled materials, and the waste allocation method(s) used to calculate the percentage or proportion the total waste.

The study shall be included in a report to be submitted for review and approval of the Director of Public Works. Each report shall be due on January 1, of the applicable year, until closure of the facility. At least 60 days before the due date, draft copies of the report shall be submitted to the Department of Public Works for review and comment.

This requirement shall be effective as long as the facility receives commingled waste materials from the unincorporated County areas from which recyclable materials are recovered at the Material Recovery Facility.

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

- A. The permittee shall prepare and submit an annual monitoring report to the Regional Planning Commission, due on July 1, every year, until closure of the facility. At least 90 days before the due date, the permittee shall submit five ELECTRONIC copies (unless a paper copy is requested) of the draft report to the Department of Regional Planning which shall forward the copies of the report to the following for review and comment:
1. Department of Public Health-SWMP
 2. Director of Public Works
 3. South Coast Air Quality Management District

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 30 days before the due date of the final report.

**WASTE RESOURCE RECOVERY FACILITY
PROJECT NO. 01-223
CONDITIONAL USE PERMIT CASE NO. 01-223-(2)
IMPLEMENTATION AND MONITORING PROGRAM (IMP)**

The permittee shall respond to each comment received and shall include each comment and response with the final report submitted to the Commission.

- B. Each monitoring report shall contain the following:
1. A monthly summary of the quantities of waste received, recycled, or otherwise diverted at the Facility, shipped offsite to a disposed facility, and sent offsite for further handling/processing, from January 1 of each year, as applicable, in sufficient detail to explain significant changes and variations over time and an explanation of any significant variations or changes.
 2. A yearly total of all solid waste received in the facility per jurisdiction of origin, showing the quantity of solid waste received for material recovery, recycling, transfer, and/or processed, the percent of total recovered materials and the residual wastes in volume and in tons.
 3. The average daily tonnage for each month of the year and corresponding facility diversion rates for (i) non-separated solid waste and (ii) source-separated solid waste.
 4. A copy of the final approved site plan, showing the location and sequence of operation of the MRF, transfer/processing facility, recycling center, and all other solid waste handling services operating at the facility.
 5. A solid waste composition study/report prepared by the permittee and approved by the Director of Public Works, pursuant to Part I of this IMP.
 6. A copy of the complaint logs showing 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. The traffic program required pursuant to condition 43 to prevent the queuing of trucks outside the Facility or any other adjacent streets and minimize traffic impacts due to waste hauling activities at the Facility.
 8. A copy of the Report required pursuant to condition 60 regarding documentation that all equipments and diesel trucks are CARB compliant.
 9. A detailed accounting of any citations for violations received from any regulatory agency in connection with operation of the facility (including those for litter, odor, fugitive dust, noise, and other environmental control

**WASTE RESOURCE RECOVERY FACILITY
PROJECT NO. 01-223
CONDITIONAL USE PERMIT CASE NO. 01-223-(2)
IMPLEMENTATION AND MONITORING PROGRAM (IMP)**

systems) and the disposition of the citations, including any penalty assessed and fees paid. 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 and/or intent of the grant.

Nothing in this Part II shall be construed to in any way limit the authority of the Regional Planning Commission or the Board of Supervisors to initiate any processing to revoke or modify any part of this grant and as provided in Part 13, Chapter 56, of Title 22 of the County Code.

PART III – COMPENSATION. The permittee shall compensate the Department of Public Works, up to a maximum of \$5,000 annually, for expenses incurred, which are not otherwise covered by permit or other fees, in the administration of this grant, including this IMP and the MMRP. 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 IV – TECHNICAL ADVISORY COMMITTEE 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 implementation of mitigation measures and compliance with the conditions of this grant, including all its conditions and IMP.

- a. Composition. The committee shall be composed of representative(s) of the following County Departments, and other County Departments on as-needed basis.

Department of Public Health/Local Enforcement Agency
Department of Regional Planning
Department of Public Works

- b. Meeting/Purposes. The Technical Advisory Committee shall meet at least once every year. It shall carry out the purposes of the subject of this grant/approval and ensure compliance with the conditions of this grant, including the approvals and regulations of local, State and Federal agencies involved in regulating and permitting of the facility.

Upon the permittee's application for compliance to the conditions of grant/approval, the Technical Advisory Committee shall meet to determine if all requirements precedent to the use of this grant have been met. If the Technical Advisory Committee so determines, it shall certify completion.

Each year, the Technical Advisory Committee shall meet to review the annual report

**WASTE RESOURCE RECOVERY FACILITY
PROJECT NO. 01-223
CONDITIONAL USE PERMIT CASE NO. 01-223-(2)
IMPLEMENTATION AND MONITORING PROGRAM (IMP)**

submitted by the permittee as required by Part II – Monitoring Reports and certify that all requirements of the conditions of grant/approval are being met. The TAC shall review specific conditions of approval and mitigation measures as requested by the Community Advisory Committee.

- c. Access to Site and Information. The permittee shall provide to the Technical Advisory Committee 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 within 30 days as specified by the TAC regarding compliance with Conditions of this Grant and the IMP.

The permittee may appeal an adverse determination of the TAC to the Regional Planning Commission. An adverse decision of the Regional Planning Commission shall be further appealable by the permittee to the Board of Supervisors.



Figure 1: Entrance

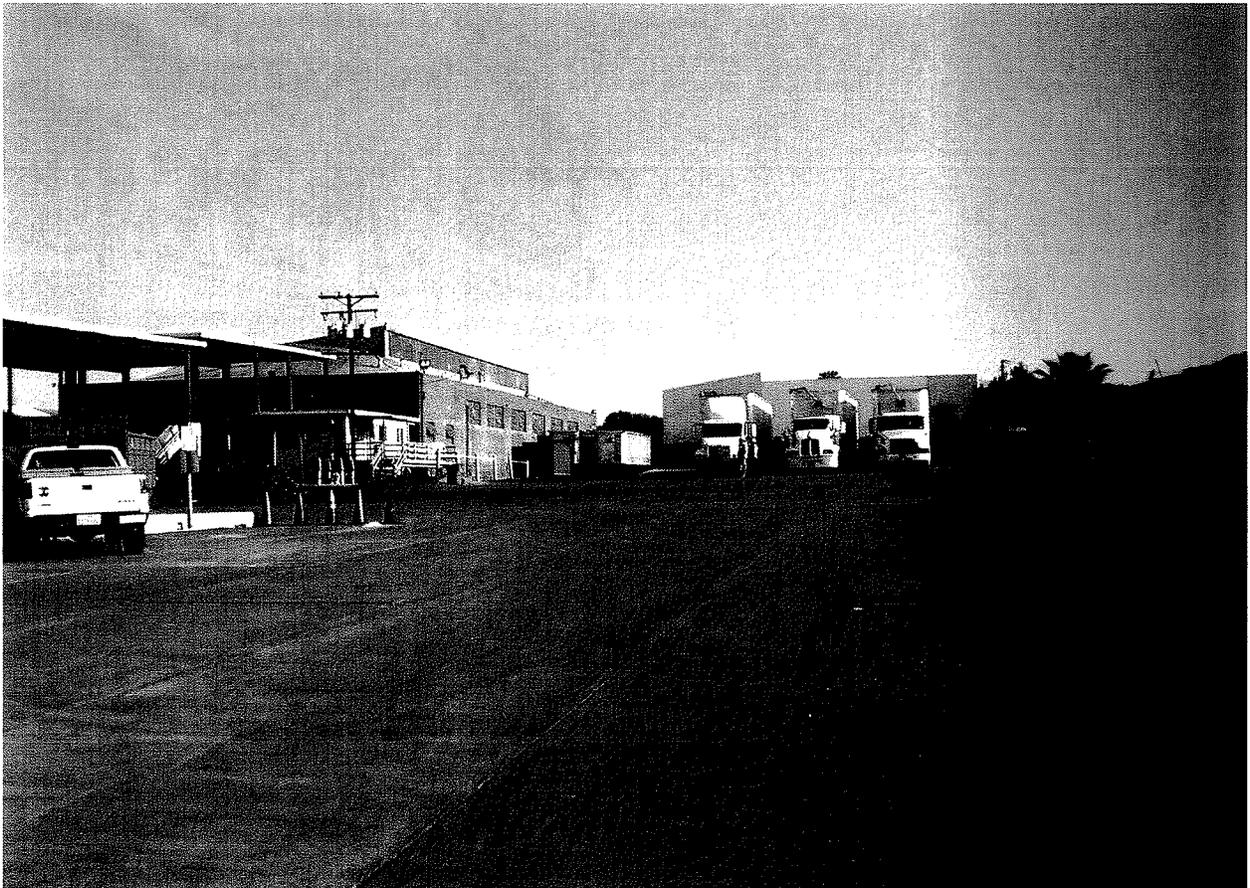


Figure 2: View On-site

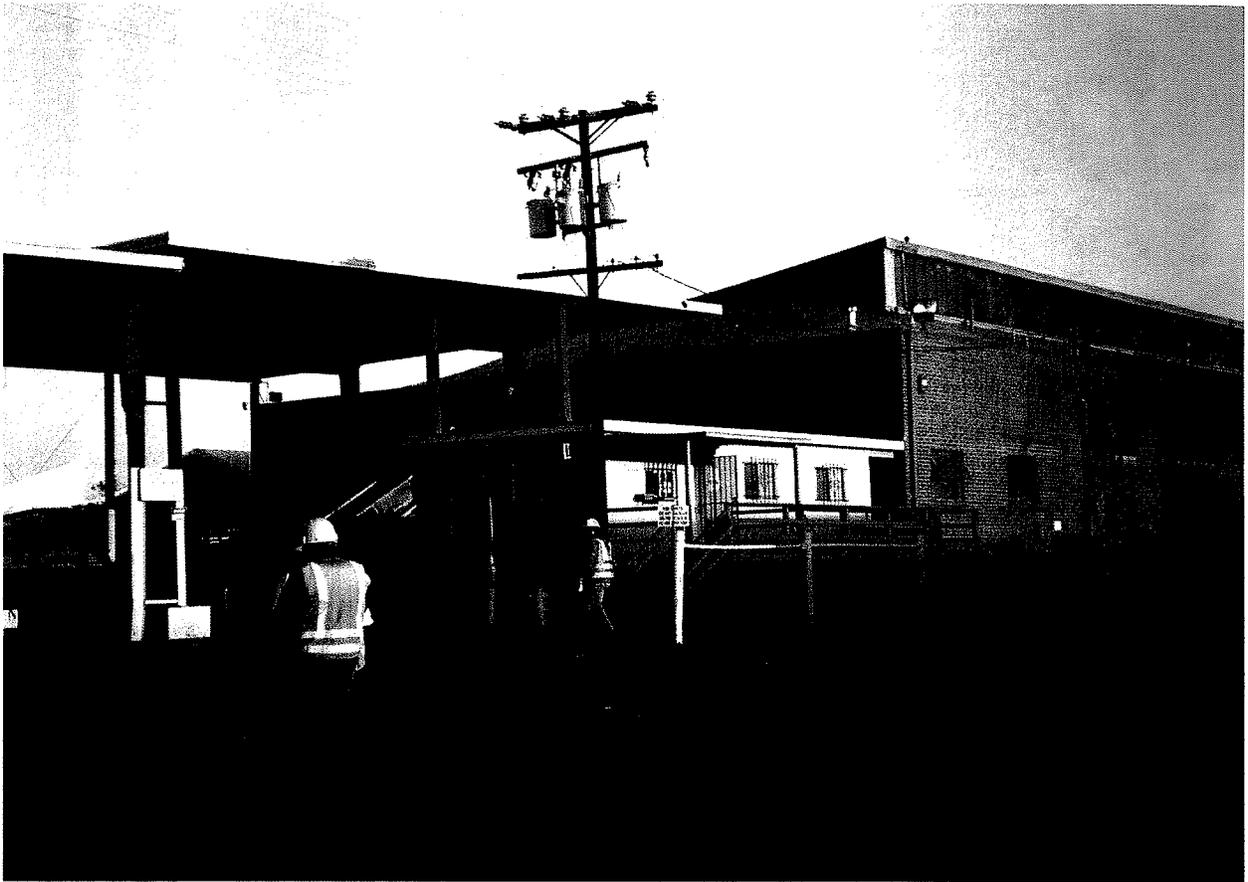


Figure 3: Existing Structures: Tipping Floor, Scale House, MRF Building



Figure 4: Scale and Scale House

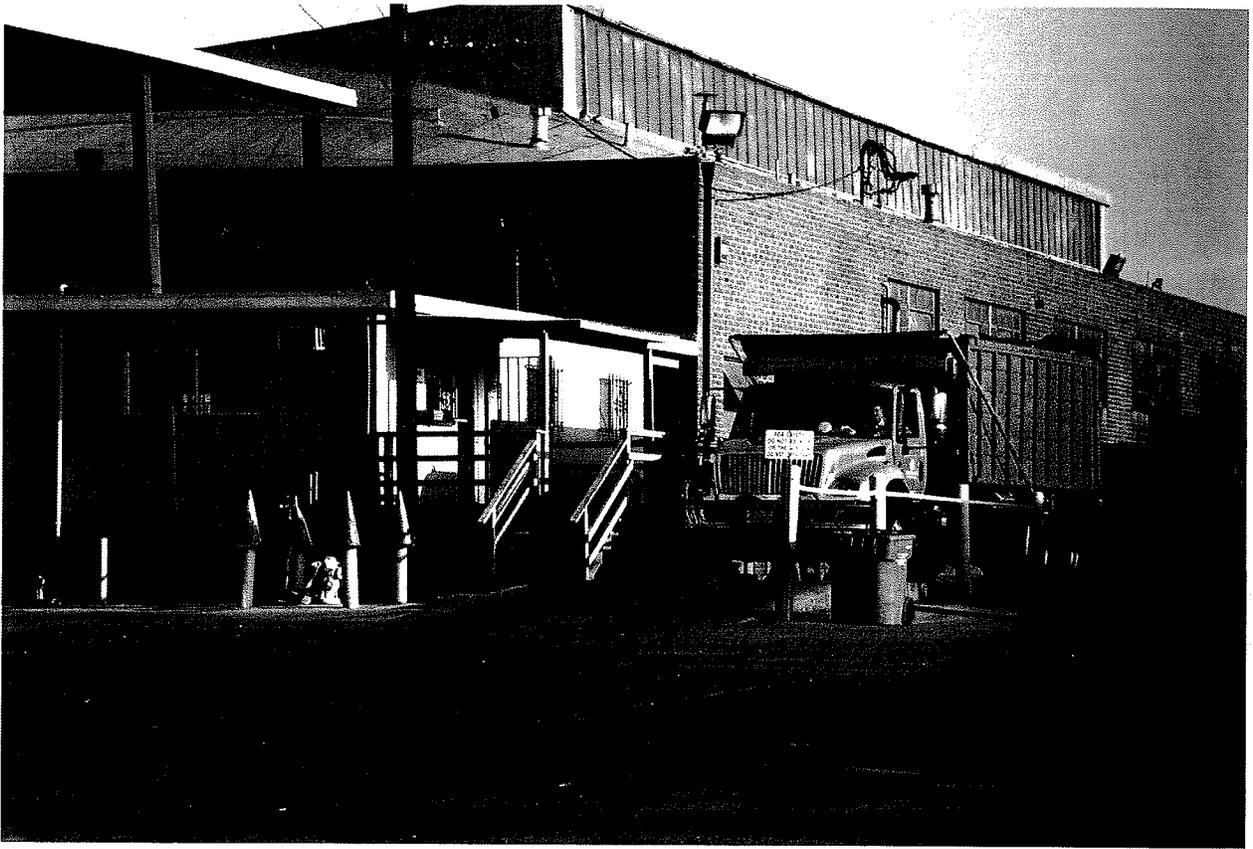


Figure 5: Truck on Scale



Figure 6: Tipping Floor



Figure 7: Tipping Floor



Figure 8: Trailer Pit

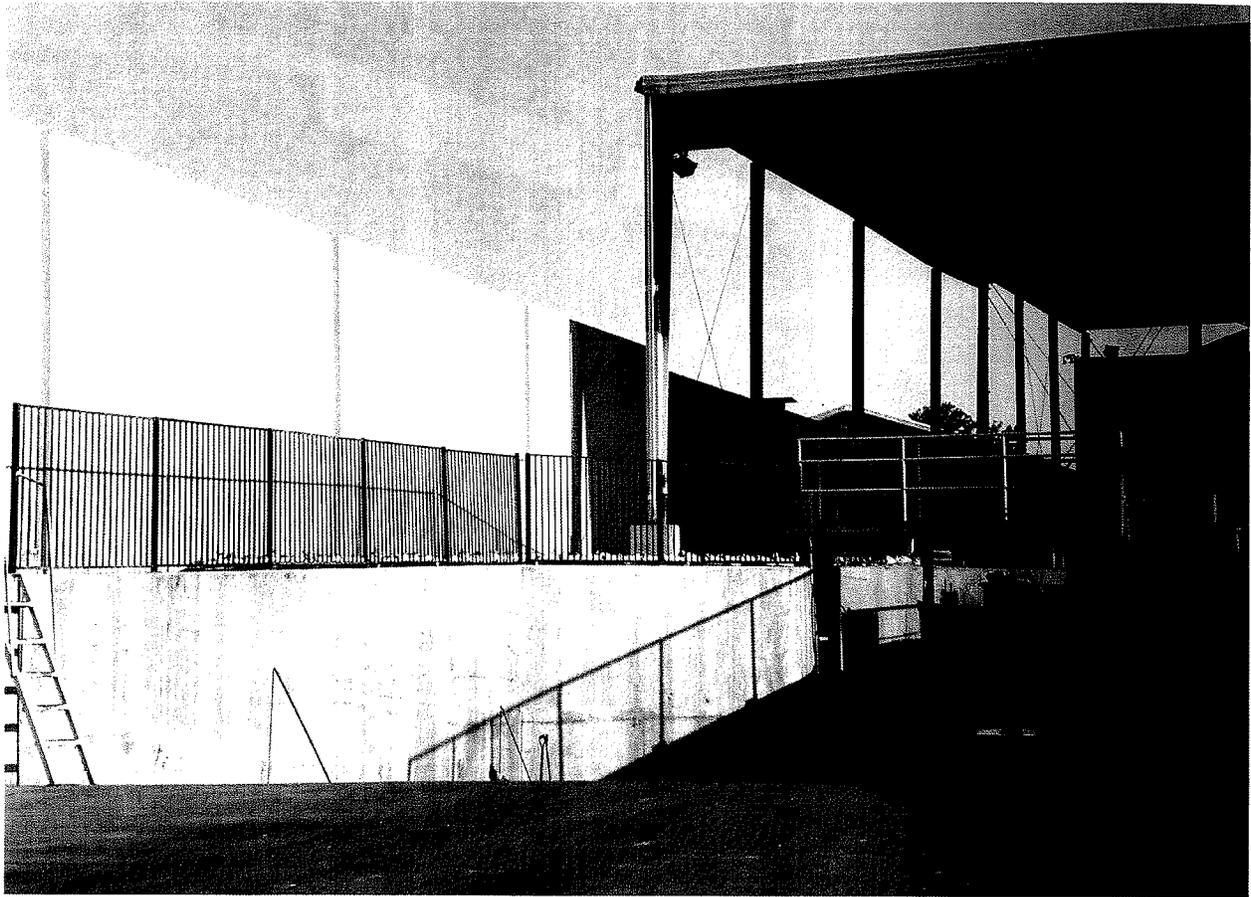


Figure 9: Trailer Pit Exit

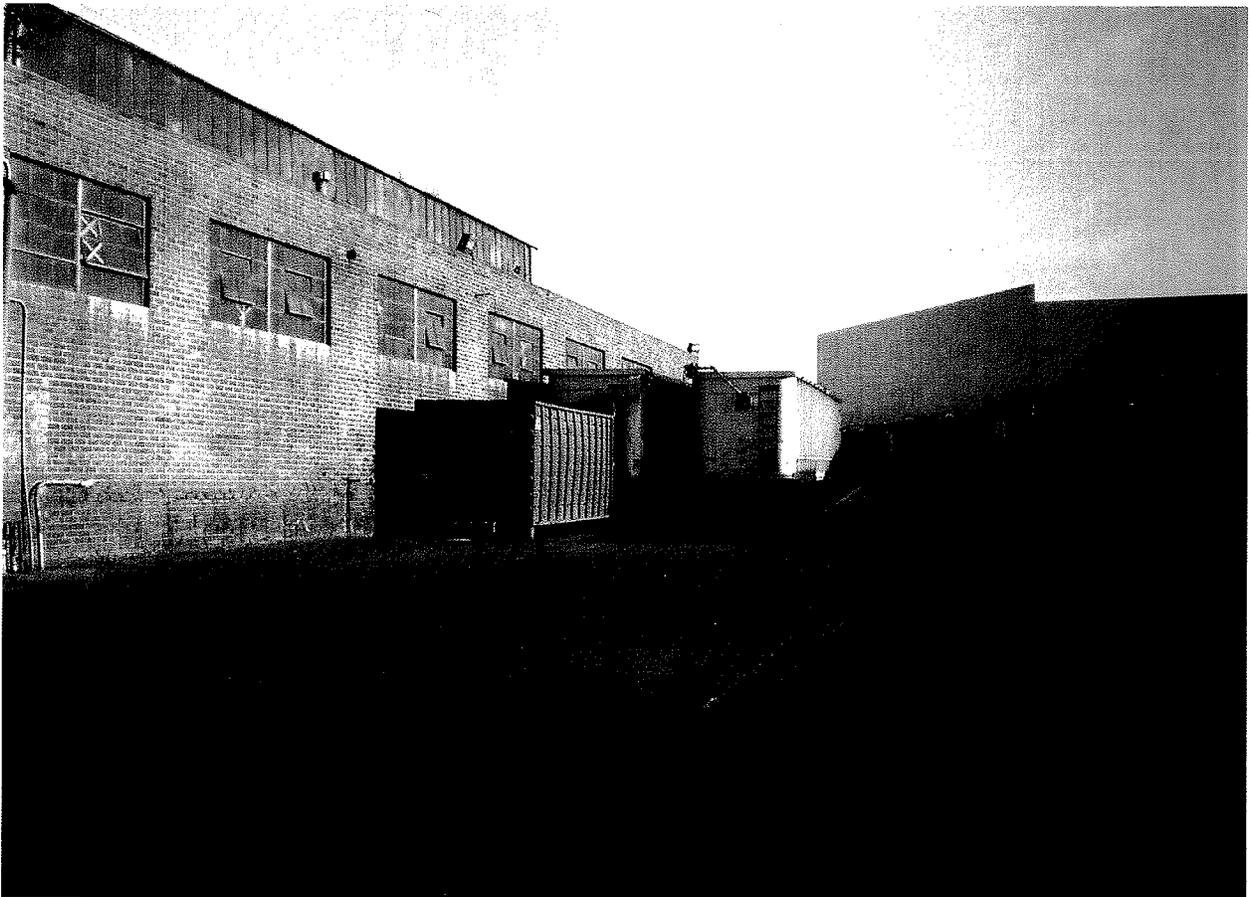


Figure 10: MRF Building



Figure 11: Conveyor Belt



Figure 12: Conveyor Belt



Figure 13: Conveyor Belt

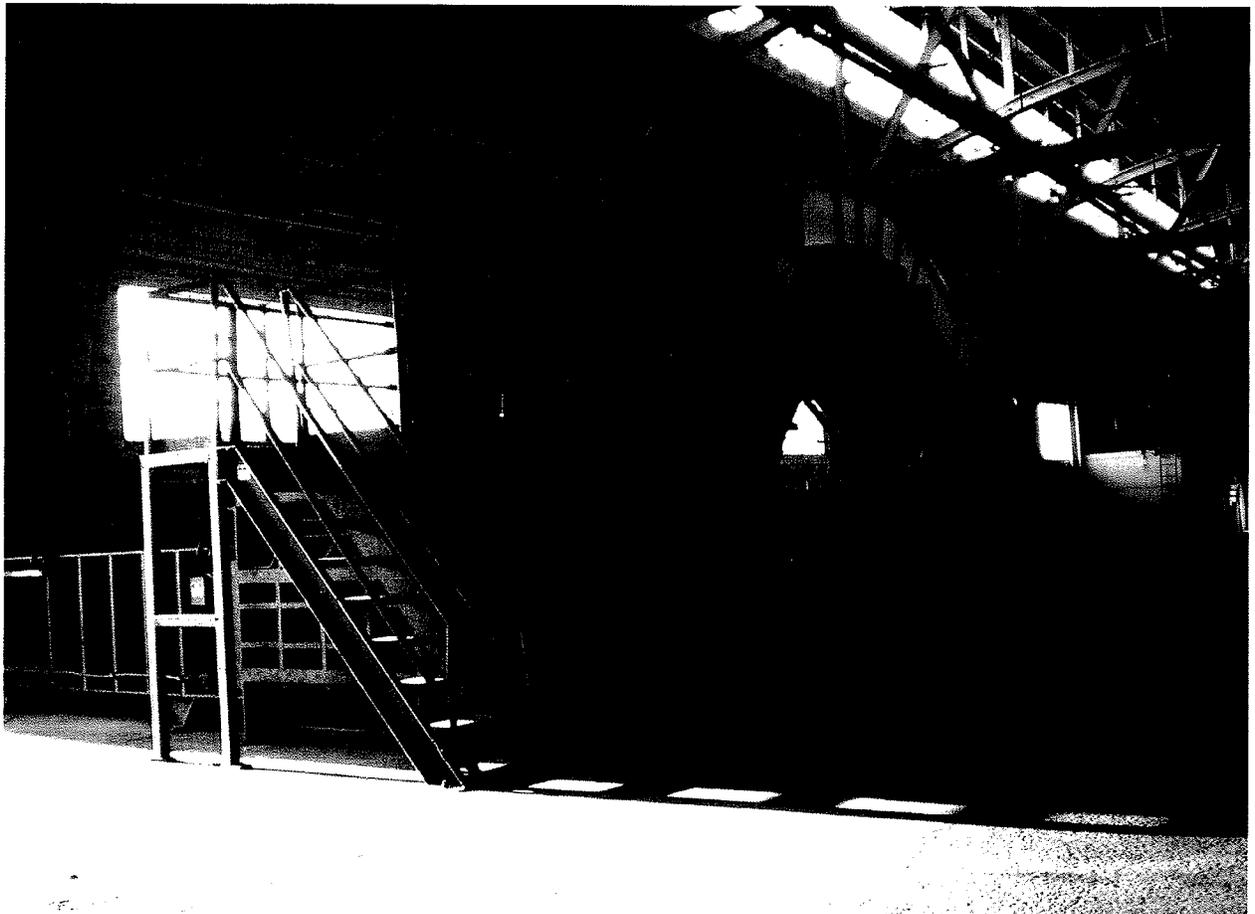


Figure 14: Compactor/Baler



Figure 15: Exit



Figure 16: View South (Warehouses and Light Industry)



Figure 17: View East (Warehouses and Light Industry)



Figure 18: View West (Warehouses and Light Industry)

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The site is surrounded by industrial uses including a variety of manufacturing/industrial facilities and warehouses.
All the properties within 750' are zoned M-2 Heavy Manufacturing.
The closest residential land use is located northwest of the site across S. Figueroa Street at a distance of approximately 800'.
There are no adjacent land uses that present special concerns or represent sensitive environments.
The site use will not adversely affect welfare of surrounding people and property.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The 2.38 acre site is zoned M-2 heavy manufacturing.
Site is located in a heavy industrial zoned area of the County, and is found to be consistent with the County General Plan.
There is adequate space at this site to accommodate the level of activity and facility use for proposed project.

- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 2. By other public or private service facilities as are required

The site and site vehicles are adequately served by public roads and other service facilities.
Ingress and egress to the site is from W. Compton Blvd., a four-lane undivided surface street. Primary routes of delivery to the site are from the I-110 Freeway (just 0.3 miles west of site) to exits at either E. Redondo Beach Blvd. or W. Rosecrans Ave.; then take S. Broadway St. or S. Figueroa St. to W. Compton Blvd. to site entrance. This routing confines truck traffic almost entirely to surrounding industrial areas.
Surrounding industrial users have their own truck traffic, too.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

FEB - 2 2010

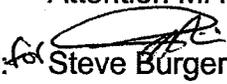
ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-1

January 27, 2010

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Mi Kim

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 01-223
PROJECT NO. R01-223
357 COMPTON BOULEVARD
UNINCORPORATED COUNTY AREA OF CARSON

Original

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for the Compton Boulevard project. The project is for a materials recovery facility and transfer station.

Upon approval of the site plan, we recommend the following conditions:

1. Right of Way and Road Improvements
 - 1.1 Reconstruct/construct any new parkway improvements (sidewalk, commercial driveways, landings, etc.) that either serve or form a part of a pedestrian access route to meet current American with Disabilities Act requirements to the satisfaction of Public Works.
 - 1.2 Plant street trees on Compton Boulevard along the property frontage. Existing trees in the right of way shall be removed and replaced if not acceptable as street trees.

Mark Child
January 27, 2010
Page 2

- 1.3 Repair any damaged or deteriorated curb, gutter, sidewalk, street trees, pavement, and driveway aprons to the property frontage to the satisfaction of Public Works.
- 1.4 Acquire street plan approval or direct check status before obtaining grading/building permit.
- 1.5 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the items above, please contact Sam Richards at (626) 458-4921 or by e-mail at srich@dpw.lacounty.gov.

2. Drainage

- 2.1. Prior to issuance of a building permit, drainage plans must be approved to provide for the proper distribution of drainage and for contributory drainage from adjoining properties; the elimination the sheet overflow and ponding; and to comply with National Pollutant Discharge Elimination System, Stormwater Management Plan, and Standard Urban Stormwater Mitigation Plan requirements.

For questions regarding the items above, please contact Lizbeth Cordova at (626) 458-4921 or by e-mail at lcordova@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or by e-mail at rcruz@dpw.lacounty.gov.

RC:ca

P:/LDPUB/SUBMGT/CUP/ Project R01-223_CUP 01-223_357 Compton Boulevard_final.DOCX



COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

Solid Waste Program
Cindy Chen, Chief
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5540 • FAX (626) 813-4839

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

December 3, 2009

Mr. Rudy Silvas
Los Angeles County
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

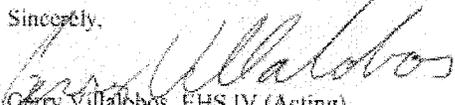
**SUBJECT: PROPOSED CONCEPTUAL PLAN #01-223 TO WASTE RESOURCES RECOVERY,
357 W. COMPTON BLVD., GARDENA, CA 90248 SWIS NO. 19-AA-0857**

The Los Angeles Department of Public Health, Solid Waste Management Program/Local Enforcement Agency (LEA) has completed its review of the Conceptual Approved Site Plan and Mitigated Negative Declaration (MND) for the proposed Conditional Use Permit (CUP # 01-223) for the Waste Resources Recovery Facility located at 357 West Compton Blvd., Gardena, CA. 90248

There are no additional comments to aforementioned documents at this time. However, the proposed change in design and operation of the facility will require the submittal of an application to modification/revision of the Solid Waste Permit (SWMP) pursuant to California Code of Regulations Title 27 Section 21665(d)(1) and Section 21563(d)(2).

If you have any questions regarding these comments, please contact me at (626) 430-5540.

Sincerely,


Gerry Villalobos, EHS IV (Acting)
Solid Waste Management Program/Local Enforcement Agency

cc: Susan Markie, CIWMB
Raymond Seamans, CIWMB
David Offlieng (*electronic copy only*)
Regina Fee, SWMP



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: February 25, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP 01-223

LOCATION: 357 W. Compton Blvd., Gardena (Co.)

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is ____ gallons per minute for _ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. __ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is _____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing _____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Verify __ 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.
- Water:** 1. Public Fire Hydrant - Fire Flow performed by Golden State Water Company on 01-13-10 is adequate.
2. Private Fire Hydrant - Fire Flow performed by First Choice Fire Protection on 01-25-10 is adequate.
- Access:** Fire apparatus access as depicted on the Site Plan dated 02-25-10 is adequate.
- Special Requirements:** All fire apparatus access gates shall comply with LACoFD Regulation 5.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **SCOTT JAEGGI** 

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783



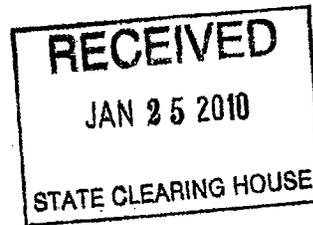
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

January 25, 2010

Mr. Rudy Silvas
Los Angeles County
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

clear
1-26-10
e



Subject: SCH No. 2009121077 - Proposed Initial Study Mitigated Negative Declaration for the Proposed Expansion of Waste Resources Recovery - Solid Waste Facility Permit No. (SWFP) 19-AA-0857, City of Gardena, County of Los Angeles

Dear Mr. Silvas:

Thank you for allowing the Department of Resources Recycling and Recovery's (CalRecycle) staff to provide comments for this proposed project and for your agency's consideration of these comments as part of the California Environmental Quality Act (CEQA) process.

CalRecycle staff has reviewed the environmental document cited above and offer the following project description, analysis and our recommendations for the proposed project based on CalRecycle staff's understanding of the project. If the proposed project description varies substantially from the project as understood by the Lead Agency, CalRecycle staff requests notification of any significant differences before adoption of this Mitigated Negative Declaration and approval of the project.

The Los Angeles County, Department of Regional Planning, acting as the Lead Agency, prepared proposed Initial Study/Mitigated Negative Declaration for Waste Resources Recovery. The project involves the movement of the existing scale to the east side of the site, with the demolition of the existing canopy, MRF building and offices, and the construction of a larger canopy, tipping floor (14,210 sq ft), MRF building and offices, a tunnel to improve truck circulation and a new perimeter fence. The proposed project also involves the extension of operating hours on Saturday from 6:00 am to 12:00 pm to 6:00 am to 2:00 pm. There will be no increase in peak daily tonnage.

The proposed project will be open to commercial as well as self haulers. The proposed project is expected to result in the generation of 81 truck trips to the site and 31 employee trips, for a total of 112 daily trips. As the permitted tonnage will not change, trips generated by the proposed project will be similar to trips generated by existing site conditions.

CalRecycle staff has no further comments on the proposed Initial Study/Mitigated Negative Declaration at this time. Staff requests copies of any subsequent environmental documents, any copies of public notices and any Notices of Determination for this project.

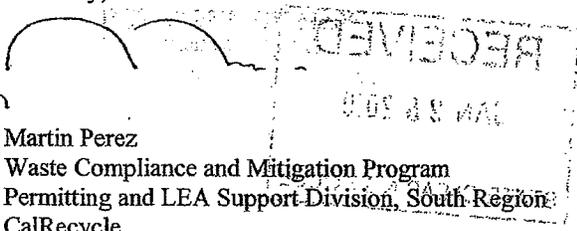
If you have any questions regarding these comments, please contact me at 951.782.4194 or e-mail me at martin.perez@calrecycle.ca.gov.



Please note that correspondence related to this letter and for staff of the Waste Compliance and Mitigation Program should continue to be sent to 1001 I Street, P.O. Box 4025, Sacramento, CA 95812. Correspondence specifically for the attention of the Director of CalRecycle should be sent to the address in the letterhead.

Sincerely,

62
Martin Perez
Waste Compliance and Mitigation Program
Permitting and LEA Support Division, South Region
CalRecycle



cc: electronically:

Ray Seamans
Permitting and LEA Support Division

Susan Markie, Branch Manager
Permitting and LEA Support Division

Pete Oda, Supervisor
County of Los Angeles
Department of Health Services
505 Commerce Drive
Baldwin Park, CA 91706

MITIGATED NEGATIVE DECLARATION

PROJECT NUMBER No. 01-223

1. DESCRIPTION:

The Waste Resources Recovery Facility is currently permitted to receive 500 tons per day (TPD), and does not intend to request an increase in permitted daily tonnage as part of the proposed project. The project involves the movement of the existing scale to the east side of the project site; demolition of the existing canopy, MRF building, and offices; construction of a larger canopy and tipping floor (14,210 square feet), new smaller MRF building (9,375 square feet), and offices (1,600 square feet); construction of a tunnel to improve truck circulation; and construction of a new perimeter fence.

2. LOCATION:

357 West Compton Boulevard, Gardena, California

3. PROPONENT:

Mr. Dave Oeffling
EcoTelesis/E.T.A.
380 Longwood Ct.
Newbury Park, CA 91320

4. FINDINGS OF NO SIGNIFICANT EFFECT:

BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT THROUGH IMPLEMENTATION OF MITIGATION MEASURES WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS MITIGATED NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: Rudy Silvas of the Impact Analysis Section, Department of Regional Planning,
(213) 974-6461

DATE: March 10, 2010

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2009121077

Project Title: IS 01-223 / CUP 01-223 357 W. Compton Blvd., Gardena
Lead Agency: Los Angeles County Department of Regional Planning **Contact Person:** Rudy Silvas
Mailing Address: 320 W. Temple Street Room 1348 **Phone:** (213) 974-6461
City: Los Angeles **Zip:** 90012 **County:** Los Angeles

Project Location: County: Los Angeles City/Nearest Community: Rosewood
Cross Streets: W. Compton Blvd. between S. Broadway Street and S. Figueroa Street **Zip Code:** 90248
Lat. / Long.: 33° 53' 43.7" N/ 118° 16' 50.2" W **Total Acres:** 2.38
Assessor's Parcel No.: 6129-002-029 **Section:** N/A **Twp.:** N/A **Range:** N/A **Base:** N/A
Within 2 Miles: State Hwy #: Gardena (91) Fwy & Harbor (110) Fwy **Waterways:** Dominguez Channel
Airports: Compton/Woodley Airport **Railways:** Union Pacific Railroad **Schools:** 122nd Street Elem., 135th Street Elem., Ambler Avenue Elem., Amestoy Elem., Avalon Gardens Elem., Ralph Bunch Elem., Bursch Elem., Caldwell Elem., Centennial High, Enterprise Mid., Gardena Elem., Laurel Street Elem., Longfellow Elem., Los Angeles Adventist, Mckinley Elem., Mcnair Elem., Peary Mid., St. Albert, St. Anthony of Padua Elem., Tibby Elem., Vanguard Mid. And Washington Elem.

Document Type:
 CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other
 Mit Neg Dec Other

Local Action Type:
 General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other

Development Type:
 Residential: Units _____ Acres _____ Water Facilities: Type _____ MGD _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational _____ Waste Treatment: Type _____ MGD _____
 Recreational _____ Hazardous Waste: Type _____
 Other: Waste Resources Recovery Facility

Project Issues Discussed in Document:
 Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Wildlife
 Coastal Zone Noise Solid Waste Growth Inducing
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Land Use
 Economic/Jobs Public Services/Facilities Traffic/Circulation Cumulative Effects
 Other

Present Land Use/Zoning/General Plan Designation:
 Industrial / M-2 Heavy Manufacturing / countywide Land Use Plan I Major Industrial / West Rancho Dominguez-Victoria CSD
Project Description: (please use a separate page if necessary)

The Waste Resources Recovery Facility is currently permitted to receive 500 TPD, and does not request an increase in permitted daily tonnage as part of the proposed project. The project involves the movement of the existing scale to the east side of the project site; demolition of the existing canopy; MRF building and offices; construction of a larger canopy and tipping floor (14,210 sf); construction of a tunnel to improve truck circulation and construction of a new perimeter fence.

Note: The state Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in. January 2008

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Emergency Services
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> CalFire	<input type="checkbox"/> Parks & Recreation
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Public Utilities Commission
<input checked="" type="checkbox"/> Caltrans Planning (Headquarters)	<input checked="" type="checkbox"/> Regional WQCB # <u>4</u>
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Coachella Valley Mountains Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Commission
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mountains Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Water Resources, Department of
<input checked="" type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Integrated Waste Management Board	
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date December 29, 2009

Ending Date February 1, 2010

Lead Agency (Complete if applicable):

Consulting Firm: ETA

Applicant: Waste Resources Recovery, Inc

Address: 380 Longwood Court

Address: 9109 Miner Street

City/State/Zip: Newbury Park, CA 91320

City/State/Zip: Los Angeles, CA 90002

Contact: David W. Oeffling

Phone: (310) 767-1472

Phone: (805) 404-9575

Signature of Lead Agency Representative: Michele R. Bush

Date: 12/22/09

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

STAFF USE ONLY

PROJECT NUMBER: 01-223

CASES: CUP 01-223

IS 01-223



**** INITIAL STUDY ****

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING**

GENERAL INFORMATION

I.A. Map Date: December 28, 2006 Staff Member: Rudy Silvas
Thomas Guide: 734 C-4 USGS Quad: Inglewood
Location: 357 West Compton Boulevard, Gardena, California

Description of Project:

The Waste Resources Recovery Facility is currently permitted to receive 500-TPD, and does not request an increase in permitted daily tonnage as part of the proposed project. The project involves the movement of the existing scale to the east side of the project site; demolition of the existing canopy, MRF building, and offices; construction of a larger canopy and tipping floor (14,210 square feet), new smaller MRF building (9,375 square feet), and offices (1,600 square feet); construction of a tunnel to improve truck circulation; and construction of a new perimeter fence.

Gross Acres: 2.38 acres

Environmental Setting:

The project site is located on the north side of W. Compton Blvd., between S. Figueroa St. and S. Broadway St. Regional access is provided by the Harbor Freeway (I-110), which is located approximately 0.3 miles west of the site, and also by Interstates 91 and 405. The project site is surrounded by industrial uses (including a variety of manufacturing/industrial facilities and warehouses). The site is bounded on the north by a Southern Pacific Railroad right-of-way, on the west by Continental Binder & Specialty Group (a manufacturer of plastic binders), and on the east by Kool Star Inc. (a manufacturer of commercial refrigerated units). Across W. Compton Boulevard to the south is Metric Precision (a metal aircraft parts manufacturer). The closest residential land use is located northwest of the project site, across S. Figueroa Street, approximately 800 feet from the project site.

Zoning: M-2

General

Plan: Major Industrial

Community/Area wide Plan: N/A

Major projects in area:

PROJECT NUMBER

DESCRIPTION & STATUS

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- None
- Regional Water Quality Control Board
 - Los Angeles Region
 - Lahontan Region
- Coastal Commission
- Army Corps of Engineers
-
-
-
-
-

Trustee Agencies

- None

State Fish and Game

State Parks

Special Reviewing Agencies

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of Santa Monica Mtns. Area
- Caltrans
- SCAQMD
- City of Los Angeles
- Integrated Waste Management Board
- DTSC
- City of Carson
- City of Gardena
- City of Compton

Regional Significance

- None
- SCAG Criteria
- Air Quality
- Water Resources
- Santa Monica Mtns. Area
-
-
-
-

County Reviewing Agencies

- Subdivision Committee
- DPW: Waterworks & Sewer Maintenance; Drainage & Grading; Traffic & Lighting; Environmental Programs; Geology & Soils
- Health Services; Env. Hygiene; Solid Waste Mgmt.
- Fire: Hazardous Materials; Fire Prevention; Forestry
- Sanitation Districts

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)			
			Less than Significant Impact/No Impact		
			Less than Significant Impact with Project Mitigation		
			Potentially Significant Impact		
CATEGORY	FACTOR	Pg			Potential Concern
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<i>RS</i> CORRECTION → 4. Noise	8	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	NOISE DURING CONSTRUCTION
RESOURCES	1. Water Quality	9	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DRAINAGE / RUNOFF CONTROL
	2. Air Quality	10	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POLLUTION / EMISSIONS CONTROL
	3. Biota	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Cultural Resources	12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PHASE I REPORT
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SERVICES	1. Traffic/Access	16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Education	18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<i>RS</i> CORRECTION → 4. Fire/Sheriff	19	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EMERGENCY ACCESS
	5. Utilities	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<i>RS</i> CORRECTION → 2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	PHASE I REPORT
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Pop/Hous/Emp/Rec	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<i>RS</i> CORRECTION → 5. Mandatory Findings	25	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	CUMULATIVE IMPACTS

DEVELOPMENT MONITORING SYSTEM (DMS)

As required by the Los Angeles County General Plan, DMS* shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

- Development Policy Map Designation: Conservation / Maintenance
- Yes No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
- Yes No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

Check if DMS printout generated (attached)

Date of printout: _____

Check if DMS overview worksheet completed (attached)

EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

ENVIRONMENTAL IMPACT REPORT,* inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The Addendum EIR is required to analyze only the factors changed or not previously addressed.

CORRECTIONS

Reviewed by: Rudy Silva Date: 3/9/10
RUDY SILVA

Approved by: [Signature] Date: 3-9-10

This proposed project is exempt from Fish and Game CEQA filing fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS



Yes No Maybe

a. Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone?

b. Is the project site located in an area containing a major landslide(s)?

c. Is the project site located in an area having high slope instability?

d. Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?

e. Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?

f. Will the project entail substantial grading and/or alteration of topography including slopes of over 25%?

g. Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?

h. Other factors?

STANDARD CODE REQUIREMENTS

Building Ordinance No. 2225 – Sections 308B, 309, 310, and 311 and Chapters 29 and 70

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No Impact

HAZARDS - 2. Flood

SETTING/IMPACTS

Yes No Maybe

a. Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site?

- c. Does the project site have more than 75 dwelling units on a single access in a high fire hazard area?
- d. Is the project site located in an area having inadequate water and pressure to meet fire flow standards?
- e. Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)?
- f. Does the proposed use constitute a potentially dangerous fire hazard?
- g. Other factors?

STANDARD CODE REQUIREMENTS

- Water Ordinance No. 7834 Fire Ordinance No. 2947 Fire Regulation No. 8
 Fuel Modification / Landscape Plan

- MITIGATION MEASURES** **OTHER CONSIDERATIONS**
- Project Design Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

- | | | | |
|----|--------------------------|-------------------------------------|--|
| | No | Maybe | |
| a. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the project site located near a high noise source (airports, railroads, freeways, industry)? |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? |

- c. Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project?
- d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?
- e. Other factors?

STANDARD CODE REQUIREMENTS

- Noise Control (Title 12 – Chapter 8) Uniform Building Code (Title 26 - Chapter 35)

- MITIGATION MEASURES** **OTHER CONSIDERATIONS**

- Lot Size Project Design Compatible Use

IMPLEMENT NOISE CONTROL MEASURES PER MMP. *fjs*

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by noise?

- Potentially significant ^{CORRECTION} Less than significant with project mitigation Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

- | | | | | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|--|
| | Yes | No | Maybe | |
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area having known water quality problems and proposing the use of individual water wells? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the proposed project require the use of a private sewage disposal system? |
| | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course? |
| c. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? |

d. Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies?

e. Other factors?

STANDARD CODE REQUIREMENTS

Industrial Waste Permit Health Code – Ordinance No.7583, Chapter 5
 Plumbing Code – Ordinance No.2269 NPDES Permit Compliance (DPW)

MITIGATION MEASURES

Lot Size Project Design Compatible Use

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?

- e. Would the project conflict with or obstruct implementation of the applicable air quality plan?
- f. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- g. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?
- h. Other factors?

STANDARD CODE REQUIREMENTS

Health and Safety Code – Section 40506

MITIGATION MEASURES

Project Design Air Quality Report

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **air quality**?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

- | | No | Maybe | |
|----|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural? |
| b. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas? |
| c. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a drainage course located on the project site that is depicted on USGS quad sheets by a dashed blue line or that may contain a bed, channel, or bank of any perennial, intermittent or ephemeral river, stream, or lake? |

- d. Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)?
- e. Does the project site contain oak or other unique native trees (specify kinds of trees)?
- f. Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?
- g. Other factors (e.g., wildlife corridor, adjacent open space linkage)?

MITIGATION MEASURES

Lot Size

Project Design

OTHER CONSIDERATIONS

ERB/SEATAC Review

Oak Tree Permit

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, **biotic** resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

Yes No Maybe

a. Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity?

b. Does the project site contain rock formations indicating potential paleontological resources?

c. Does the project site contain known historic structures or sites?

d. Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?

e. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

f. Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Phase 1 Archaeology Report

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical, or paleontological** resources?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan? |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other factors? |

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on agriculture resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|-------------------------------------|--------------------------|---|
| a. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features? |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? |
| e. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project likely to create substantial sun shadow, light or glare problems? |
| f. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other factors (e.g., grading or landform alteration)? |

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Visual Report

Compatible Use

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on scenic qualities?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

Yes No Maybe

- a. Yes No Maybe Does the project contain 25 dwelling units or more and is it located in an area with known congestion problems (roadway or intersections)?

- b. Yes No Maybe Will the project result in any hazardous traffic conditions?

- c. Yes No Maybe Will the project result in parking problems with a subsequent impact on traffic conditions?

- d. Yes No Maybe Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?

- e. Yes No Maybe Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded?

- f. Yes No Maybe Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)?

- g. Yes No Maybe Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Project Design Traffic Report

Consultation with Traffic & Lighting Division

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **traffic/access** factors?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

Yes No Maybe

- a. If served by a community sewage system, could the project create capacity problems at the treatment plant?
-
- b. Could the project create capacity problems in the sewer lines serving the project site?
-
- c. Other factors?
-

STANDARD CODE REQUIREMENTS

Sanitary Sewers and Industrial Waste – Ordinance No. 6130

Plumbing Code – Ordinance No. 2269

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at the district level?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at individual schools that will serve the project site?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create student transportation problems?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create substantial library impacts due to increased population and demand?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Site Dedication Government Code Section 65995 Library Facilities Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

Potentially significant Less than significant with project mitigation Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any special fire or law enforcement problems associated with the project or the general area?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors? <u>RADIO ACTIVATED OPENING DEVICE ON GATE.</u>

MITIGATION MEASURES OTHER CONSIDERATIONS

Fire Mitigation Fee

FOLLOW MMP FOR EMERGENCY SERVICES

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

Potentially significant

CORRECTION *RJS*
 Less than significant with project mitigation Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create problems with providing utility services, such as electricity, gas, or propane?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any other known service problem areas (e.g., solid waste)?
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)?
f.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

Plumbing Code – Ordinance No. 2269 Water Code – Ordinance No. 7834

MITIGATION MEASURES

Lot Size Project Design

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities** services?

Potentially significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in an inefficient use of energy resources?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a major change in the patterns, scale, or character of the general area or community?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a significant reduction in the amount of agricultural land?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any hazardous materials used, transported, produced, handled, or stored on-site?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any pressurized tanks to be used or any hazardous wastes stored on-site?
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Have there been previous uses that indicate residual soil toxicity of the site or is the site located within two miles downstream of a known groundwater contamination source within the same watershed?
e.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment?
f.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
g.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?
h.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
i.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Toxic Clean-up Plan *IF APPLICABLE*

FOLLOW MMP FOR HAZARDOUS MATERIALS, CONSTRUCTION AND DEMOLITION RECYCLING

CONCLUSION

Considering the above information, could the project have a significant impact relative to public safety?

Potentially significant
 Less than significant with project mitigation *RY*
 Less than significant/No impact
CONSTRUCTION

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the plan designation(s) of the subject property?
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the zoning designation of the subject property?
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hillside Management Criteria?
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEA Conformance Criteria?
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other?
d.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project physically divide an established community?
e.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|--------------------------|-------------------------------------|--------------------------|---|
| a. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project cumulatively exceed official regional or local population projections? |
| b. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)? |
| c. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project displace existing housing, especially affordable housing? |
| d. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)? |
| e. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project require new or expanded recreational facilities for future residents? |
| f. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? |
| g. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other factors? |

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment, or recreational** factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

Yes No Maybe

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

CORRECTION

b. Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

R/S

c. Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

Potentially significant *CORRECTION* Less than significant with project mitigation Less than significant/No impact

R/S

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Noise During Construction</p> <p>1. During construction, standard construction noise attenuation measures are to be adhered to as well as compliance with the Los Angeles County Title 12 Noise Ordinance. Loading and unloading operations should be prohibited between the hours of 10:00 p.m. and 6:00 a.m. (reference 12.08.460 Title 12).</p> <p>2. All onsite mobile and fixed construction equipment shall be equipped with the manufacturers' recommended noise muffling devices, such as mufflers and engine covers. These devices shall be kept in good working condition throughout the construction process.</p>	<p>Contact Department of Public Health for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of demolition/construction.</p>	<p>Monitoring to occur during demolition/construction.</p>	<p>Applicant</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, and Public Health</p>
<p>Air Quality During Construction</p> <p>3. All off-road diesel powered engines used during the demolition and excavation/grading phases must utilize aqueous diesel fuels.</p> <p>4. The applicant must ensure that all architectural coatings used during construction are VOC rated at 75 grams/liter or less.</p> <p>5. The Project Developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site throughout the project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended</p>	<p>Contact South Coast Air Quality Management District (SCAQMD) for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of demolition/construction.</p>	<p>Monitoring to occur during demolition/construction.</p>	<p>Applicant</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, and SCAQMD</p>

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> • Keep all construction equipment in proper tune in accordance with manufacturer's specifications. • Use late model heavy-duty diesel-powered equipment at the Project Site to the extent that it is readily available in the South Coast Air Basin (meaning that it does not have to be imported from another air basin and that the procurement of the equipment would not cause a delay in construction activities of more than two weeks). • Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the Project Site to the extent that it is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost 	<p style="text-align: center;">[RENDERING AREA]</p>			

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>of the equipment use is not more than 20 percent greater than the cost of standard equipment). (This measure does not apply to diesel-powered trucks traveling to and from the site.)</p> <ul style="list-style-type: none"> Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that equipment is readily available and cost effective in the South Coast Air Basin (meaning that it does not have to be imported from another air basin, that the procurement of the equipment would not cause a delay in construction activities of more than two weeks, that the cost of the equipment use is not more than 20 percent greater than the cost of standard equipment). Limit truck and equipment idling time to five minutes or less. Rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines 				

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>6. The Project Developer shall implement fugitive dust control measures in accordance with SCAQMD Rule 403. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> • Use watering to control dust generation during demolition of structures or break-up of pavement. • Water active grading/excavation sites and unpaved surfaces at least three times daily. • Cover stockpiles with tarps or apply non-toxic chemical soil binders. • Limit vehicle speed on unpaved roads to 15 miles per hour. • Sweep daily (with water sweepers) all paved parking areas and staging areas. • Provide daily clean-up of mud and dirt carried onto paved streets from the site. • Install wheel washers for all 				

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.</p> <ul style="list-style-type: none"> • Install wind breaks at the windward sides of construction areas. • Suspend excavation and grading activity when winds (instantaneous gusts) exceed 15 miles per hour over a 30-minute period or more. • An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt. <p>7. Maintaining equipment in an idling mode shall be minimized. All equipment not in use longer than five minutes shall be turned off.</p>	<p>Contact Department of Public Works for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of</p>	<p>Prior to and during demolition/construction.</p>	<p>Applicant</p>	<p>Los Angeles County Departments of Regional Planning, Public Works, and Public Health</p>
<p>Water Quality During Construction</p> <p>8. Appropriate erosion control and drainage devices shall be incorporated to the satisfaction of the Building and Safety Department, such as interceptor terraces, berms, vee-channels, and</p>				

**MITIGATION MONITORING PROGRAM
CUP 01-223**

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>inlet and outlet structures.</p> <p>9. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.</p> <p>10. Leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.</p> <p>11. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.</p> <p>12. Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.</p> <p>13. Where truck traffic is frequent, gravel approaches should be used to reduce soil compaction and limit the trafficking of sediment into streets.</p> <p>14. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall</p>	<p>demolition/construction.</p>			

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>be used to catch drips and spills.</p>				
<p>Drainage/Runoff Control</p> <p>15. A drainage concept review, and final drainage plan approval, shall be deferred to the building permit stage and approved by the Department of Public Works. Site plan layout shall be based upon the approval in concept of the site plan for the subject property on September 3, 2009, by Public Works' Land Development Division. The issue date of this drawing is June 23, 2006. The final drainage concept approval shall cover any increases in runoff, drainage patterns, capacity of existing storm drain facilities, and provide line identification of all proposed drainage facilities. The final plan shall depict slopes for existing and proposed streets, and a Letter of Intent for any offsite work should be provided if applicable. Plans must comply with the National Pollutant Discharge Elimination System (NPDES), Stormwater Management Plan, and Standard Urban Stormwater Mitigation Plan Requirements.</p> <p>16. Should any operation within the subject project include the construction, installation, modification, or removal of underground storage tanks, industrial waste treatment or disposal facilities, and/or storm water treatment facilities, Public Works' Environmental Programs Division must be contacted for required approvals and operating permits. You may call (626) 458-4948 for consultation.</p>	<p>Submittal of drainage concept/plan to Department of Public Works by applicant for review and approval</p>	<p>Pre-construction/building permit stage</p>	<p>Applicant</p>	<p>Los Angeles County Departments of Regional Planning, Public Works</p>

**MITIGATION MONITORING PROGRAM
CUP 01-223**

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Cultural Resources</p> <p>17. If unknown archaeological, paleontological, and/or cultural materials are discovered during review of the Phase I report (see <i>measure 18 below</i>), or during any grading or construction activity, work will not commence or will stop in the immediate area. Upon such discoveries, the contractor shall immediately notify the project applicant and the County of Los Angeles. A paleontologist and/or archaeologist shall be consulted to determine the discovery's significance and, if necessary, formulate a mitigation plan, including avoidance alternatives, to mitigate impacts. Work can only resume in the area with the approval of the County of Los Angeles and paleontologist and/or archaeologist.</p>	<p>Contact Department of Public Works for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of demolition/construction.</p>	<p>Prior to and during demolition/construction</p>	<p>Applicant</p>	<p>Los Angeles County Departments of Regional Planning, Public Works</p>
<p>Hazardous Materials</p> <p>See <i>Measure 18 on page 9</i></p>				

**MITIGATION MONITORING PROGRAM
CUP 01-223**

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>18. Prior to demolition and grading activities, a Phase I report is to be prepared for the entire site. If the Phase I information indicates any potential release of hazardous materials, a preliminary site assessment to include at a minimum obtaining statistically a valid number of surface and subsurface soil samples and analyzing for Title 22 metals, volatile organic compounds, total petroleum hydrocarbons, poly chlorinated biphenyls and other contaminants of concern based on the Phase I information. If preliminary data indicates contamination, additional site investigation must be required under oversight of a governmental agency prior to demolition/construction activities. Contact Health Hazardous Materials Division of the Fire Department at (323) 890-4330 for consultation.</p>	<p>Contact County Fire Department for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of demolition/construction.</p>	<p>Monitoring to occur prior to demolition/construction.</p>	<p>Applicant</p>	<p>Los Angeles County Fire Department, Department of Regional Planning</p>
<p>Construction and Demolition Recycling</p> <p>19. Construction projects with a total value of over \$100,000, and demolition and grading projects in the County's unincorporated areas are required to recycle or reuse 50 percent of the construction and demolition debris generated per the County's Construction and Demolition Debris Recycling and Reuse Ordinance. A Recycling and Reuse plan must be submitted to and approved by the</p>	<p>Contact Department of Public Works for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of demolition/construction.</p>	<p>Prior to demolition/construction</p>	<p>Applicant</p>	<p>Los Angeles County Departments of Regional Planning, Public Works</p>

MITIGATION MONITORING PROGRAM
CUP 01-223

Mitigation Measure	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Environmental Programs Division before construction, demolition, or grading permit may be issued.</p>				
<p>Emergency Services 20. Any installed primary entrance gates shall be equipped with a radio activated opening device, to allow emergency service personnel to gain entry by simply keying their microphones.</p>	<p>Contact County Fire and Sheriff Departments for consultation and instructions, and pay deposit on Mitigation Monitoring account with Regional Planning prior to commencement of demolition/construction.</p>	<p>Monitoring to occur prior to completion of construction and during scheduled maintenance of checks.</p>	<p>Applicant</p>	<p>Los Angeles County Sheriff and Fire Departments</p>
<p>Mitigation Compliance 21. As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the DRP for review and responsible for replenishing the mitigation monitoring account, if necessary, until such time as all mitigation measures have been implemented and completed.</p>	<p>Submit and approval of annual Mitigation Compliance Report, Replenishment of Mitigation Monitoring account if necessary until such time as all mitigation measures have been implemented and completed.</p>	<p>Annually</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning</p>

CONDITIONAL USE PERMIT CASE – BURDEN OF PROOF

SEC. 22.56.040

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

- A. That the requested use at the location proposed will not:
 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

This request is for continuation of an existing use. Its history here is long, without incident. It has well demonstrated that it does not adversely affect the public health, safety & welfare. Applicant has been making improvements to the property which will help increase the valuation of properties in the area. There is a growing need for facilities like this to serve the public need. It is a well-maintained and well run facility and therefore, does not and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

Site has existing in its current configuration and use for many, many years. No changes are proposed to its size or configuration. All parking, walls and landscaping are already in and established. Some minor rehabilitation of the street frontage landscaping is in process after completion of changes to driveway placements. It is being completed.

- C. That the proposed site is adequately served:
 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required

Compton Boulevard is adequate to continue to meet the traffic generated by this facility. Traffic generated by this use, even when considering a request to increase the amount of tons per day handled is more than adequate to carry the load. All other public facilities are in and adequate.

1
2 **WHEREAS, the Facility is a solid waste facility that was permitted to operate pursuant to**
3 **Solid Waste Facility Permit ("SWFP") No. 19-AA-0857, issued on September 22, 1993 in accords**
4 **with state minimum standards; and**

5
6 **WHEREAS, the state minimum standards require a valid land use approval for the**
7 **operation of the facility; and**

8
9 **WHEREAS, the Facility's Conditional Use Permit (CUP) No. 91026-(2), which**
10 **provided the requisite land use approval for the operation of the Facility, expired on October**
11 **1, 2001; and**

12
13 **WHEREAS, Haig & Haig, Inc., a prior owner/operator of the Facility, and Si-Nor, Inc.**
14 **have made changes in the design and operation of the facility without updating the existing**
15 **Transfer Processing Report as required by Title 14 of the California Code of Regulations (14**
16 **CCR), Section 18221.6 of the state minimum standards; and**

17
18 **WHEREAS, Si-Nor, Inc., the owner/operator of the Facility, was issued a Cease and**
19 **Desist Order by the LEA on April 11, 2003 for operating without a valid solid waste facilities**
20 **permit and for other violations of the State Minimum Standards; and**

21
22
23 **WHEREAS, Si-Nor, Inc. filed a timely appeal of the Cease and Desist Order to the**
24 **Los Angeles County Solid Waste Facilities Hearing Board (Hearing Board) formed pursuant**
25 **to Chapter 2.56 of the Los Angeles County Code and Section 44308 et seq. of the PRC; and**

1 WHEREAS, the hearing board commenced the appeal of the Cease and Desist Order;
2 and

3
4 WHEREAS, Si-Nor, Inc. executed an "Interim Operating Agreement" on November
5 23, 2004 with Regional Planning, which grants the requisite land use approval for the
6 continued operation of the Facility under State minimum standards; and

7
8 WHEREAS, except as provided in the attached "Milestone Schedule" (Version 1.11)
9 incorporated herein in its entirety in connection with the need to update the existing Transfer
10 Processing Report, Si-Nor, Inc., has brought the facility into compliance with State minimum
11 standards; and

12
13 WHEREAS, among other things, the Milestone Schedule provides a schedule and task
14 descriptions for Si-Nor, Inc. to update the current Transfer Processing Report to reflect the
15 current operating conditions and facility design and including the completion/compliance
16 dates or due dates; and

17
18 WHEREAS, the Milestone Schedule also provides a schedule and task descriptions for
19 Si-Nor, Inc. to prepare a revised solid waste facilities permit application to encompass new
20 proposed changes in operations and facility design changes to the Facility; and

21
22 WHEREAS, Si-Nor, Inc., in cooperation with the LEA, the County of Los Angeles
23 Department of Regional Planning (Regional Planning), and the California Integrated Waste
24 Management Board (CIWMB) has proposed a resolution to allow the conditional continued
25 operation of the facility under the SWFP prior to the conclusion of the hearing; and

1 WHEREAS, Si-Nor, Inc.'s, proposal, entitled "Proposal and Request to the Solid
2 Waste Facilities Hearing Board and Local Enforcement Agency for the Reinstatement of the
3 Existing Solid Waste facilities Permit" is attached hereto and incorporated herein in its
4 entirety, (Proposal) proposes the conditional continued operation of the facility under the
5 SWFP if Si-Nor, Inc., and the facility remain in compliance with; a) "Interim Operating
6 Agreement" attached hereto and incorporated herein in its entirety, (IOA), b) "Minimum
7 State Standards Operations and Maintenance Manual for the Interim Operating Agreement",
8 attached hereto and incorporated herein in its entirety, (O&M Manual), c) Milestone
9 Schedule,; d) the State Minimum Standards; and

10
11 WHEREAS, on December 22, 2004 the Hearing Board and the LEA conceded to
12 continue the hearing to allow the conditional continued operations of the facility under the SWFP
13 based on the Proposal;

14
15 **THEREFORE, BASED ON THE ABOVE RECITALS AND PURSUANT TO PRC**
16 **SECTIONS 45000 AND 45011, AND 14 CCR SECTIONS 18304 AND 18304.1, SI-NOR, INC.**
17 **AND COASTAL ARE ORDERED TO:**

- 18
19 1. Comply with the terms and conditions of the SWFP No. 19-AA-0857.
20
21 2. Comply with all State Minimum Standards for Transfer/Processing Facilities.
22
23 3. Comply with the terms and conditions of the IOA.
24
25 4. Follow the procedures in the O & M Manual.

1 5. Timely complete the tasks described in the Milestone Schedule according to the
2 scheduled timeframe. In the event the time frames for completion of the tasks
3 described in the Milestone Schedule cannot be adhered to as a result of, 1) factors not
4 in the control (e.g., Acts of God, etc.) of Si-Nor, Inc., and 2) the delays or lack of action
5 of the LEA or Regional Planning, then the LEA will extend the time frames based upon
6 those specific factors provided by the operator in writing. Any such extension to the
7 time frames or other amendment to this Stipulated Notice and Order shall be in the
8 form of an Amended Stipulated Notice and Order. The delays, which are 1) beyond
9 the control of Si-Nor, Inc. and 2) result from the delays or lack of action by the LEA or
10 Regional Planning, shall not be construed to be a breach or a violation of this Stipulated
11 Notice and Order.

12
13 6. Submit written progress reports on the progress of the tasks described in the Milestone
14 Schedule and a summary of the facility compliance every two months to the LEA for
15 review and concurrence and thereafter to the Hearing Board, with the first report due on
16 March 1, 2005, and every two months afterward.

17
18 **PLEASE TAKE NOTICE THAT PURSUANT TO PRC SECTIONS 45011, 45014,**
19 **AND 45023, if the above actions are not completed or complied with by the specified dates, the**
20 **LEA may:**

21
22 1. Request the Hearing Board to convene a meeting to suspend or revoke SWFP No. 19-
23 AA-0857 upon either any violation of the IOA or any violation of any regulation
24 contained in Titles 14 or 27 of the California Code of Regulations, as applicable, subject
25 to the cure period contained in the IOA for any said violations. The hearing would

1 resume at any time as may be requested by the LEA or Si-Nor, Inc. at a time and place as
2 may be determined by the Hearing Board.

3
4 2. Petition the Superior Court for injunctive relief to enforce this Stipulated Notice and
5 Order. [PRC Section 45014].

6
7 3. Petition the Superior Court for civil penalties. [PRC Section 45023 and 45024]

8
9 4. Impose administrative civil penalties for each day the Facility fails to achieve
10 compliance after a reasonable time to cure the violation(s). [PRC Section 45011]

11
12 5. Take any other actions as allowed by law.

13
14 Nothing in this Stipulated Notice and Order shall constitute or be construed as a
15 satisfaction or release from liability for any conditions or claims arising as a result of past,
16 current, or future operations. Notwithstanding compliance with the terms of this Stipulated
17 Notice and Order, the owner and operator may be required to take further actions as necessary to
18 protect the public health, safety, or the environment.

19
20 The LEA shall not be liable for injuries or damages to persons or property resulting from
21 acts or omissions by the owner or operator or related parties in carrying out activities pursuant to
22 this Stipulated Notice and Order, nor shall the LEA be held as a party to any contract entered
23 into by the owner or operator or their agent(s) in carrying out activities pursuant to this
24 Stipulated Notice and Order.

25

1 This Stipulated Notice and Order is supported by the accompanying declaration of Pete
2 Oda of the Los Angeles County, Department of Health Services, Local Enforcement Agency.

3
4 This Stipulated Notice and Order does not relieve the owner or operator from complying
5 with all other local, state, and federal requirements, nor does it preclude the LEA, the Regional
6 Planning, or the CIWMB from taking any and all other actions allowed by law.

7
8 This Stipulated Notice and Order may only be amended in writing upon the mutual
9 agreement of an authorized representative of the Si-Nor, Inc. and by an appropriate
10 representative of the LEA.

11
12 **PLEASE TAKE NOTICE THAT:**

- 13
14 1. Pursuant to 14 CCR Section 18304(b)(8), the person or entity named in this
15 Stipulated Notice and Order has the right to appeal this Stipulated Notice and
16 Order to the Hearing Board. [PRC Section 44307]
17
18 2. A request for a hearing before the Hearing Board must be filed within 15 days
19 from the date of receipt of this Stipulated Notice and Order. [PRC Section 44310]

20
21 This Stipulated Notice and Order is issued as of the date set forth below and agreed upon by the
22 parties indicated below.

1 Dated: 12/31/04

2

3

4 

5

Pete Oda

6

County of Los Angeles

7

Department of Health Services

8

Local Enforcement Agency

9

10

11

12

13

14

15

16

17

18

19

20

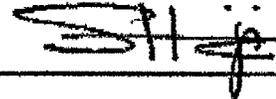
21

22

23

24

25



Silas Ugorjis

Coastal MRF and Transfer Station

Si-Nor, Inc

DECLARATION

I, Pete Oda, declare under penalty of perjury that the following is true and correct:

I am duly employed as Environmental Health Specialist IV, Solid Waste Management Program, of the County of Los Angeles, Department of Health Services.

The allegations of the foregoing Stipulated Notice and Order are known to me to be correct, based either on my personal knowledge or on information and belief. The knowledge was obtained from review of records of the Coastal Material Recovery Facility on file with the County of Los Angeles, Department of Health Services.

Executed at: 5050 Commerce Drive, Baldwin Park, California, 91706
Telephone No: (626) 430-5540

By:



Pete Oda, R.E.H.S.
Solid Waste Management Program

01/07/05
Date

INTERIM OPERATING AGREEMENT
Si-Nor/Coastal Recycling Facility
357 W. Compton Boulevard, Gardena

Description and Background:

This Interim Operating Agreement ("Agreement") is entered into by and between Silas Ugorji ("Permittee"), owner and operator of the Si Nor/Coastal Recycling Facility ("Facility") located at 357 West Compton Boulevard in the unincorporated community of Gardena in the County of Los Angeles ("County"), and the County of Los Angeles Department of Regional Planning ("Department") on this ___ day of November 2004.

Field C

The Permittee conducts a waste transfer station and materials recovery operation at the Facility. The Facility is located in an area zoned "M-2" (Heavy Manufacturing), where waste transfer stations and materials recovery operations are required to obtain conditional use permits ("CUP") from the Department, which must be approved by the Los Angeles County Regional Planning Commission ("Commission").

The Department therefore issued to the Permittee CUP 91-026 (2) for the Facility, which CUP was approved by the Commission on September 11, 1991. However, CUP 91-026 (2) expired on October 1, 2001. Consequently, to allow for the continued operation of the Facility, on October 10, 2001, the Permittee submitted to the Department an application ("Application") for CUP 01-223 (2), which is currently being processed by the Department for review by the Commission.

In order to facilitate the interim operation of the Facility while the Application for CUP 01-223 (2) is being processed, the Permittee agrees to comply with the below terms and conditions of interim operation.

Terms and Conditions:

1. Notwithstanding the above date, this Agreement shall commence on the date executed by all parties and delivered to the Department together with a completed and signed Affidavit that meets the requirements of Condition 2 immediately below and shall expire on the *earlier* of: i) one (1) calendar year from the date of the Agreement's commencement; or ii) the date that CUP 01-223 (2) is approved by the Commission.
2. This Agreement shall not be effective until the Permittee files with the Department a properly completed and fully executed and notarized Affidavit of Acceptance, in the form attached hereto as Exhibit "1", hereby incorporated by reference, stating, among other things, that the Permittee has reviewed, and agrees to accept, all of the conditions of this Agreement.
3. If the Application for Conditional Use Permit 01-223 (2) is denied or withdrawn by the Permittee before being considered by the Commission, this Agreement shall terminate, operation of the Facility shall immediately cease, and the Permittee shall bring the Facility into full compliance with all of the provisions of the Los Angeles County Code within thirty (30) days of the date of denial and/or withdrawal of the Application.

4. Within thirty (30) calendar days of execution of this Agreement, the Permittee shall submit to DHS a Transfer Processing Report that DHS has determined accurately reflects the operation at the Facility ("TPR"). An Operations and Maintenance Manual ("O & M Manual") that dictates operating standards and procedures for the Facility is attached and incorporated by reference to this Agreement. The Permittee will strictly comply with the O & M Manual in its operation of the Facility. Said O & M Manual shall be subsequently revised by the Permittee within thirty (30) calendar days of all future requests of DHS to reflect changes to the required standards and procedures for the operation of the Facility. Notwithstanding the foregoing or any other provision herein, if any conflict or discrepancy exists between this Agreement and the O & M Manual, the provisions of this Agreement shall govern.

5. If the Director of the Department at his sole discretion determines that the Permittee has failed to comply with the terms of this Agreement, the operation of the Facility and this Agreement shall immediately cease. However, Permittee shall be allowed thirty (30) days following issuance of a written notice by the Department to cure any violation or breach of this Agreement to the full and complete satisfaction of the Director of the Department. The Permittee acknowledges that the determination of the Director of the Department is final. Notwithstanding the foregoing, the Permittee's Application for CUP 01-223 (2) will continue to be processed by the Department based on the Department's customary policies, practices and procedures, unless said Application for CUP 01-223 (2) is withdrawn by Permittee.

6. Except as otherwise noted herein, the Permittee shall maintain the Facility in compliance with that certain Site Plan dated September 2, 1999 prepared by the Permittee and submitted together with the Permittee's application to CUP 91-026 (2) and approved by the Department ("Site Plan"). However, the Permittee shall not construct or complete any improvements and/or expansions to the Facility during the term of this Agreement regardless of any prior approval for such improvements or expansions that are identified in the Site Plan. In addition, the Permittee shall operate the Facility in compliance with the conditions and the Monitoring Program established by the Commission in approved Conditional Use Permit 91-026 (2) and the O & Manual. Notwithstanding the foregoing or any other provision herein, if any conflict or discrepancy exists between certain conditions of CUP 91-026(2) and this Agreement, the provisions of this Agreement shall govern.

7. The Permittee shall allow access to all County departments to inspect the Facility during the Facility's hours of operation, including without limitation, the Department's staff. The Permittee shall cooperate fully with County staff during these inspections.

8. The Permittee shall not lease or in any way alienate any portion of the Facility to any third party during the term of this Agreement without the prior written approval of the Department. The Permittee hereby represents and warrants that no third parties or any other tenants occupy or shall occupy any portion of the Facility during the term of this Agreement.

9. The Permittee shall immediately deliver to the County of Los Angeles Department of Health Services ("DHS") a deposit in the form of a check in the sum of \$5,000. DHS shall be free to draw from this \$5,000 deposit to reimburse DHS for its costs incurred in connection with inspections of the Facility and administration of this Agreement, to the extent said costs exceed the cost of one monthly inspection of the Facility by DHS during the term of this Agreement. At all times during this Agreement, the Permittee shall ensure that the foregoing deposit with DHS maintains a minimum balance of \$5,000. All checks under this Condition 9 shall be in the name

of County of Los Angeles and delivered addressed to the County of Los Angeles Department of Health Services, Local Enforcement Agency, to the attention of Mr. Peter Oda, 5050 Commerce Drive, Baldwin Park, California 91706. At the termination of this Agreement, any monies (including interest) remaining in this deposit, if any, shall be returned to the Permittee.

10. In addition to the \$5,000 deposit under Paragraph 9 above, the Permittee shall also immediately deliver to the Department another deposit in the form of a check in the sum of \$900. At all times during the term of this Agreement the Permittee shall maintain a minimum deposit balance of \$900. The Department shall be free to draw from this \$900 deposit to reimburse the Department for its costs incurred to inspect the Facility in connection with this Agreement. Although the aforementioned \$900 deposit provides for six (6) inspections: one every other month, if the Department deems necessary to conduct more than six (6) inspections, the Department, at its sole and absolute discretion, shall have the option to complete as many inspections the Department deems necessary to ensure the Permittee's compliance with this Agreement. Additional inspections shall also be reimbursed from said deposit. All checks under this Condition 10 shall be made payable to the County of Los Angeles Department Regional Planning and delivered addressed to the County of Los Angeles, Department of Regional Planning, to the attention of Rose Hamilton or her designee, 320 West Temple Street, Los Angeles California 90012. At the termination of this Agreement, any monies (including interest) remaining from this deposit, if any, shall be returned to the Permittee.

11. Nothing in this Agreement shall limit the power of the Department and/or County to enforce the Los Angeles County Code or any other applicable policies, rules, regulations or laws under its jurisdiction.

12. The Permittee shall accept or process at the Facility only materials defined as "Solid Waste" pursuant to Section 40191 of the California Public Resources Code.

13. A maximum of 500 tons of solid waste may be received or processed at the Facility on a daily basis provided that the Permittee can demonstrate that incoming Solid Waste meets the requirements of Condition 17 (waste that contains free flowing liquids will not exceed five percent (5%) of the gross weight of the waste) and meets standards set forth in Chapter 3, Division 7 of Title 14 of the California Code of Regulations. The daily tonnage shall be decreased by 50 tons each instance that the Permittee does not meet either Condition 17 or the standards set forth in Chapter 3, Division 7 of Title 14 of the California Code of Regulations referenced herein for two (2) consecutive monthly inspections as determined by DHS. A maximum of two hundred (200) tons per day may be processed through the Materials Recovery Facility (MRF). The input feedstock to the MRF is restricted to "source separated materials" (as defined by Title 14 of the California Code of Regulations), "materials separated for reuse" (as defined by Title 14 of the California Code of Regulations), and/or materials from "high grade/high fiber routes" or "dry routes" (e.g., commercial routes which targets customers with high paper content composition, which has a minimum of 50% fiber/paper content). The MRF may not process mixed waste loads during the period that this Agreement is in effect.

14. At all times, the Permittee shall maintain properly calibrated radiation monitoring equipment at the Facility as required by DHS and provide evidence thereof to DHS. The Permittee shall at all times comply with the County's policies on radiation monitoring. For purposes of this section, properly calibrated hand held radiation monitoring devices are acceptable.

15. All tipping floor personnel at the Facility must be trained to identify Prohibited Waste in the proper handling procedures for its legal processing, removal and/or sequestration. A copy of the Facility's training certificates and a written "prohibited/hazardous waste handling procedures manual" must be available on-site at the Facility for the inspectors' review. "Prohibited Waste" shall mean all waste other than Solid Waste, including radioactive waste, liquid waste, excessively wet loads, medical waste, hazardous waste, and any waste that would be illegal or otherwise prohibited by this Agreement to be processed at the Facility.

16. The Permittee will use its best efforts to prevent the intake and processing of waste that may pose a risk to public health or safety or the environment. Permittee shall process waste in strict compliance with the O & M Manual. At minimum, the Permittee will assign an employee to inspect incoming waste consistent with the O & M Manual. All Prohibited Waste or materials containing otherwise unsafe waste will be rejected or segregated for disposal that meets all applicable laws or regulations.

17. The Permittee may not accept at the Facility solid wastes that contain free-flowing liquids in excess of five percent (5%) of the gross weight of the waste, as measured pursuant the O & M Manual. The Facility's tipping area shall be washed down daily at the end of each operating day. The resulting wastewaters must enter a permitted Standard Urban Stormwater Mitigation Plan ("SUSMP") system and must be pumped immediately so that at all times the Facility remains free of standing water, including at the sump pits. The berms that direct the flow of water must be maintained in good condition and repaired in accordance with the O & M Manual as needed to perform its intended function.

18. All waste processed at the Facility must be delivered to the site solely in trucks owned by the Permittee for the Facility or operated directly by the generator of the waste (e.g., direct self haul by existing customer of Permittee, Si-Nor, Inc.). The Permittee shall not accept any waste or other materials directly from the general public.

19. The Permittee must ensure that no incoming trucks queue up on Compton Boulevard or any other adjacent streets. The Permittee shall be responsible for full compliance with this condition whether the trucks are owned or operated by the Permittee or by any third party delivering waste to the Facility.

20. All waste transfer operations at the Facility shall take place under the existing metal canopy or inside of the materials recycling facility building. When collection vehicles deposit waste onto the tipping floor of the Facility, a small part of that waste may lie partially outside the canopy, but only if the Permittee maintains mobile equipment (*i.e.*, a loader) at the Facility during the tipping operations to immediately push said waste under the canopy. Nothing in this Condition 20 shall imply or limit the Permittee's ability to reposition collection vehicles, mobile equipment, recyclable collection bins and the like, within the Facility property.

21. Tipping or processing of waste at the Facility may be conducted from 6:00 A.M. to 5:00 P.M., Monday through Friday, and from 6:00 A.M. to 12:00 Noon on Saturdays. No tipping or processing of waste may be conducted at the Facility on Sundays. Adequate lighting must be provided during dawn and sunset hours of operation.

22. All containers, including roll-off bins, and/or all collection vehicles containing waste that are present overnight must be parked inside the enclosed building at the Facility. The building

must be maintained clean and free of vermin pursuant to the O & M Manual. The Permittee shall also abide by all County of Los Angeles Fire Department regulations. No waste may be stored in containers or vehicles, including transfer trailers, for longer than 24 hours. Storage of containers and/or vehicles inside the enclosed building may take place only if such storage can be done safely without damage to the building, containers or the vehicles. In the event of special circumstances that storage of containers and/or vehicles will require more than 24 hours, DHS must be notified and approval received. Special circumstances arise from unscheduled delays or closures at landfills (or other facilities) and/or from special directives from other regulatory agencies, e.g., directive to isolate and park a truck due to radiation reading, etc.

23. The Permittee may store at the Facility overnight a maximum of six (6) covered filled transfer trailers only if parked under the existing canopy and tunnel. "Covered," as used in this Condition 23, means a solid covering that overlaps the sides of the transfer trailers to protect the enclosed waste from vermin or rainwater. During rainy nights, five (5) covered filled transfer trailers may only be parked under the existing canopy and tunnel. No transfer trailers containing waste shall be stored for longer than 24 hours. No transfer trailers containing waste may be stored under the existing canopy during operating hours. The Facility shall coordinate the scheduling of transfer trailers trips to disposal facilities so that overnight storage is minimized. In the event of special circumstances require transfer trailers require more than 24 hours onsite storage, DHS must be notified and DHS must approve the timeframe for onsite storage. Special circumstances arise from unscheduled delays or closures at landfills (or other facilities) and/or from special directives from other regulatory agencies.

24. Storage of empty dumpsters and similar containers outside of the enclosed building located at the Facility is permitted only if the empty dumpsters or containers have been screened as provided in Part 7 of Chapter 22.52 of the Los Angeles County Code. Dumpsters and storage bins shall not obstruct any parking spaces or drive ways depicted on the Site Plan.

25. The Permittee shall immediately repair cracks on the tipping floor in accordance with the O & M Manual.

26. Permittee must make best efforts to prevent emission of dust or tracking of mud onto public right-of-ways or adjacent properties. Notwithstanding the foregoing, the portions of the Facility currently shown as unpaved in the Site Plan for purposes of drainage, and allowed to remain unpaved by the SUSMP for the Facility, must remain unpaved, including the drainage swale located to the west of the enclosed building.

27. Maintenance of any vehicles and/or equipment at the Facility shall be conducted in such a manner that any parts, lubricants, cleansers, waste products and any other repair materials are disposed of in the appropriate and lawful manner, including permits and approvals as may be prescribed by any agency that has jurisdiction over such disposal. Degreasing for maintenance purposes may be conducted using only small quantities of common consumer cleansing agents

28. All landscaping required by CUP 91-026 (2) and depicted on the Site Plan, that has been already completed, must be continuously and properly maintained in good condition and irrigated regularly so as to facilitate growth. The Permittee shall not install new landscaping or irrigation equipment on the property.

29. The Permittee must provide at least thirty-eight (38) paved, off-street, parking spaces as depicted on the Site Plan. These parking spaces, as well as driveways for the Facility must

comply with the standards and requirements established in Part 11 of Chapter 22.52 of the Los Angeles County Code, including Section 22.52.1205 of the Los Angeles County Code. All parking spaces and driveways at the Facility shall be maintained fully accessible for the parking of automobiles at all times when the Facility is in operation. No required parking space or access driveway thereto shall be used to store materials, waste, or bins at any time. All parking at the Facility must be conducted in the designated parking areas.

30. All fences and walls at the Facility must be maintained in good condition and repaired. The Permittee shall not construct or erect any new fences or walls during the terms of this Agreement.

31. All structures, walls, and fences open to public view must remain free of graffiti, extraneous markings, drawings, or signage that is not approved by the Department. The signage permitted at the Facility must comply with Title 22 of the Los Angeles County Code and Title 14 of the California Code of Regulations, and must be approved in advance by the Department in writing. The Permittee must remove or cover any graffiti, markings, drawings, or non-approved signage within 24 hours of its occurrence. Paint utilized in covering such graffiti, markings, drawings, or signage must be of a color that reasonably matches the color of the adjacent surfaces.

32. The Facility must be maintained in a neat and orderly manner. The Permittee must sweep all open yard areas and access ways and police other exterior areas including, but not limited to, sidewalks, streets, curbs, and gutters at least once per operating day (or more often if necessary) to remove dirt and litter accumulation.

33. Dust control measures must be implemented and maintained at the Facility to the consistent with standards set forth in the O & M Manual.

34. The Permittee must provide any information and/or copies of documents that may be requested by the Department, DHS, or any other department of the County within fifteen (15) calendar days of receipt of the request.

35. Unless otherwise provided in this Agreement, the Permittee must comply with all applicable laws, regulations and /or governmental requirements, including, without limitation, the requirements of the County Zoning Ordinance set forth in Title 22 of the Los Angeles County Code, and requirements of the specific zoning of the Facility. All records relating to the operation of the Facility shall be maintained on site pursuant to the O & M Manual.

36. The Permittee shall not conduct any expansion or new construction at the Facility unless pre-approved, in writing, by the Department with the concurrence of DHS.

37. The Permittee shall not make any improvements and/or expansions to the Facility during the term of this Agreement without prior written approval from the Department, at the Department's sole and absolute discretion.

38. The Permittee, upon request by the Department, shall provide within fifteen (15) calendar days to the Department copies of any and all permits and approvals, from any governmental agency, obtained by the Permittee to perform the activities approved by CUP 91-026 (2).

39. The Permittee must submit monthly monitoring reports to DHS in the form prescribed by DHS. Monthly monitoring reports and the regulatory fee form with a check payable to County of

Los Angeles are due two (2) weeks after the end of each month. The Permittee must keep copies of all operating records at the Facility for DHS to review. The Permittee also must provide DHS with copies of monthly monitoring reports upon request.

40. The Permittee shall defend, indemnify and hold harmless the County of Los Angeles, its special districts, their agents, elected and appointed officers, employees and agents (collectively, the "Indemnified Parties") from and against any all claims, demands, damages, actions, fees, costs and/or expenses, including attorneys' and expert fees and costs, arising from any claim, action, or proceeding to attack, set aside, void, or annul this Agreement, or arising from or relating to this Agreement, except if caused by the Indemnified Parties' negligence or willful misconduct as found by a court of competent jurisdiction. Notwithstanding the foregoing, the Permittee shall be responsible to reimburse the Department and/or the County for its costs of enforcing this Agreement, except that in case of a dispute, each party will be responsible for its own attorneys' fees and costs. This Section 40 shall survive the expiration or early termination of this Agreement.

41. The Permittee acknowledges that although certain DHS personnel act as staff to the "Local Enforcement Agency" ("LEA") designated and certified by the California Intergrated Waste Management Board, pursuant to California Public Resources Code Section 43200, et seq., this Agreement is not entered into by or on behalf of the LEA, and in no way is it intended to curtail the LEA's regulatory powers or authority.

42. This Agreement in no way shall constitute a waiver of any of the Permittee's obligation to meet any and all applicable permits and related requirements for the Facility, including without limitation, for a Solid Waste Facility Permit ("SWFP") required under Title 14 and Title 27 of the California Code of Regulations. The requirements in this Agreement shall be in addition to, not in lieu of, any requirements in any other applicable agreement or permit for the Facility.

43. The Permittee to obtain and comply with all requisite building permits and/or environmental permits including without limitation, an industrial waste discharge permit as may be required under Section 20.36.040 of the Los Angeles County Code. The Permittee must obtain and maintain in good standing all permits required by law.

44. Nothing in this Agreement shall be construed as any indication, assurance or promise that the Commission will approve the Application for CUP 01-223 (2) or process it beyond the Department's customary procedures.

45. To the extent any provision, term, condition, or parts thereof in this Agreement may be deemed unenforceable or contrary to law by a court of competent jurisdiction, said provision, term or condition shall be severed from the Agreement and the remainder of the Agreement shall remain in full force and effect.

46. The Permittee shall adopt measures within ninety (90) days of the effective date of this Agreement to ensure the accuracy of the disposal tonnages allocated to the County unincorporated areas and shall submit a monthly monitoring report to the County of Los Angeles Department of Public Works ("Public Works"). These measures shall include, but not be limited to: 1) requiring all solid waste enterprises/waste haulers utilizing the Facility to submit accurate solid waste origin data, 2) imposing penalties for non-cooperation or repeatedly providing false information. Based on the initial results obtained from this program, these measures may be

amended or modified by the Director of Public Works. The Director of Public Works may also, at his or her discretion, terminate the program at any time.

47. The Permittee shall provide DHS a list of existing customers with their corresponding type of material. As any new customer is accepted, written notice of the new customer and the type of material that said customer will take to the Facility must be provided to DHS.

48. THE DEPARTMENT AND THE COUNTY HAVING EXPENDED SUBSTANTIAL RESOURCES IN PROCESSING THIS AGREEMENT, AND IN TAKING STEPS TO PROTECT THE PUBLIC HEALTH AND SAFETY, THE PARTIES ACKNOWLEDGE THAT THE DAMAGES TO THE DEPARTMENT AND/OR THE COUNTY AS A RESULT OF THE PERMITTEE'S VIOLATION OF THIS AGREEMENT WOULD BE MATERIAL AND VERY DIFFICULT AND NOT PRACTICABLE TO MEASURE. THE LIQUIDATED SUMS SPECIFIED BELOW REPRESENT A FAIR AND REASONABLE APPROXIMATION OF THE DAMAGES INCURRED BY THE DEPARTMENT AND THE COUNTY RESULTING FROM THE PERMITTEE'S VIOLATION OF THIS AGREEMENT. UPON CONSULTATION WITH LEGAL COUNSEL AND BASED ON THE PROVISIONS OF CALIFORNIA CIVIL CODE SECTION 1671, PERMITTEE VOLUNTARILY AND KNOWINGLY AGREES TO PAY AS LIQUIDATED DAMAGES DURING A TIME PERIOD WHEN PERMITEE IS IN BREACH OR VIOLATION OF THIS AGREEMENT: \$100 PER DAY FOR THE FIRST BREACH OR VIOLATION OF THIS AGREEMENT PLUS \$200 PER DAY FOR THE SECOND BREACH OR VIOLATION OF THIS AGREEMENT PLUS \$500 PER DAY FOR ANY THIRD OR SUBSEQUENT BREACH OR VIOLATION OF THIS AGREEMENT. THESE LIQUIDATED DAMAGES SHALL BE IN ADDITION TO AND INDEPENDENT OF ANY SPECIFIC COSTS THAT PERMITEE MAY HAVE REIMBURSED TO THE DEPARTMENT OR DHS UNDER THIS AGREEMENT, SHALL BE CUMULATIVE FOR ALL VIOLATIONS, SHALL ACCRUE INTEREST AT THE MAXIMUM RATE ALLOWABLE BY LAW, AND SHALL BE IN ADDITION TO ANY AND ALL EQUITABLE REMEDIES IN FAVOR OF THE COUNTY OR THE DEPARTMENT. HOWEVER, LIQUIDATED DAMAGES SHALL NOT COMMENCE UNTIL THE 31st DAY FOLLOWING ISSUANCE OF A NOTICE OF VIOLATION OF THIS AGREEMENT OR OF A BREACH OF THIS AGREEMENT, BY EITHER THE DEPARTMENT OR DHS AND SHALL NOT APPLY IF THE PERMITEE CURES OR REMEDIES SAID DEFAULT OR BREACH TO THE DEPARTMENT'S FULL AND COMPLETE SATISFACTION PRIOR TO 31 DAYS FROM THE DATE OF THE NOTICE.

Attachments:

Exhibit No. 1: Affidavit of Acceptance

Exhibit No. 2: CUP 91-026 (2) Conditions of Approval dated September 12, 1991

Exhibit No. 3: Monitoring Program for CUP 91-026 (2)

Exhibit No. 4: Revised Exhibit 'A' dated September 2, 1999

Exhibit No. 5: Operations and Maintenance Manual

EX 21

**REVISED CONDITIONS 22 AND 23 TO
INTERIM OPERATING AGREEMENT
FOR
SINOR INC./COASTAL RECYCLING FACILITY**

On November 23, 2004, SiNor Inc. on behalf of SiNor Inc./Coastal Waste Transfer Facility (Facility) signed an Affidavit of Acceptance regarding Conditional Use Permit Application 01-223(2) and the Interim Operating Agreement. Said Affidavit bound SiNor Inc. and the Facility to the terms and conditions of the Interim Operating Agreement ("Agreement"). Subsequent to signing of the Affidavit, the Department of Regional Planning modified two of the provisions of the Agreement as set forth below. The terms of Agreement shall remain in full force and effect and the revised Conditions 22 and 23, as set forth below, shall be incorporated into and made part of the Agreement effective immediately. Revised Conditions 22 and 23 shall be binding upon SiNor Inc. and the Facility immediately. Revised Conditions 22 and 23 shall terminate simultaneously with Agreement.

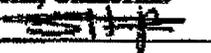
22. All containers, including roll-off bins, and/or all collection vehicles containing waste that are present overnight must be parked inside the enclosed building at the Facility. The building must be maintained clean and free of vermin pursuant to the O & M Manual. The Permittee shall also abide by all County of Los Angeles Fire Department regulations. No waste may be stored in containers or vehicles, including transfer trailers, for longer than 24 hours from Monday through Friday. No waste may be stored more than 48 hours on Saturdays and Sundays. Storage of containers and/or vehicles inside the enclosed building may take place only if such storage can be done safely without damage to the building, containers or the vehicles. In the event of special circumstances that require storage of containers and/or vehicles in excess of the time limits set forth in this paragraph, Permittee must notify DHS and obtain approval from DHS for such storage. "Special circumstances" are defined as unscheduled delays beyond the Permittee's control or unscheduled closures at landfills and/or special directives from regulatory agencies that would require storage of containers or vehicles at the Facility for longer than 24 hours from Monday through Friday or for longer than 48 hours on Saturdays and Sundays, for example, a directive from State DHS or its local branch or agency to isolate and park a truck due to radiation reading, etc.

23. The Permittee may store at the Facility overnight a maximum of six (6) covered filled transfer trailers only if parked under the existing canopy and tunnel. "Covered," as used in this Condition 23, means a solid covering that overlaps the sides of the transfer trailers to protect the enclosed waste from vermin or rainwater. During rainy nights, five (5) covered filled transfer trailers may only be parked under the existing canopy and

tunnel. No transfer trailers containing waste shall be stored for longer than 24 hours from Monday through Friday. No waste may be stored more than 48 hours on Saturdays and Sundays. No transfer trailers containing waste may be stored under the existing canopy during operating hours. The Facility shall coordinate the scheduling of transfer trailers trips to disposal facilities so that overnight storage is minimized. In the event of special circumstances that require more than the time limits set forth in this paragraph for onsite storage of transfer trailers, the Permittee must notify DHS and obtain approval from DHS for such onsite storage. "Special circumstances" are defined as unscheduled delays beyond the Permittee's control or unscheduled closures at landfills and/or special directives from other regulatory agencies that would require storage of transfer trailers at the Facility for longer than 24 hours from Monday through Friday or for longer than 48 hours on Saturdays and Sundays.

I declare under penalty of perjury that the undersigned has authority to execute and bind the owner of SiNor, Inc. and the Facility to the terms set forth herein which shall be incorporated into and made part of the Interim Operating Agreement which governs the Property as defined in the Interim Operating Agreement.

Executed this 4th of January 2005

For: SINOR INC./COASTAL RECYCLING FACILITY
Name: SILAS UGORI
Title: PRESIDENT
Address: 357 W. Compton Blvd.
City/State: Gardena, California
Signature: 

REVISED CONDITIONS 22 AND 23 TO
INTERIM OPERATING AGREEMENT
FOR
SINOR INC./COASTAL RECYCLING FACILITY

On November 23, 2004, SiNor Inc. on behalf of SiNor Inc./Coastal Waste Transfer Facility (Facility) signed an Affidavit of Acceptance regarding Conditional Use Permit Application 01-223(2) and the Interim Operating Agreement. Said Affidavit bound SiNor Inc. and the Facility to the terms and conditions of the Interim Operating Agreement ("Agreement"). Subsequent to signing of the Affidavit, the Department of Regional Planning modified two of the provisions of the Agreement as set forth below. The terms of Agreement shall remain in full force and effect and the revised Conditions 22 and 23, as set forth below, shall be incorporated into and made part of the Agreement effective immediately. Revised Conditions 22 and 23 shall be binding upon SiNor Inc. and the Facility immediately. Revised Conditions 22 and 23 shall terminate simultaneously with Agreement.

22. All containers, including roll-off bins, and/or all collection vehicles containing waste that are present overnight must be parked inside the enclosed building at the Facility. The building must be maintained clean and free of vermin pursuant to the O & M Manual. The Permittee shall also abide by all County of Los Angeles Fire Department regulations. No waste may be stored in containers or vehicles, including transfer trailers, for longer than 24 hours from Monday through Friday. No waste may be stored more than 48 hours on Saturdays and Sundays. Storage of containers and/or vehicles inside the enclosed building may take place only if such storage can be done safely without damage to the building, containers or the vehicles. In the event of special circumstances that require storage of containers and/or vehicles in excess of the time limits set forth in this paragraph, Permittee must notify DHS and obtain approval from DHS for such storage. "Special circumstances" are defined as unscheduled delays beyond the Permittee's control or unscheduled closures at landfills (or other facilities) and/or from special directives from regulatory agencies that would require storage of containers or vehicles at the Facility for longer than 24 hours from Monday through Friday or for longer than 48 hours on Saturdays and Sundays from other regulatory agencies, e.g. for example, a directive from State DHS or its local branch or agency to isolate and park a truck due to radiation reading, etc.

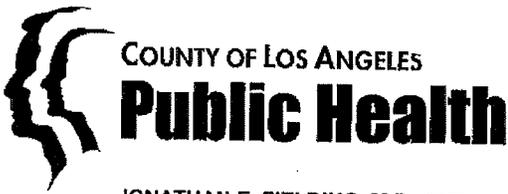
23. The Permittee may store at the Facility overnight a maximum of six (6) covered filled transfer trailers only if parked under the existing canopy and tunnel. "Covered," as used in this Condition 23, means a solid covering that overlaps the sides of the transfer trailers to protect the enclosed waste from vermin or rainwater. During rainy nights, five

(5) covered filled transfer trailers may only be parked under the existing canopy and tunnel. No transfer trailers containing waste shall be stored for longer than 24 hours from Monday through Friday. No waste may be stored more than 48 hours on Saturdays and Sundays. No transfer trailers containing waste may be stored under the existing canopy during operating hours. The Facility shall coordinate the scheduling of transfer trailers trips to disposal facilities so that overnight storage is minimized. In the event of special circumstances that require more than the time limits set forth in this paragraph for onsite storage of transfer trailers, the Permittee must notify DHS and obtain approval from DHS for such onsite storage. "Special circumstances" are is defined as unscheduled delays beyond the Permittee's control or unscheduled closures at landfills (or other facilities) and/or from special directives from other regulatory agencies that would require storage of transfer trailers at the Facility for longer than 24 hours from Monday through Friday or for longer than 48 hours on Saturdays and Sundays. from other regulatory agencies. [see changes above]

I declare under penalty of perjury that the undersigned has authority to execute and bind the owner of SiNor, Inc. and the Facility to the terms set forth herein which shall be incorporated into and made part of the Interim Operating Agreement which governs the Property as defined in the Interim Operating Agreement.

Executed this _____ of January 2005

For: SINOR INC./COASTAL RECYCLING FACILITY
Name: SILAS UGORI
Title: PRESIDENT
Address: 357 W. Compton Blvd.
City/State: Gardena, California
Signature: _____



COUNTY OF LOS ANGELES

Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

Solid Waste Program

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5540 • FAX (626) 813-4839

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

April 2, 2009

Mr. Rudy Silvas
Los Angeles County
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, CA 90012

**SUBJECT: DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (PROJECT # 01-223)
WASTE RESOURCES RECOVERY, SWIS No: 19-AA-0857**

The Los Angeles Department of Public Health, Solid Waste Management Program/Local Enforcement Agency (LEA) appreciates the opportunity to comment on the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Waste Resources Recovery (Project Number 01-223) proposed project located at 357 West Compton Blvd., Gardena, CA. LEA

This Initial Study describes the demolition of the existing facility which will be replaced with a new materials recovery facility, waste tipping floor with load out tunnel which will allow for the loading of two transfer trailers, and facility offices.

The IS/MND indicates that there will be no increase in the amount of municipal solid waste (MSW) which will be received and processed at the proposed facility. Proposed hours of operation will be from 6:00a.m. to 5:00 p.m., Monday through Friday, and Saturday from 6:00 a.m. to 2:00 p.m. The facility will be closed on Sundays. The anticipated vehicle trips generated by the facility will be 224 which includes inbound, outbound and employee vehicles trips.

The LEA submits the following comments based on our review of the MND.

1. Page II-1 Section B. Existing Uses- Regulatory Uses:

- a. The first paragraph states that the facility operates under an Interim Operating Agreement (IOA) formed between Waste Resources and the LEA. This statement is incorrect. The IOA was entered into between the previous operator, Coastal Materials Recovery Facility and Transfer Station and the Los Angeles County Department of Regional Planning. Upon transfer of the facility from the previous operator to the current operator, the IOA transferred to the current operator.

2. Page IV-63 Section XII Services-1. Traffic/Access:

- a. It is not clear how the total daily quantity of 224 was attained. How is it that 100 inbound trip will result in only 62 outbound trips. There seems to be a discrepancy of 38 trips between the two which may require additional

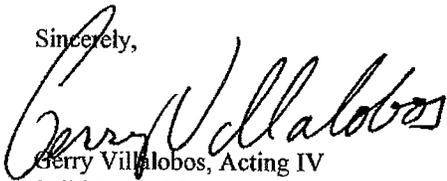
R. Silva
April 2, 2009
Page 2

information. It seems that if there were 100 inbound trips and 100 outbound trips along with the 62 employee trips (31 inbound and 31 outbound) that the total daily trips would be 262.

3. Although the LEA does not have the expertise in air quality assessment and determination, it is not clear why Appendix A "Air Quality Calculations" seem to have been obtained for a different project located in the Hollywood area of the City of Los Angeles are being used for this Project. How are the calculations for the "Target" project relevant to the Waste Resources Recovery Project (Project # 01-223) which is located approximately 18 miles away?

If you have any questions regarding these comments, please contact me at (626) 430-5540.

Sincerely,



Gerry Villalobos, Acting IV
Solid Waste Management Program/Local Enforcement Agency

cc: Susan Markie, CIWMB
Raymond Seamans, CIWMB
Regina Fee, SWMP/LEA
file

11-22-04
JER

INTERIM OPERATING AGREEMENT
Si-Nor/Coastal Recycling Facility
357 W. Compton Boulevard, Gardena

Description and Background:

This Interim Operating Agreement ("Agreement") is entered into by and between Silas Ugorji ("Permittee"), owner and operator of the Si Nor/Coastal Recycling Facility ("Facility") located at 357 West Compton Boulevard in the unincorporated community of Gardena in the County of Los Angeles ("County"), and the County of Los Angeles Department of Regional Planning ("Department") on this ___ day of November 2004.

Field C

The Permittee conducts a waste transfer station and materials recovery operation at the Facility. The Facility is located in an area zoned "M-2" (Heavy Manufacturing), where waste transfer stations and materials recovery operations are required to obtain conditional use permits ("CUP") from the Department, which must be approved by the Los Angeles County Regional Planning Commission ("Commission").

The Department therefore issued to the Permittee CUP 91-026 (2) for the Facility, which CUP was approved by the Commission on September 11, 1991. However, CUP 91-026 (2) expired on October 1, 2001. Consequently, to allow for the continued operation of the Facility, on October 10, 2001, the Permittee submitted to the Department an application ("Application") for CUP 01-223 (2), which is currently being processed by the Department for review by the Commission.

In order to facilitate the interim operation of the Facility while the Application for CUP 01-223 (2) is being processed, the Permittee agrees to comply with the below terms and conditions of interim operation.

Terms and Conditions:

1. Notwithstanding the above date, this Agreement shall commence on the date executed by all parties and delivered to the Department together with a completed and signed Affidavit that meets the requirements of Condition 2 immediately below and shall expire on the *earlier* of: i) one (1) calendar year from the date of the Agreement's commencement; or ii) the date that CUP 01-223 (2) is approved by the Commission.
2. This Agreement shall not be effective until the Permittee files with the Department a properly completed and fully executed and notarized Affidavit of Acceptance, in the form attached hereto as Exhibit "1", hereby incorporated by reference, stating, among other things, that the Permittee has reviewed, and agrees to accept, all of the conditions of this Agreement.
3. If the Application for Conditional Use Permit 01-223 (2) is denied or withdrawn by the Permittee before being considered by the Commission, this Agreement shall terminate, operation of the Facility shall immediately cease, and the Permittee shall bring the Facility into full compliance with all of the provisions of the Los Angeles County Code within thirty (30) days of the date of denial and/or withdrawal of the Application.

4. Within thirty (30) calendar days of execution of this Agreement, the Permittee shall submit to DHS a Transfer Processing Report that DHS has determined accurately reflects the operation at the Facility ("TPR"). An Operations and Maintenance Manual ("O & M Manual") that dictates operating standards and procedures for the Facility is attached and incorporated by reference to this Agreement. The Permittee will strictly comply with the O & M Manual in its operation of the Facility. Said O & M Manual shall be subsequently revised by the Permittee within thirty (30) calendar days of all future requests of DHS to reflect changes to the required standards and procedures for the operation of the Facility. Notwithstanding the foregoing or any other provision herein, if any conflict or discrepancy exists between this Agreement and the O & M Manual, the provisions of this Agreement shall govern.

5. If the Director of the Department at his sole discretion determines that the Permittee has failed to comply with the terms of this Agreement, the operation of the Facility and this Agreement shall immediately cease. However, Permittee shall be allowed thirty (30) days following issuance of a written notice by the Department to cure any violation or breach of this Agreement to the full and complete satisfaction of the Director of the Department. The Permittee acknowledges that the determination of the Director of the Department is final. Notwithstanding the foregoing, the Permittee's Application for CUP 01-223 (2) will continue to be processed by the Department based on the Department's customary policies, practices and procedures, unless said Application for CUP 01-223 (2) is withdrawn by Permittee.

6. Except as otherwise noted herein, the Permittee shall maintain the Facility in compliance with that certain Site Plan dated September 2, 1999 prepared by the Permittee and submitted together with the Permittee's application to CUP 91-026 (2) and approved by the Department ("Site Plan"). However, the Permittee shall not construct or complete any improvements and/or expansions to the Facility during the term of this Agreement regardless of any prior approval for such improvements or expansions that are identified in the Site Plan. In addition, the Permittee shall operate the Facility in compliance with the conditions and the Monitoring Program established by the Commission in approved Conditional Use Permit 91-026 (2) and the O & Manual. Notwithstanding the foregoing or any other provision herein, if any conflict or discrepancy exists between certain conditions of CUP 91-026(2) and this Agreement, the provisions of this Agreement shall govern.

7. The Permittee shall allow access to all County departments to inspect the Facility during the Facility's hours of operation, including without limitation, the Department's staff. The Permittee shall cooperate fully with County staff during these inspections.

8. The Permittee shall not lease or in any way alienate any portion of the Facility to any third party during the term of this Agreement without the prior written approval of the Department. The Permittee hereby represents and warrants that no third parties or any other tenants occupy or shall occupy any portion of the Facility during the term of this Agreement.

9. The Permittee shall immediately deliver to the County of Los Angeles Department of Health Services ("DHS") a deposit in the form of a check in the sum of \$5,000. DHS shall be free to draw from this \$5,000 deposit to reimburse DHS for its costs incurred in connection with inspections of the Facility and administration of this Agreement, to the extent said costs exceed the cost of one monthly inspection of the Facility by DHS during the term of this Agreement. At all times during this Agreement, the Permittee shall ensure that the foregoing deposit with DHS maintains a minimum balance of \$5,000. All checks under this Condition 9 shall be in the name

of County of Los Angeles and delivered addressed to the County of Los Angeles Department of Health Services, Local Enforcement Agency, to the attention of Mr. Peter Oda, 5050 Commerce Drive, Baldwin Park, California 91706. At the termination of this Agreement, any monies (including interest) remaining in this deposit, if any, shall be returned to the Permittee.

10. In addition to the \$5,000 deposit under Paragraph 9 above, the Permittee shall also immediately deliver to the Department another deposit in the form of a check in the sum of \$900. At all times during the term of this Agreement the Permittee shall maintain a minimum deposit balance of \$900. The Department shall be free to draw from this \$900 deposit to reimburse the Department for its costs incurred to inspect the Facility in connection with this Agreement. Although the aforementioned \$900 deposit provides for six (6) inspections: one every other month, if the Department deems necessary to conduct more than six (6) inspections, the Department, at its sole and absolute discretion, shall have the option to complete as many inspections the Department deems necessary to ensure the Permittee's compliance with this Agreement. Additional inspections shall also be reimbursed from said deposit. All checks under this Condition 10 shall be made payable to the County of Los Angeles Department Regional Planning and delivered addressed to the County of Los Angeles, Department of Regional Planning, to the attention of Rose Hamilton or her designee, 320 West Temple Street, Los Angeles California 90012. At the termination of this Agreement, any monies (including interest) remaining from this deposit, if any, shall be returned to the Permittee.

11. Nothing in this Agreement shall limit the power of the Department and/or County to enforce the Los Angeles County Code or any other applicable policies, rules, regulations or laws under its jurisdiction.

12. The Permittee shall accept or process at the Facility only materials defined as "Solid Waste" pursuant to Section 40191 of the California Public Resources Code.

13. A maximum of 500 tons of solid waste may be received or processed at the Facility on a daily basis provided that the Permittee can demonstrate that incoming Solid Waste meets the requirements of Condition 17 (waste that contains free flowing liquids will not exceed five percent (5%) of the gross weight of the waste) and meets standards set forth in Chapter 3, Division 7 of Title 14 of the California Code of Regulations. The daily tonnage shall be decreased by 50 tons each instance that the Permittee does not meet either Condition 17 or the standards set forth in Chapter 3, Division 7 of Title 14 of the California Code of Regulations referenced herein for two (2) consecutive monthly inspections as determined by DHS. A maximum of two hundred (200) tons per day may be processed through the Materials Recovery Facility (MRF). The input feedstock to the MRF is restricted to "source separated materials" (as defined by Title 14 of the California Code of Regulations), "materials separated for reuse" (as defined by Title 14 of the California Code of Regulations), and/or materials from "high grade/high fiber routes" or "dry routes" (e.g., commercial routes which targets customers with high paper content composition, which has a minimum of 50% fiber/paper content). The MRF may not process mixed waste loads during the period that this Agreement is in effect.

14. At all times, the Permittee shall maintain properly calibrated radiation monitoring equipment at the Facility as required by DHS and provide evidence thereof to DHS. The Permittee shall at all times comply with the County's policies on radiation monitoring. For purposes of this section, properly calibrated hand held radiation monitoring devices are acceptable.

15. All tipping floor personnel at the Facility must be trained to identify Prohibited Waste in the proper handling procedures for its legal processing, removal and/or sequestration. A copy of the Facility's training certificates and a written "prohibited/hazardous waste handling procedures manual" must be available on-site at the Facility for the inspectors' review. "Prohibited Waste" shall mean all waste other than Solid Waste, including radioactive waste, liquid waste, excessively wet loads, medical waste, hazardous waste, and any waste that would be illegal or otherwise prohibited by this Agreement to be processed at the Facility.

16. The Permittee will use its best efforts to prevent the intake and processing of waste that may pose a risk to public health or safety or the environment. Permittee shall process waste in strict compliance with the O & M Manual. At minimum, the Permittee will assign an employee to inspect incoming waste consistent with the O & M Manual. All Prohibited Waste or materials containing otherwise unsafe waste will be rejected or segregated for disposal that meets all applicable laws or regulations.

17. The Permittee may not accept at the Facility solid wastes that contain free-flowing liquids in excess of five percent (5%) of the gross weight of the waste, as measured pursuant the O & M Manual. The Facility's tipping area shall be washed down daily at the end of each operating day. The resulting wastewaters must enter a permitted Standard Urban Stormwater Mitigation Plan ("SUSMP") system and must be pumped immediately so that at all times the Facility remains free of standing water, including at the sump pits. The berms that direct the flow of water must be maintained in good condition and repaired in accordance with the O & M Manual as needed to perform its intended function.

18. All waste processed at the Facility must be delivered to the site solely in trucks owned by the Permittee for the Facility or operated directly by the generator of the waste (e.g., direct self haul by existing customer of Permittee, Si-Nor, Inc.). The Permittee shall not accept any waste or other materials directly from the general public.

19. The Permittee must ensure that no incoming trucks queue up on Compton Boulevard or any other adjacent streets. The Permittee shall be responsible for full compliance with this condition whether the trucks are owned or operated by the Permittee or by any third party delivering waste to the Facility.

20. All waste transfer operations at the Facility shall take place under the existing metal canopy or inside of the materials recycling facility building. When collection vehicles deposit waste onto the tipping floor of the Facility, a small part of that waste may lie partially outside the canopy, but only if the Permittee maintains mobile equipment (*i.e.*, a loader) at the Facility during the tipping operations to immediately push said waste under the canopy. Nothing in this Condition 20 shall imply or limit the Permittee's ability to reposition collection vehicles, mobile equipment, recyclable collection bins and the like, within the Facility property.

21. Tipping or processing of waste at the Facility may be conducted from 6:00 A.M. to 5:00 P.M., Monday through Friday, and from 6:00 A.M. to 12:00 Noon on Saturdays. No tipping or processing of waste may be conducted at the Facility on Sundays. Adequate lighting must be provided during dawn and sunset hours of operation.

22. All containers, including roll-off bins, and/or all collection vehicles containing waste that are present overnight must be parked inside the enclosed building at the Facility. The building

must be maintained clean and free of vermin pursuant to the O & M Manual. The Permittee shall also abide by all County of Los Angeles Fire Department regulations. No waste may be stored in containers or vehicles, including transfer trailers, for longer than 24 hours. Storage of containers and/or vehicles inside the enclosed building may take place only if such storage can be done safely without damage to the building, containers or the vehicles. In the event of special circumstances that storage of containers and/or vehicles will require more than 24 hours, DHS must be notified and approval received. Special circumstances arise from unscheduled delays or closures at landfills (or other facilities) and/or from special directives from other regulatory agencies, e.g., directive to isolate and park a truck due to radiation reading, etc.

23. The Permittee may store at the Facility overnight a maximum of six (6) covered filled transfer trailers only if parked under the existing canopy and tunnel. "Covered," as used in this Condition 23, means a solid covering that overlaps the sides of the transfer trailers to protect the enclosed waste from vermin or rainwater. During rainy nights, five (5) covered filled transfer trailers may only be parked under the existing canopy and tunnel. No transfer trailers containing waste shall be stored for longer than 24 hours. No transfer trailers containing waste may be stored under the existing canopy during operating hours. The Facility shall coordinate the scheduling of transfer trailers trips to disposal facilities so that overnight storage is minimized. In the event of special circumstances require transfer trailers require more than 24 hours onsite storage, DHS must be notified and DHS must approve the timeframe for onsite storage. Special circumstances arise from unscheduled delays or closures at landfills (or other facilities) and/or from special directives from other regulatory agencies.

24. Storage of empty dumpsters and similar containers outside of the enclosed building located at the Facility is permitted only if the empty dumpsters or containers have been screened as provided in Part 7 of Chapter 22.52 of the Los Angeles County Code. Dumpsters and storage bins shall not obstruct any parking spaces or drive ways depicted on the Site Plan.

25. The Permittee shall immediately repair cracks on the tipping floor in accordance with the O & M Manual.

26. Permittee must make best efforts to prevent emission of dust or tracking of mud onto public right-of-ways or adjacent properties. Notwithstanding the foregoing, the portions of the Facility currently shown as unpaved in the Site Plan for purposes of drainage, and allowed to remain unpaved by the SUSMP for the Facility, must remain unpaved, including the drainage swale located to the west of the enclosed building.

27. Maintenance of any vehicles and/or equipment at the Facility shall be conducted in such a manner that any parts, lubricants, cleansers, waste products and any other repair materials are disposed of in the appropriate and lawful manner, including permits and approvals as may be prescribed by any agency that has jurisdiction over such disposal. Degreasing for maintenance purposes may be conducted using only small quantities of common consumer cleansing agents

28. All landscaping required by CUP 91-026 (2) and depicted on the Site Plan, that has been already completed, must be continuously and properly maintained in good condition and irrigated regularly so as to facilitate growth. The Permittee shall not install new landscaping or irrigation equipment on the property.

29. The Permittee must provide at least thirty-eight (38) paved, off-street, parking spaces as depicted on the Site Plan. These parking spaces, as well as driveways for the Facility must

comply with the standards and requirements established in Part 11 of Chapter 22.52 of the Los Angeles County Code, including Section 22.52.1205 of the Los Angeles County Code. All parking spaces and driveways at the Facility shall be maintained fully accessible for the parking of automobiles at all times when the Facility is in operation. No required parking space or access driveway thereto shall be used to store materials, waste, or bins at any time. All parking at the Facility must be conducted in the designated parking areas.

30. All fences and walls at the Facility must be maintained in good condition and repaired. The Permittee shall not construct or erect any new fences or walls during the terms of this Agreement.

31. All structures, walls, and fences open to public view must remain free of graffiti, extraneous markings, drawings, or signage that is not approved by the Department. The signage permitted at the Facility must comply with Title 22 of the Los Angeles County Code and Title 14 of the California Code of Regulations, and must be approved in advance by the Department in writing. The Permittee must remove or cover any graffiti, markings, drawings, or non-approved signage within 24 hours of its occurrence. Paint utilized in covering such graffiti, markings, drawings, or signage must be of a color that reasonably matches the color of the adjacent surfaces.

32. The Facility must be maintained in a neat and orderly manner. The Permittee must sweep all open yard areas and access ways and police other exterior areas including, but not limited to, sidewalks, streets, curbs, and gutters at least once per operating day (or more often if necessary) to remove dirt and litter accumulation.

33. Dust control measures must be implemented and maintained at the Facility to the consistent with standards set forth in the O & M Manual.

34. The Permittee must provide any information and/or copies of documents that may be requested by the Department, DHS, or any other department of the County within fifteen (15) calendar days of receipt of the request.

35. Unless otherwise provided in this Agreement, the Permittee must comply with all applicable laws, regulations and /or governmental requirements, including, without limitation, the requirements of the County Zoning Ordinance set forth in Title 22 of the Los Angeles County Code, and requirements of the specific zoning of the Facility. All records relating to the operation of the Facility shall be maintained on site pursuant to the O & M Manual.

36. The Permittee shall not conduct any expansion or new construction at the Facility unless pre-approved, in writing, by the Department with the concurrence of DHS.

37. The Permittee shall not make any improvements and/or expansions to the Facility during the term of this Agreement without prior written approval from the Department, at the Department's sole and absolute discretion.

38. The Permittee, upon request by the Department, shall provide within fifteen (15) calendar days to the Department copies of any and all permits and approvals, from any governmental agency, obtained by the Permittee to perform the activities approved by CUP 91-026 (2).

39. The Permittee must submit monthly monitoring reports to DHS in the form prescribed by DHS. Monthly monitoring reports and the regulatory fee form with a check payable to County of

Los Angeles are due two (2) weeks after the end of each month. The Permittee must keep copies of all operating records at the Facility for DHS to review. The Permittee also must provide DHS with copies of monthly monitoring reports upon request.

40. The Permittee shall defend, indemnify and hold harmless the County of Los Angeles, its special districts, their agents, elected and appointed officers, employees and agents (collectively, the "Indemnified Parties") from and against any all claims, demands, damages, actions, fees, costs and/or expenses, including attorneys' and expert fees and costs, arising from any claim, action, or proceeding to attack, set aside, void, or annul this Agreement, or arising from or relating to this Agreement, except if caused by the Indemnified Parties' negligence or willful misconduct as found by a court of competent jurisdiction. Notwithstanding the foregoing, the Permittee shall be responsible to reimburse the Department and/or the County for its costs of enforcing this Agreement, except that in case of a dispute, each party will be responsible for its own attorneys' fees and costs. This Section 40 shall survive the expiration or early termination of this Agreement.

41. The Permittee acknowledges that although certain DHS personnel act as staff to the "Local Enforcement Agency" ("LEA") designated and certified by the California Intergrated Waste Management Board, pursuant to California Public Resources Code Section 43200, et seq., this Agreement is not entered into by or on behalf of the LEA, and in no way is it intended to curtail the LEA's regulatory powers or authority.

42. This Agreement in no way shall constitute a waiver of any of the Permittee's obligation to meet any and all applicable permits and related requirements for the Facility, including without limitation, for a Solid Waste Facility Permit ("SWFP") required under Title 14 and Title 27 of the California Code of Regulations. The requirements in this Agreement shall be in addition to, not in lieu of, any requirements in any other applicable agreement or permit for the Facility.

43. The Permittee to obtain and comply with all requisite building permits and/or environmental permits including without limitation, an industrial waste discharge permit as may be required under Section 20.36.040 of the Los Angeles County Code. The Permittee must obtain and maintain in good standing all permits required by law.

44. Nothing in this Agreement shall be construed as any indication, assurance or promise that the Commission will approve the Application for CUP 01-223 (2) or process it beyond the Department's customary procedures.

45. To the extent any provision, term, condition, or parts thereof in this Agreement may be deemed unenforceable or contrary to law by a court of competent jurisdiction, said provision, term or condition shall be severed from the Agreement and the remainder of the Agreement shall remain in full force and effect.

46. The Permittee shall adopt measures within ninety (90) days of the effective date of this Agreement to ensure the accuracy of the disposal tonnages allocated to the County unincorporated areas and shall submit a monthly monitoring report to the County of Los Angeles Department of Public Works ("Public Works"). These measures shall include, but not be limited to: 1) requiring all solid waste enterprises/waste haulers utilizing the Facility to submit accurate solid waste origin data, 2) imposing penalties for non-cooperation or repeatedly providing false information. Based on the initial results obtained from this program, these measures may be

amended or modified by the Director of Public Works. The Director of Public Works may also, at his or her discretion, terminate the program at any time.

47. The Permittee shall provide DHS a list of existing customers with their corresponding type of material. As any new customer is accepted, written notice of the new customer and the type of material that said customer will take to the Facility must be provided to DHS.

48. THE DEPARTMENT AND THE COUNTY HAVING EXPENDED SUBSTANTIAL RESOURCES IN PROCESSING THIS AGREEMENT, AND IN TAKING STEPS TO PROTECT THE PUBLIC HEALTH AND SAFETY, THE PARTIES ACKNOWLEDGE THAT THE DAMAGES TO THE DEPARTMENT AND/OR THE COUNTY AS A RESULT OF THE PERMITTEE'S VIOLATION OF THIS AGREEMENT WOULD BE MATERIAL AND VERY DIFFICULT AND NOT PRACTICABLE TO MEASURE. THE LIQUIDATED SUMS SPECIFIED BELOW REPRESENT A FAIR AND REASONABLE APPROXIMATION OF THE DAMAGES INCURRED BY THE DEPARTMENT AND THE COUNTY RESULTING FROM THE PERMITTEE'S VIOLATION OF THIS AGREEMENT. UPON CONSULTATION WITH LEGAL COUNSEL AND BASED ON THE PROVISIONS OF CALIFORNIA CIVIL CODE SECTION 1671, PERMITTEE VOLUNTARILY AND KNOWINGLY AGREES TO PAY AS LIQUIDATED DAMAGES DURING A TIME PERIOD WHEN PERMITTEE IS IN BREACH OR VIOLATION OF THIS AGREEMENT: \$100 PER DAY FOR THE FIRST BREACH OR VIOLATION OF THIS AGREEMENT **PLUS** \$200 PER DAY FOR THE SECOND BREACH OR VIOLATION OF THIS AGREEMENT **PLUS** \$500 PER DAY FOR ANY THIRD OR SUBSEQUENT BREACH OR VIOLATION OF THIS AGREEMENT. THESE LIQUIDATED DAMAGES SHALL BE IN ADDITION TO AND INDEPENDENT OF ANY SPECIFIC COSTS THAT PERMITTEE MAY HAVE REIMBURSED TO THE DEPARTMENT OR DHS UNDER THIS AGREEMENT, SHALL BE CUMULATIVE FOR ALL VIOLATIONS, SHALL ACCRUE INTEREST AT THE MAXIMUM RATE ALLOWABLE BY LAW, AND SHALL BE IN ADDITION TO ANY AND ALL EQUITABLE REMEDIES IN FAVOR OF THE COUNTY OR THE DEPARTMENT. HOWEVER, LIQUIDATED DAMAGES SHALL NOT COMMENCE UNTIL THE 31st DAY FOLLOWING ISSUANCE OF A NOTICE OF VIOLATION OF THIS AGREEMENT OR OF A BREACH OF THIS AGREEMENT, BY EITHER THE DEPARTMENT OR DHS AND SHALL NOT APPLY IF THE PERMITTEE CURES OR REMEDIES SAID DEFAULT OR BREACH TO THE DEPARTMENT'S FULL AND COMPLETE SATISFACTION PRIOR TO 31 DAYS FROM THE DATE OF THE NOTICE.

Attachments:

Exhibit No. 1: Affidavit of Acceptance

Exhibit No. 2: CUP 91-026 (2) Conditions of Approval dated September 12, 1991

Exhibit No. 3: Monitoring Program for CUP 91-026 (2)

Exhibit No. 4: Revised Exhibit 'A' dated September 2, 1999

Exhibit No. 5: Operations and Maintenance Manual

Los Angeles County
DEPARTMENT OF
REGIONAL PLANNING
320 West Temple Street
Los Angeles
California 90012
974-6411

RE: **CONDITIONAL USE PERMIT NO. 91026-(2)**
Operate a Materials Recovery and Waste Transfer Facility
357 West Compton Avenue, West Compton

James E. Hartl, AICP
Planning Director

Mailing Date: September 12, 1991

**CERTIFIED - RECEIPT
REQUESTED**



TO: Mr. Haig Papaian
1264 W. 132nd Street
Gardena, CA 90247

The Regional Planning Commission APPROVED the above described grant on September 11, 1991.

Enclosed are the Commission's findings, order and conditions.
CAREFULLY REVIEW EACH CONDITION.

Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or ANY OTHER INTERESTED PERSON may APPEAL the Commission's decision to the Board of Supervisors at the office of Mr. Larry J. Monteilh, Executive Officer, Room 383, Hall of Administration, 500 West Temple Street, Los Angeles, California 90012, telephone (213) 974-1432. The appeal must be postmarked or delivered in person within 15 days after the applicant receives this notice. The Board of Supervisors may also call the Commission's decision up for review during the appeal period. This grant will not become effective until and unless this period has passed without an appeal or call for review.

For further information on appeal procedures, compliance with conditions or any other matter pertaining to this grant, please contact the Variances and Permits Section at (213) 974-6446.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning

John Schwarze, Administrator
Current Planning Branch

JS:RF:mm

Enclosure: Affidavit; Findings, Order and Conditions

c: Board of Supervisors, Building and Safety, Zoning Enforcement;
Dept. of Health Services, Dept. of Public Works
Elizabeth Pusztal, John Tabata, Marshall Levinson

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

CONDITIONAL USE PERMIT NO. 91026-(2)

COMMISSION HEARING DATE: August 21, 1991

SYNOPSIS:

The applicant, the operator of a waste hauling company, requested a conditional use permit to establish a waste transfer station and materials recovery facility on the site of a former manufacturing plant at 357 West Compton Boulevard, Gardena.

PROCEDURE BEFORE THE COMMISSION:

The applicant testified in favor of the request. Three persons, the owners or tenants of adjacent industrial properties, expressed concerns regarding additional truck traffic, noise and odors, and the appearance of the proposed facility. The applicant then responded to the expressed concerns. Letters in support of the project were received into the record.

There being no further testimony, the Commission closed the public hearing and, by a vote of 5-0, instructed staff to prepare findings and conditions for approval.

FINDINGS:

1. The subject property is a 2.3 acre parcel of land located on the north side of Compton Avenue, midblock between Broadway and Figueroa, in unincorporated territory in the vicinity of Gardena and Compton. The northerly boundary of the property is formed by a Southern Pacific Railroad spur.
2. The site is improved with a vacant, 17,816 square foot industrial building and paved parking areas. The building was formerly used as a part of a manufacturing facility which included adjacent property to the east.

Subdivision of the area into two lots was approved in Parcel Map 22279. Conditions relating to road improvements and utilities were imposed on the Parcel Map.

3. The applicant proposes to establish a waste transfer station and materials recovery facility on the subject property. Up to 500 tons per day of nonhazardous municipal solid waste would be received and sorted. Recovered materials would be temporarily stored on site until sent to a recycling company. The residual waste would be sent to a landfill. All sorting and storage would be within the existing building.

The site would also accommodate activities associated with the applicant's waste hauling business, principally the outside storage of trucks and dumpsters.

4. The subject property and immediately adjacent area is classified "Industrial" on the County General Plan. This classification is designed to accommodate heavy industrial uses such as the proposed waste transfer and materials recovery facility.
5. The subject property is zoned M-2 (Heavy Manufacturing). Waste processing facilities require a conditional use permit in this zone.
6. As would be expected from the plan classification and zoning, the subject property lies within an area which is exclusively devoted to manufacturing and related industrial uses. The closest inhabited area is about 750 feet distant to the northwest of the subject property and is well buffered by industrial buildings, the railroad spur and Figueroa Street from the proposed facility.
7. The maximum number of trucks stored on the subject property will be 12. The estimated traffic generation is 96 vehicle trips per day.
8. Access to the proposed facility would be from Compton Avenue, a full width County Secondary Highway. The Department of Public Works reported that it did not expect this project would have a significant effect on County Highways.

The conditions of grant will include operational provisions intended to avoid potential queuing of truck traffic on Compton Avenue.

9. The applicant proposes to provide 59 paved parking spaces for employees and truck storage. Other exterior paved areas would be used for container storage.

The minimum required parking for the facility is (Building 35 plus Office 3 plus Trucks 12) 50 spaces.

The submitted site plan includes provision for a six foot high screen wall along the Compton Avenue frontage and portions of the east property line to obscure view of the storage areas from the street.

The Commission finds that a revised plan would improve the appearance of the facility. The revised plan would include provision of a separate employee visitor and employee parking area adjacent to the street landscaped and improved to County parking lot standards. The truck and container storage would be situated to the rear of the parking lot and screened as necessary by a solid eight foot high wall.

10. The proposed facility will require a Finding of Conformance with the Los Angeles County Solid Waste Management Plan, as amended through August 1985, and an Industrial Waste Permit, both as administered by the County Department of Public Works.
11. The facility will be further subject to a Solid Waste Facilities Permit, issued by the Local Enforcement Agency (County Department of Health Services) and confirmed by the California Integrated Management Board, which permit will set forth the regulations which the applicant must observe relative to dust, odor and vector control and other health and safety concerns and will incorporate a regular program for monitoring of the facility and periodic review of the permit.
12. An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project might exceed established threshold criteria for the water quality environmental factor.

The applicant, by signed agreement, has modified the project so that it can now be determined that it will not have a significant effect on the environment.

To mitigate the potential impact on water quality, the applicant will be required to dispose of waste waters in a satisfactory manner; that is, the waste waters will be adequately collected and transported and the receiving treatment plan will have adequate capacity to treat and dispose of waste waters in a satisfactory manner.

A monitoring and reporting program for this mitigation measure is incorporated into the conditions of grant.

BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:

- A. The requested use is consistent with the adopted general plan.
- 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.
- 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 requested with the uses in the surrounding area.

- D. The site has adequate traffic access and is adequately served by other public or private facilities which it requires.

COMMISSION ACTION:

1. The Regional Planning Commission approves the negative declaration for the project, certifies that it has reviewed and considered the environmental information contained in the Initial Study, and determines that the proposed project will not have a significant effect on the environment.
2. In view of the findings of fact presented above, Conditional Use Permit 91026-(2) is GRANTED with the attached conditions and monitoring program.

VOTE:

Concurring: Commissioners Clark, Robinson, Russell, Santiago

Dissenting: None

Abstaining: None

Absent: Commissioner Wulliger

Date of Action: September 11, 1991

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65907. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested before the expiration date.
5. This grant will terminate October 1, 2001.

Entitlement to use of the property thereafter shall be subject to the regulations then in effect.
6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
7. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
8. Attached to these conditions is a Monitoring Program which is incorporated into these conditions by reference. The permittee shall fully perform each action required of the permittee by the monitoring program as if it were specifically set forth in these conditions.

9. This grant allows the establishment and operation of a waste transfer station and materials recovery facility subject to the following restrictions as to use:
- a. The facility may accept and process only nonhazardous, municipal solid waste, received from commercial, industrial and institutional sources, not containing significant quantities of organic material subject to rapid decay.
 - b. All incoming waste loads must be picked-up from the source and delivered to the site in the permittee's trucks or in truck's operated directly by the waste generator and coming to the site under prearranged scheduling as described in condition 8c.
 - c. The permittee shall arrange by scheduling and proper site design that incoming trucks shall not have to queue up on Compton Avenue or any other adjacent street. The permittee shall be responsible for full compliance with this condition whether the trucks are those of the permittee or of a waste generator.
 - d. A maximum of 500 tons of waste shall be received daily.
 - e. All waste processing and separation and all storage of waste and recycled materials shall take place within an enclosed building.
 - f. Waste hauling may be conducted as an ancillary activity on-site, subject to the following restrictions:
 - o A maximum of 12 disposal trucks may be stored and dispatched from the site;
 - o Outside storage of empty dumpsters and similar containers is permitted;
 - o Outside storage of portable toilets, fencing construction materials or similar matter is prohibited.
 - o All outside storage shall be screened as provided in Part 7 of Chapter 22.52 of the County Code.
 - g. The permittee shall pave all exterior storage areas and access thereto.

- h. The permittee shall sweep all open yard areas and access ways and police other exterior areas at least once per operating day (and more often if necessary) to remove dirt and litter accumulations.
 - i. On-site parking shall equal or exceed that required by Part 11, Chapter 22.52 of the County Code. All parking spaces and driveways thereto shall be maintained fully accessible at all times when the facility is in operation. No required parking space or access driveway thereto shall be used for storage at any time.
10. Three copies of revised plans, similar to Exhibit "A" as presented at the public hearing and conforming to such of the following conditions as can be shown on a plan, shall be submitted for approval of the Director of Planning:
- a. Show a separate employee and guest parking area, containing a minimum of 22 parking spaces, located within the area of the property adjacent to Compton Avenue. This area shall be developed to the standards of Part 11, Chapter 22.52 of the County Code and the landscaping requirements of Condition 12. The balance of the parking required pursuant to said Part 11 may be situated elsewhere on the site. Fencing along Compton Avenue, if installed, shall be of an open-work, ornamental type.
 - b. Show all outside container and truck storage areas and screen walls for such areas as provided in Part 7 of Chapter 22.52 of the County Code.
 - c. Indicate any additional details necessary to confirm compliance with the provisions of Condition 9.

~~The property shall be developed in accord with the approved plan before commencing any waste processing activities and thereafter shall be maintained in substantial conformance with the approved plan. All revised plans must be accompanied by the written authorization of the property owner.~~

Conformance to the plans of other agencies and with the approved plan shall be verified as provided in Part I of the attached monitoring program.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

12. Before commencing operations, the permittee shall provide landscaping within and adjacent to the employee and guest parking area, referred to in Condition 10a, equal to at least 5 percent of said area.

Three copies of a landscape plan, which may be incorporated into the revised plot plan, shall be submitted to and approved by the Director of Planning before commencing construction of the parking area. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

13. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services ~~as contained in the Solid Waste Facility Permit.~~
14. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Such facilities may include sprinklers if deemed necessary or advisable by the Forester and Fire Warden. Any necessary facilities shall be provided as may be required by said Department.
15. The permittee shall contact the Department of Public Works to determine whether an Industrial Waste Disposal Permit is required. No activity for which a permit is required shall be initiated on the subject property before a permit is obtained and any required facilities are installed. The permittee shall keep any required permits in full force and effect and shall fully comply with any requirements thereof. The permittee shall further comply with any regulations pertaining to the protection of surface water quality by the Department of Public Works and/or the Los Angeles Regional Quality Control Board. Verification of compliance shall be submitted as provided in Part II of the attached monitoring program.
16. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

M O N I T O R I N G P R O G R A M
PROJECT NO. 91026
WASTE TRANSFER AND MATERIALS RECOVERY FACILITY
HAIG PAPAIA, JR.
(State Clearinghouse No. 91031094)
An attachment to the Conditions of Grant for
Conditional Use Permit 91026-(2)

DEFINITIONS. Unless otherwise apparent from the context, the term "Condition(s)" shall refer to a condition or conditions of Conditional Use Permit No. 91026-(2), also referred to herein as the "grant", and "project" shall refer to the overall facilities approved by said use permit. The term "permittee" shall be as defined in Condition 1 of the permit. The term "Local Enforcement Agency" shall refer to the Los Angeles County Department of Health Services, ~~designated pursuant to the provisions of Division 30 of the Public Resources Code to permit and inspect solid waste facilities and to enforce state and local regulations and permits.~~

PURPOSE. This monitoring program is intended to ensure compliance with the conditions of grant and other mitigations as set forth in the negative declaration for the project, in accord with the provisions of Section 21081.6 of the Public Resources Code, and to compliment the enforcement and monitoring programs routinely administered by County agencies, including the Local Enforcement Agency and the County Departments of Public Works and Regional Planning, and by public agencies other than the County of Los Angeles. Such other agencies include the California Integrated Waste Management Board, the Los Angeles Regional Water Quality Control Board, and the State Department of Health Services.

PART I. FACILITY PLANS. The following measures shall be carried out to monitor compliance with Conditions 9 and 10, which pertain to the physical development of the facility, and to promote interagency coordination of site plan review.

- A. The revised site plan, required by Condition 10, shall be submitted and approved before commencing substantial development or alterations of the site to accommodate the waste processing facility.
- B. Before submitting the revised site plan required by Condition 10, to the Director of Planning for review, the permittee shall consult with the LEA, the Department of Public Works, and the County Forester and Fire Warden to determine all spacial and development requirements of those agencies which may affect the final site design. The submitted revised plan shall conform to any such requirements.

Project No. 91026-(2)

Page 2

Evidence of such consultation, satisfactory to the Director of Planning, shall be submitted with the revised plan.

The Director of Planning shall forward one copy of the approved site plan to the LEA.

- C. Before commencing waste processing, the permittee shall request that the Department of Regional Planning inspect the facility to determine that all development features required by this grant, including but not limited to pavement, walls and landscaping, have been installed as shown on the approved plan.

If the facility complies, the department shall so certify in writing to the permittee, with a copy to the LEA. The permittee shall not commence operations until such certification is received.

Application for inspection shall be to:

Zoning Enforcement Section
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

PART II. WATER QUALITY. The following provisions are intended to document compliance with the requirements of the negative declaration and Condition 15 pertaining to water quality.

Before commencing waste processing operations the permittee shall place on file in the Department of Regional Planning evidence satisfactory to the Director of Planning that the permittee has complied with all regulations governing waste and surface waters administered by the Department of Public Works and, if applicable, by the Regional Water Quality Control Board, including obtaining permits, installing facilities and obtaining final inspection of such facilities.

The permittee shall also place on file with the Department of Regional Planning, either directly or by arrangement with the LEA, one copy of the initial confirmed Solid Waste Facility Permit.

