

Enclosure B

**Finding of Conformance
Dated December 18, 2008**

**LOS ANGELES COUNTY SOLID WASTE MANAGEMENT
COMMITTEE/INTEGRATED WASTE MANAGEMENT TASK FORCE
FINDING OF CONFORMANCE (FOC)
WITH THE LOS ANGELES COUNTY COUNTYWIDE SITING ELEMENT
SUNSHINE CANYON LANDFILL—CITY/COUNTY PROJECT
December 18, 2008**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) has reviewed the May 21, 2008 request from Browning-Ferris Industries of California, Inc., a subsidiary of Allied Waste, Inc., owner/operator of the proposed Sunshine Canyon Landfill City/County Project to find the proposal in conformance with the Los Angeles County Countywide Siting Element, dated June 1997.

General

The Sunshine Canyon Landfill City/County Project is defined by the Limit of Fill identified in Exhibit "A-2" of the Sunshine Canyon County Landfill Conditional Use Permit 00-194-(5) as granted by the County of Los Angeles Board of Supervisors on February 6, 2007, (Attachment "A") and by the fill design identified in Exhibit "E-4B" of the Sunshine Canyon City Landfill (Unit 2) Zoning Ordinance No. 172933 as approved by the Los Angeles City Council and Mayor on December 9, 1999 (Attachment "B"). The City Landfill is located within the limits of the City of Los Angeles, and the County Landfill is located within the unincorporated area of Los Angeles County. Attachment "C" is the site location map of the Project.

Presently, the City Landfill (Attachment "D") is operating under the City's Zoning Ordinance No. 172933 (Attachment "B"), and the County Project (Attachment "D") is operating under Conditional Use Permit 00-194-(5) (CUP) (Attachment "A"). The CUP became effective on May 24, 2007, upon its acceptance by BFI.

BFI is proposing to combine the operation of the two existing landfills into one in accordance with the requirements of both the City's and County's land use permits. The ultimate disposal capacity of the entire Project is estimated to be 91.1 million tons, encompassing a 363-acre landfill footprint. The Project was estimated to have a net remaining disposal capacity of about 118.3 million cubic yards (or 76.3 million tons) as of October 19, 2006. The remaining capacity as of January 1, 2008 was 110.7 million cubic yards (or 71.4 million tons). Attachment "E" is a proposed landfill phasing plan showing the phases of operation.

The Task Force has reviewed the request utilizing the guidelines and requirements specified in the Los Angeles County Countywide Siting Element, dated June 1997, which was approved by a majority of cities in the County of Los Angeles containing a majority of the cities' population, the County Board of Supervisors, and ultimately by the California Integrated Waste Management Board on June 24, 1998. The Task Force finds that the proposal is consistent

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with the goals and policies of the Countywide Siting Element and its Siting Criteria (Attachment "F"). The Task Force grants an FOC, subject to the following conditions:

Conditions

1. Effective Date—This Finding of Conformance (FOC) shall become effective concurrent with the effective date of the City's resolution authorizing development of Phase II of the City Landfill (Attachment "G"). This FOC replaces the previously issued FOCs listed below:
 - On August 15, 1991, the Task Force issued an FOC with the Los Angeles County Solid Waste Management Plan for the facility operation in the unincorporated County area.
 - On April 17, 2003, the Task Force issued an FOC with the Los Angeles County Countywide Siting Element for the portion of Sunshine Canyon Landfill (Unit 2) in the City of Los Angeles.
 - On May 19, 2008, the Task Force issued an FOC with the Los Angeles County Countywide Siting Element for the Sunshine Canyon Landfill, Phase V and the top deck of the Exhibit "A-1" Fill Design—County Project as defined by the County of Los Angeles Conditional Use Permit No.00-194(5).
2. Permitted Operations/Activities—This FOC is limited to landfilling activities and other waste management operations for the City/County Project, in accordance with the County CUP No. 00-194-(5) approved by the Los Angeles County Board of Supervisors on February 6, 2007 (Attachment "A") and the City Zoning Ordinance No. 172933 approved by the City Council on December 8, 1999 and approved by the City Mayor on December 9, 1999 (Attachment "B").
3. Types of Waste Materials—The waste materials to be landfilled at the subject site shall be limited to solid waste and inert debris as defined in the County CUP No. 00-194-(5) and the City Zoning Ordinance No. 172933, and as specified in the WDR Order No. R4-2008-0088 issued by the Regional Water Board, on October 2, 2008. Hazardous waste, radioactive waste, liquid waste

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(including slurries and septic tank pumping), designated waste, incinerator ash, sludge, and dead animals (except for non-incidentally dead animals), other wastes requiring special treatment or handling, and untreated medical waste, as defined by State and Federal laws are prohibited. The type of beneficial use materials shall include, but not be limited to, green waste, wood waste, asphalt, concrete, and dirt.

4. Waste Quantities—The materials received at the facility shall be subject to the following:
 - a. Maximum daily tonnage of solid waste disposed at the site shall be limited to 12,100 tons on any given day, six working days per week, with a maximum weekly capacity of 66,000 tons of nonhazardous solid waste.
 - b. The amount of materials received as inert debris and other materials received for beneficial use shall not exceed 6,600 tons per week, based upon six working days per week.
5. Hours of Operation—The hours of operation for solid waste disposal at the site shall be 6 a.m. to 6 p.m. Monday through Friday and 7 a.m. to 2 p.m. on Saturday. The Landfill shall be closed on Sundays. Saturday hours may be extended from 2 p.m. to 6 p.m. if necessary to accommodate post-holiday disposal requirements, where there was limited or no trash pick-up on the holiday.
6. Limits of Fill—Total disposal quantity, excavations, horizontal boundaries, and minimum and maximum elevations (contours) shall be limited to those established in Exhibit “A-2” fill design and defined as the City/County Project of the County CUP No. 00-194-(5) and the Phases I and II fill design identified in the City Zoning Ordinance No. 172933. The maximum vertical height of the City/County Project, including final cover, shall not exceed a final fill elevation of 2,004 feet above mean sea level for the disposal area within the City of Los Angeles and 1,904 for the disposal area within the County of Los Angeles. Attachment “H” shows the proposed Final Grading Plan.
7. Term—This FOC shall terminate upon one of these conditions:
 - 1) The facility reaching the disposal capacity, boundary limits, and/or maximum fill elevation of Exhibit “A-2” fill design of the

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County CUP No. 00-194-(5) and the fill design of Phases I and II of Unit 2 of the City Zoning Ordinance No. 172933, 2) failure of the City of Los Angeles to grant the facility owner/operator to continue to operate the facility upon the City's Phase III compliance review, or (3) the operation reaching the date of February 6, 2037, whichever occurs first. This FOC will terminate if there is any Significant Change in operation of the facility as defined in Chapter 10.4 of the CSE or if the operation of the facility is prohibited by any regulatory agency, judicial court, the County of Los Angeles, or City of Los Angeles.

This FOC is subject to reconsideration concurrent with the SWFP five-year review process, the City's Phase III compliance review of the City Landfill, or at an earlier date as may be determined by the Task Force. No less than 90 days before the five-year anniversary of the FOC the owner/operator shall submit a request for review of its FOC to the Task Force. The request shall indicate any changes in the operation that may necessitate a revision in the provisions/conditions of this FOC.

8. Regulatory Compliance—The facility owner/operator must comply with all laws, requirements and regulations of the Federal, State, County, and local regulatory agencies.
9. Waste Load-Checking—The facility owner/operator shall implement a Waste Load Checking Program as approved by the Sunshine County Landfill-Local Enforcement Agency, and submit a copy of the approved program to the County of Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California, 91802-1460.
10. Litter Control—The facility owner/operator shall implement the Litter Control and Tarping Program as stipulated in Attachment "I".
11. Conversion Technologies—The facility owner/operator shall actively work with the Task Force in promoting conversion technologies as alternatives to landfilling and incineration. This shall include, but not be limited to, (a) supporting and promoting legislation and regulations which would provide economic incentives for the development of conversion technologies, and (b) supporting and promoting legislation and regulations which would remove conversion technologies from the definition of transformation and

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give them full diversion credit towards the State waste reduction mandates.

12. Seismic Monitoring—The facility owner/operator shall implement and comply with the following seismic monitoring requirements:
 - a. Complete installation of an accelerometer onsite to measure earthquake/seismic ground motions within 60 days of approval of this FOC. A set of as-built plans signed and sealed by a California Registered Civil Engineer shall be provided to the Sunshine Canyon Landfill-Local Enforcement Agency and the County of Los Angeles Department of Public Works, Environmental Programs Division.
 - b. Following a major earthquake/seismic ground motion of magnitude 5.0 or greater, as recorded by the closest ground-motion monitoring device as maintained by the California Division of Mines and Geology, thoroughly survey the landfill for primary and secondary surface expressions of seismic activity (such as surface ruptures, landslides, change in spring flows, liquefaction, etc.). Submit a damage assessment report on the results of the survey to the County of Los Angeles Department of Public Works, Environmental Programs Division and the Sunshine Canyon Landfill-Local Enforcement Agency for review. The assessment report needs to describe and discuss all features, including damage to the site and infrastructure caused by the earthquake and measures that will be taken to mitigate the impact.
13. Waste Characterizations—On a semi-annual basis, the facility owner/operator shall conduct waste characterizations of the incoming waste stream destined for disposal over a one-week period during the months of March and September. The results shall be submitted in the attached Monitoring and Reporting Form (Attachment “J”) with the reports due April 30 and October 31 of each year to the Los Angeles Department of Public Works, Environmental Programs Division, P.O. Box 1460, Alhambra, California 91802-1460.
14. Reports—The facility owner/operator shall submit monthly reports on a quarterly basis within 30 days of the end of the quarter to the County of Los Angeles Department of Public Works, Environmental

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Programs Division, P.O. Box 1460, Alhambra, California 91802-1460. The report shall contain the following information for each month of the reporting period:

- a. Type and quantity of waste (weight) received at the facility for processing, recycling, and disposal.
- b. Waste source and quantity identified by weight and/or volume for each jurisdiction of origin, including each city within the County of Los Angeles, unincorporated area of the County, and any jurisdiction outside the County of Los Angeles, if any.
- c. Quantity of recovered recyclable materials, including tires and green waste, if any, by weight and/or volume, and final destination of recovered materials.
- d. Quantity of household hazardous waste and electronic waste, if any, recovered from the waste stream, and final destination of recorded materials.
- e. The frequency of the submittal shall be on a quarterly basis consistent with the requirements of the State's Disposal Reporting System (Section 18812.9 of the California Code of Regulations, as may be amended).
- f. Remaining landfill disposal capacity by weight (tons) and volume (cubic yards).
- g. The information shall be provided in the format approved by the Task Force through the Los Angeles County Solid Waste Information Management System, and/or as may be updated by the Task Force (Attachment "K").

Failure to comply with these reporting requirements shall be considered as a cause for revocation of this FOC.

15. Change in Ownership—In the event of any change in operator or control of ownership of the facility by BFI and/or Allied Waste, the applicant must:
 - a. Notify the Task Force, in writing, of such change within ten calendar days;

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- b. Notify the succeeding owner and operator by letter, a copy of which shall be filed with the Task Force, of the existence of this FOC; and
 - c. The new owner and operator shall jointly submit a written report to the Task Force within 30 days of the change of ownership detailing measures that will be implemented to insure compliance with requirements of this FOC.
16. Mitigation Measures—The owner/operator must obtain and fully comply with all the permits and approvals (including but not limited to drainage, grading, stormwater, building, and industrial waste), as well as comply with all other mitigation measures, which are listed in Attachment “F” and Mitigation Monitoring and Reporting Summary (Attachment “L”) to comply with the Siting Criteria. Documentation substantiating that the owner/operator has obtained all necessary permits and approvals, as well as compliance with all other mitigation measures, which are required prior to operating the City/County Project, shall be submitted to the Task Force and the County of Los Angeles Department of Public Works at least 30 days prior to commencement of operation in the City/County Project.
17. Subsurface Gas Migration—The owner/operator must protect all on-site buildings and enclosed structures within 1,000 feet of the disposal area against intrusion of migrating landfill gas in accordance with the requirements of Chapter 15 of the City of Los Angeles Building Code and Section 110 of the Los Angeles County Building Code, as applicable.
18. Status Report—The owner/operator shall submit a status report on the following:
- a. Progress of the City/County Project.
 - b. Progress of the site’s landscaping activities and revegetation of the permanent slope areas.

The status report shall be submitted on a quarterly basis within 30 days of the end of the quarter to the Task Force, P.O. Box 1460, Alhambra, California 91802-1460.

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The FOC is not intended to be, nor does it confer on this facility, a guarantee that the tonnage contained in the finding will be available.

This FOC was unanimously approved by those members of the Task Force present at the December 18, 2008 meeting of the Task Force.

Margaret Clark

MARGARET CLARK
Vice Chair, Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead