Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

June 10, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice-Chair
Esther Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Mi Kim
Principal Regional Planning Assistant
Zoning Permits I Section

SUBJECT: June 23, 2010 PUBLIC HEARING
AGENDA ITEM NO. 6
PROJECT NO. 01-223-(2)
CONDITIONAL USE PERMIT NO. CP01-223
MATERIAL RECOVERY FACILITY (MRF) AND TRANSFER STATION

The above referenced project was continued from April 28, 2010 to May 12, 2010 to allow staff and County Counsel to work with the Environmental Programs Division of Department of Public Works to revise the draft conditions of approval to make it more enforceable.

At the May 12, 2010 public hearing, the applicant requested a continuance to further clarify the conditions dealing with the Effective Date and revise the site plan. The public hearing was continued to June 23, 2010

Attached is the revised conditions of approval. Conditions with an Effective Date have been revised to clarify the timing and implementation of the requirements. Also attached is a revised site plan which provides a 30 feet buffer on the westerly property boundary.

If you have any questions, please do not hesitate to contact me via email at mkim@planning.lacounty.gov or at (213) 974-6443.

MC:MKK
6/8/10

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: June 3, 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 revised Site Plan dated 06-03-10 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*

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
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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

This grant authorizes the continuation of an existing material recovery facility and transfer station with an intake of 500 tons per day of nonhazardous waste, and the upgrade of the existing facility subject to the following conditions of approval:

DEFINITIONS

1. Definitions: Unless otherwise apparent from the context, the following definitions shall apply to these conditions of approval ("Conditions"), and to the attached Implementation and Monitoring Program ("IMP"):

   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 the County's action approving this grant becomes final.

   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 that the Permittee makes "use" of this grant as that term is defined in Section 22.56.140 B of the County Code.

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 cannot 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 Material Recovery Facility/Transfer Station ("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. "Purtrescible 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" - shall mean "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. The previous permit expired by its own terms on October 1, 2001. The facility continued to operate pursuant to the Interim Operating Agreement ("IOA"). Upon the effective date, this grant supersedes the IOA and any other agreements regarding the operations of the site. Accordingly, the terms of this grant control operations of the Facility on this site authorizing the continued operation of the MRF/TS solid waste facility. This grant shall also authorize the following Ancillary Facilities and activities at the Facility, as shown on the site plan(s) (Exhibit "A") approved in connection with this grant or subsequently approved through the Revised Exhibit "A" process, 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 Approval 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 in substantial conformance and 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 that the conditions of this grant have been recorded as required by Condition No. 14, and until all required all monies have been paid as required by Condition Nos. 17, 64, and 65 of this grant. Notwithstanding the foregoing, this condition (No. 4), and Conditions Nos. 6, 13, and 14 shall be effective immediately upon the Approval Date 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. The Permittee shall keep a copy of these conditions of approval on premises at all times and shall make a copy available to inspectors upon request.

6. This grant shall expire unless it is used within one (1) year from the Approval Date. The Permittee may request a single three-month time extension to use this grant, provided

such an extension is requested in writing and with the payment of the applicable fee with the Department prior to such expiration date.

7. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant, and in full compliance with all statutes, ordinances, or other regulations applicable to any development or activity on the subject property. Failure of the Permittee to cease any operations, development, or activity not in full compliance shall be a violation of these conditions. 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. 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. 17.

9. 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.

10. 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.

11. 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.

12. 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 promptly notify the Permittee of any claim, action, or proceeding, and the County shall reasonably cooperate in the defense.

13. 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.

14. 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 of the Department.

15. Upon approval of this grant, the Permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department 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 the Fire Department.

16. The Permittee shall give irrevocable permission to the County or its authorized agents to enter the Facility during the Facility's business hours for the purpose of conducting inspections. 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.

17. 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 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.

    In addition to the provisions described hereinabove, 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 within 30 days of 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 and/or Commission pursuant to Section 22.60.170, et seq., of the County Code, where applicable.

TERMINATION REQUIREMENTS

18. This grant is for a term of up to 15 years, which consists of an initial 10-year term that will expire on**June 23, 2020**, unless extended for an additional 5-year term upon approval by the Director of the Department. The permittee shall submit a written application accompanied by all applicable fees no less than six months prior to the expiration date of the initial term. The Director of the Department in consultation with the Department of Public Health, Department of Public Works, and Fire Department shall grant such an extension, if the use is found to be in substantial compliance with the conditions of approval, has been conducted in compliance with all applicable laws and regulations, and the permittee has exercised the utmost diligence in resolving any Notice of Violation issued throughout the term of the permit.

19. 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 prior to the termination of this permit, whether or not any modification of the use is requested at that time.

FACILITY CAPACITY

20. 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.

21. The Permittee shall conduct all waste Processing and separation activities within designated areas only as indentified on the site plan (Exhibit A) approved pursuant to Condition No. 3 of this grant.

22. Within 90 days after the Effective Date, or a longer period if approved by the Director of the Department of Public Works, the Permittee shall establish 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. 22 is satisfied.

OPERATING HOURS

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

a. Facility operations, such as Waste Processing, shall 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 shall 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 shall be conducted only between the hours of 6:00 a.m. and 5:00 p.m., Monday through Saturday.

d. During construction, the permittee and its contractor shall comply with Sections 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise.

e. Diesel vehicles and forklifts shall be operated at the Facility between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday, 7 a.m. to 2 p.m. Saturday.

f. Notwithstanding anything to the contrary in this Condition No. 23, 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

24. 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.

25. 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.

26. 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" shall be available on-site at the Facility at all times 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.

27. The Permittee will use industry Best Management Practices 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

28. 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.

29. 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.

30. All containers, including roll-off bins, and/or all collection vehicles containing waste that are present overnight shall be parked inside the enclosed building at the Facility. The building shall 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 regarding on-site storage. The Permittee shall not store any waste 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 shall 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.

31. The Permittee shall not store any empty dumpsters and similar containers outside of the enclosed building located at the Facility unless 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 approved Exhibit "A."

32. The Permittee shall immediately repair cracks on the tipping floor depicted on the approved Exhibit "A".

ODOR

33. Within 30 days of the Effective Date, the Permittee shall 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 of the 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.

34. The Permittee shall annually review the AOMP to determine if and when revisions are necessary.

35. The Department and County LEA shall use the AOMP 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 either to comply with the Plan or to revise it, in consultation with SCAQMD.

36. 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.

37. Within 90 days after 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

38. The Permittee shall implement mitigation measures necessary to reduce noise impacts from site operations to the satisfaction of the Department of Public Health, Environmental Hygiene Program and the County LEA. Unless said agencies state otherwise, within 90 days after 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.

The Permittee shall comply with noise control ordinances, Chapter 12.08 and Chapter 12.12 of the County Code

VECTOR CONTROL

39. The Permittee shall prepare a vector control plan for the Facility, which shall be prepared to the satisfaction of, and reviewed, and approved by the Los Angeles County Department of Public Health, Vector Management Program, and the County LEA within 30 days of the Effective Date. Upon the Effective Date, the Permittee shall implement vector control measures in accordance with the approved plan. 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. Within 30 days of 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. The Permittee shall prepare a litter control and recovery program, which shall be prepared to the satisfaction of, and reviewed and approved by, the Director of the Department of Public Works and the County LEA within 30 days of the Effective Date. Upon the Effective Date, the Permittee shall implement litter control and recovery program. The program shall include the following provisions:

    a. All Solid Waste vehicles utilizing the Facility shall 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, shall be swept at least twice daily.

    d. All Facility access roads shall 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 IMPROVEMENTS

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 Department 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 Department of Public Works.

d. Acquire street plan approval from the Department of Public Works and 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 by the Department of Public Works.

f. All gates at the project driveways must slide or swing (in the direction of travel for inbound traffic) and not slide or swing out into the road Right of Way, and should remain open during the hours of operations.

TRAFFIC AND LIGHTING

43. Within 180 days after the effective date, the Permittee shall install street lights on concrete poles with underground wiring on Compton Boulevard ***if required by Public Works***. If required, permittee shall submit street plans along with existing and/or proposed underground utilities plans for review and approval by the Director of Public Works..

44. 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.

GRADING

45. Obtain all applicable jurisdictional permits. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board, State of California Department of Conservation, and Division of Oil, Gas, and Geothermal Resources (DOGGR).

    a. The latest drainage concept/hydrology/Standard Urban Stormwater Mitigation Plan (if applicable) approved by Public Works' Land Development Division, Storm Drain and Hydrology Section.

46. Submit a grading plan for approval. The grading plan must show and call out the following items including, but not limited to, construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, and Standard Urban Stormwater Mitigation Plan, and any required landscaping and irrigation not within a common area or maintenance easement. Acknowledgement and/or approval from all easement holders may be required.

    a. The grading plan must be approved by Public Works' Geotechnical and Materials Engineering Division.

LANDSCAPING AND GREEN BUILDING PROGRAM

47. Within 180 days after the Approval 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 comply with Drought Tolerant Landscaping Ordinance requirements as follows:

    a. Minimum 75 percent of all landscaping shall be drought-tolerant.

    b. Grass or turf shall 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 shall be grouped together.

49. 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 shall 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 shall comply with Green Building requirements unless waived or modified by Los Angeles County Department of Public Works pursuant to applicable provisions.

c. Third party LEED Certification or equivalent shall be 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.

50. Within 30 days of 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

51. All parking spaces and 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..

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 in addition to the required parking spaces.

SIGNAGE

52. All signs shall comply with the standards and requirements set forth in Part 10 of Chapter 22.52 of the County Code.

MARKINGS

53. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.

54. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

COMPLIANCE WITH ADDITIONAL PERMITS/REQUIREMENTS

55. 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. 55 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. 55, an industrial waste control facility includes its permanent structures for treating post-development storm water runoff.

56. 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.

57. 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 unless the Department of Public Works determines that such plan is unnecessary. The berms that direct the flow of water must be maintained in good condition and repaired as needed to perform its intended function.

58. 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.

59. 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 basis 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 59, including, but not limited to, Title 13, California Code of Regulations, Section 2020, et seq.

60. 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.

61. All parking lot and other exterior lighting shall 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 on the site, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.

62. 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.

63. In the event of a conflict between the provisions of this grant and other regulations, the more stringent shall apply, unless that condition is preempted.

PERMITTEE FEES

64. Within 3 days of the Approval Date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the

Fish and Game Code, the following applicable fee is required, $2,085.25. No land use project subject to this requirement is final, vested, or operative until the fee is paid.

65. Within thirty (30) days after the Approval 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).

66. Upon the effective date 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.

67. Upon the effective date of this grantthe 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

68. 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.

69. 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.

70. 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.

71. 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.

MC/mk 06/10/10