

1 **BEFORE THE CALIFORNIA DEPARTMENT**
2 **OF RESOURCES RECYCLING AND RECOVERY**

3
4 In the Matter of:

5 Puente Hills Material Recovery Facility
6 SWIS #19-AA-1043,

7 Clean Air Coalition of North Whittier and
8 Avocado Heights,

9 **Petitioner,**

10 Los Angeles County Department of Public
11 Health,

12 **Respondent**

13 Los Angeles County Sanitation Districts,

14 **Real Party in Interest**
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16
17 **STAFF REPORT**

18 **APPEAL OF LOS ANGELES COUNTY**
19 **SOLID WASTE FACILITIES HEARING**
20 **BOARD DECISION**

21 Public Resources Code Section § 45030

22 **INTRODUCTION**

23 Under Public Resources Code (“PRC”) Section 45030, a party to a local hearing may
24 appeal to the Department of Resources Recycling and Recovery (“Department”) to review the
local hearing panel’s written decision. Upon receipt of a timely appeal, the Department may
decide whether it will hear the appeal, and if so, in what manner.

On October 31, 2013, Clean Air Coalition of North Whittier and Avocado Heights
 (“Petitioner”) submitted a timely appeal to the Department challenging the local hearing panel’s

1 written decision regarding the processing of an application for a solid waste facility permit
2 (“SWFP”) revision for the Puente Hills Material Recovery Facility (“MRF”) by the Los Angeles
3 County Department of Public Health as local enforcement agency (“LEA”). The Department,
4 pursuant to PRC Section 45031 and its hearing notice dated November 5, 2013, has determined it
5 will hear the appeal and will decide the matter based on the record before the local hearing panel
6 and written arguments from the parties. PRC § 45032 allows the Department, at its discretion, to
7 also consider any other relevant evidence that, in its judgment, should be considered to effectuate
8 and implement the policies of the Integrated Waste Management Act or “IWMA” (PRC Division
9 30, § 40000 et seq.).

10 STATEMENT OF FACTS

11 This appeal seeks a determination from the Department as to whether the LEA failed to
12 act as required by law in processing an application for a SWFP revision from the Los Angeles
13 County Sanitation Districts (“Districts”) for the operation of the MRF. All facts herein are drawn
14 from the record before the local hearing panel unless otherwise noted.

15 On May 22, 2013, the LEA received an application for a SWFP revision primarily to
16 allow the following changes in MRF operation:

- 17 1. Removal of existing restrictions on the shipment of materials into and out of the
18 facility between the hours of 6 a.m. and 9 a.m. and 4 p.m. and 7 p.m. to allow for
19 receipt and shipment 24 hours per day Monday through Saturday.
- 20 2. Removal of existing restrictions on employee commuting Monday through
21 Sunday.¹

22 _____
23 ¹ There were a number of other minor changes to the permit, including but not limited to a revised Transfer and
24 Processing Report, updated permit conditions, revisions to prohibited waste, and updated information to reflect a
revised Conditional Use Permit and new CEQA documents for the facility.

1 Upon request of the Districts, the LEA accepted the application as incomplete on June 25,
2 2013 and waived the statutory processing timeline in PRC § 44008. The application was
3 subsequently accepted by the LEA as complete and correct on July 3, 2013.

4 On July 11, 2013, the LEA mailed a Notice of Public Informational Meeting to residents
5 and interested parties regarding the SWFP revision. The LEA then held the noticed meeting on
6 July 25, 2013 and therein stated its intent to revise the SWFP. The Petitioner was in attendance.

7 On August 30, 2013, the Petitioner submitted a request for hearing to the LEA under
8 PRC Section 44307 claiming that the LEA failed to act as required by law by “approving” the
9 SWFP application.² The request for hearing laid out five pages of issues for consideration. The
10 alleged impacts of revised MRF operations on adjacent neighborhoods were Petitioner’s primary
11 concern.

12 On September 24, the LEA responded to the Petitioner’s request for hearing, noting that
13 the request was untimely under PRC § 44310(a)(1)(B) because it was submitted more than 30
14 days after the Petitioner discovered or reasonably should have discovered the facts on which the
15 allegations were based. In particular, the LEA cited to its publicly stated intention at the July 25th
16 informational meeting that it was prepared to revise the SWFP and the Petitioner was therefore
17 on notice of its proposed action as of that date. Nevertheless, the LEA agreed to hold the hearing
18 and set the proceeding for October 21, 2013.

21 ² The Petitioner’s initial request for hearing and the local hearing panel’s decision couch the proceeding as a review
22 of the “approval” of the SWFP application. To be clear, SWFP “approval” is not a recognized term in relevant parts
23 of the IWMA. Instead, the LEA may “accept” an application as “complete and correct.” PRC § 44008(a), 27 CCR §
24 21650. Then, following concurrence by the Department, the LEA may “issue” or “revise” the SWFP, which is the
final step in permit processing. PRC § 44012, 44014. Since the local appeal and hearing occurred prior to the LEA
actually issuing a revised SWFP for the MRF, this proceeding should properly be considered a review of the LEA’s
“acceptance” of the SWFP application package as complete and correct.

1 Also on September 24, 2013, the Department received the proposed revised SWFP
2 package from the LEA for concurrence under PRC § 44009 and 27 CCR § 21685.³

3 On October 2, 2013, the LEA responded to the issues raised in the Petitioner's request
4 for hearing.

5 The Petitioner submitted a supplement to its request for hearing on October 10, 2013
6 raising additional issues for the hearing. The LEA responded to this supplement on October 16,
7 2013.

8 The local hearing was then conducted on October 21, 2013. The Petitioner appeared at
9 the hearing and submitted a binder of documents raising even more issues for consideration.⁴
10 Counsel for the LEA objected on the grounds that it was not able to adequately review the new
11 material. However, after a very lengthy discussion, the hearing panel accepted the Petitioner's
12 additional documentation into the record. At the close of the proceeding, the hearing panel
13 unanimously ruled in favor of the LEA. On October 25, 2013, the hearing panel issued a written
14 decision finding no evidence to support of any of the five grounds for denial of a SWFP under
15 PRC § 44300 and thus upheld the LEA's processing of the SWFP as proper.

16 On October 28, 2013, the Department concurred on the proposed SWFP revision.
17 **Exhibit A.**⁵ The LEA then officially issued the revised permit on October 29, 2013. **Id.**

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21 ³ Despite statements to the contrary by members of the local hearing panel, the IWMA does not mandate that permit
processing be halted pending a PRC § 44307 local hearing.

22 ⁴ The sheer number of issues raised in Petitioner's various filings at the local level renders it impracticable to restate
them all within this brief format. However, the relevant issues that are before the Department will be identified infra.

23 ⁵ Although the Notice of Hearing stated that the Department will decide this matter based on the record before the
hearing panel, PRC § 45032(a) allows the Department to consider additional evidence at its discretion. Staff submits
this evidence to give a fuller factual context regarding actions on the SWFP that occurred after the local hearing.

1 **DISCUSSION**

2 PRC § 44307 requires an LEA to hold a hearing upon a petition to the LEA from any
3 person requesting that the LEA review an alleged "failure of the agency to act as required by
4 law." The courts have interpreted this provision under similar circumstances to mean that a
5 person must allege that the LEA did not process a SWFP application in the manner the law
6 requires.⁶

7 After the local hearing panel issues its written decision, any party to the hearing may
8 subsequently request review by the Department.⁷ If the Department finds, based on substantial
9 evidence, that the LEA failed to act as required by law, it may either direct that the LEA take the
10 appropriate action or take the action itself if the LEA fails to act by the date specified by the
11 Department.⁸

12 Given these requirements, the proper focus of this proceeding is whether the Petitioner
13 brought forth substantial evidence to adequately support its contention that the LEA did not
14 process the SWFP in the manner mandated by the IWMA.⁹ If this burden of proof is not
15 satisfied, then the Department must uphold the LEA's action.

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20 ⁶ Sustainability of Parks, Recycling and Wildlife Legal Defense Fund (SPRAWLDEF) v. County of Solano Dept. of Resource Management (2008), 167 Cal.App.4th 1350, 1362. For purposes of this proceeding, the only "law" applicable to SWFP processing that is within the jurisdiction of the Department is the IWMA.

21 ⁷ PRC § 45030.

22 ⁸ PRC § 45032.

23 ⁹ The local hearing panel relied on PRC § 44300 in evaluating whether the LEA failed to act as required by law. Staff suggests reliance on this provision is inapt because it narrows the inquiry only to actions of the applicant. There are actions required by the LEA in processing a SWFP that are not reflected by this section. Furthermore, the standard of review is whether there was a failure to act "as *required* by law" and PRC § 44300 contains no mandate on LEA action as it states an LEA "may" deny a permit under certain circumstances.

1 **I. MOST OF PETITIONER'S APPEAL MUST BE ELIMINATED FROM**
2 **CONSIDERATION AS BEYOND THE DEPARTMENT'S JURISDICTION**

3 At the outset, the majority of issues raised in the Petitioner's appeal must be disregarded
4 since they are not relevant to whether the LEA failed to process the SWFP as required by law
5 and instead challenge either procedural error by the local hearing panel or actions subject to
6 other laws. Consequently, the Department cannot review or remedy these issues within its PRC §
7 45032 appeal jurisdiction.

8 To paraphrase its request for hearing, the Petitioner has alleged that the local hearing
9 panel:

- 10 1. Failed to consider certain evidence in the record;
- 11 2. Violated the Brown Act (Gov. Code § 54950 et seq.);
- 12 3. Failed to issue a written protocol for the hearing;
- 13 4. Failed to allow the Petitioner an opportunity to rebut evidence;
- 14 5. Was disorganized in its hearing process and issued an unfair decision;
- 15 6. Incorrectly described certain facts in its written decision;
- 16 7. Failed to review or address the alleged inadequacy of California Environmental
17 Quality Act (CEQA) compliance for the facility;
- 18 8. Failed to review the consistency of the Conditional Use Permit (CUP) with the SWFP
19 for the facility.

20 Even if these allegations are correct, the Department would be unable to provide a legal
21 remedy. The scope of the Department's review on appeal is narrow. It is strictly limited to a
22 determination, based on the evidentiary record, whether the LEA failed to process the SWFP as
23 required by the IWMA. PRC § 45032 states in relevant part:
24

1 “ ...

2 (b) The board may only overturn an enforcement action, and any administrative
3 civil penalty, by a local enforcement agency if it finds, based on substantial
4 evidence, that the action was inconsistent with this division. If the board overturns
5 the decision of the local enforcement agency, the hearing panel, or the hearing
6 officer, or finds that the enforcement agency has failed to act as required, the
7 board may do both of the following:

- 8 (1) Direct that the appropriate action be taken by the local enforcement agency.
9 (2) If the local enforcement agency fails to act by the date specified by the board,
10 take the appropriate action itself.” (emphasis added)

11 As this section makes clear, the Department is only authorized to review, within the
12 scope of the IWMA, the actions of the LEA and not the local hearing panel itself. The local
13 hearing panel is not the same as the LEA or even part of the LEA -- it is a separate and distinct
14 entity. Local hearing panels are comprised of three members appointed by the local governing
15 body¹⁰ according to the procedures in PRC § 44308 and are limited in authority to conducting
16 solid waste hearings under the IWMA. LEAs, on the other hand, are a local government agency
17 with authority to enforce all applicable provisions of the IWMA through designation by the local
18 governing body.¹¹ Other than scheduling a hearing, the LEA has no control over hearing panel
19 proceedings. Thus, to the extent that Petitioner’s allegations relate to actions of the local hearing
20 panel or procedural problems at the local hearing, they are beyond the scope of this proceeding
21 and must be disregarded as irrelevant.¹²

22 ¹⁰ “Local governing body” is defined in PRC 40150 as the “legislative body of the city, county, or special district
23 which has the authority to provide solid waste handling services.” Generally, a local governing body will be a
24 County Board of Supervisors or City Council.

¹¹ PRC 43209.

¹² Somewhat buried in Petitioner’s various challenges to the local hearing panel are statements implying that the
LEA did not provide certain evidence to the Petitioner prior to the hearing. There is no evidence in the record to
verify this. Nevertheless, this appeal before the Department provides a fresh opportunity for the Petitioner to review
the full local hearing panel record, rebut evidence, present argument, and even submit new evidence if permitted by
the Department under PRC § 45032. In short, this appeal hearing is itself the remedy for any alleged procedural
problems at the local level.

1 Furthermore, the Department may determine compliance with the IWMA -- not other
2 laws such as CEQA or local land use ordinances.¹³ The Petitioner raised myriad issues at the
3 local level regarding the CEQA review and the revised CUP for the MRF and does so again in
4 this appeal. To be explicit, this is not the proper forum to review or remedy alleged deficiencies
5 in CEQA review for the MRF. PRC §§ 21168 and 21168.5 provide the exclusive means to
6 challenge CEQA compliance and that is via litigation in civil court.¹⁴ Indeed, the Petitioner has
7 already filed a CEQA lawsuit against Los Angeles County regarding the MRF.¹⁵ Issues
8 regarding the sufficiency or validity of the revised CUP or the consistency between the SWFP
9 and the revised CUP are likewise beyond the scope of the IWMA and therefore this appeal.
10 CUPs are not governed by the IWMA. Moreover, the IWMA contains no requirement that a
11 SWFP be consistent with a CUP.

12 **II. FOR THOSE ISSUES PROPERLY WITHIN THE SCOPE OF THIS HEARING,**
13 **PETITIONER DID NOT SUSTAIN ITS BURDEN OF PROVING THAT THE**
14 **LEA FAILED TO ACT AS REQUIRED BY LAW**

15 Petitioner seeks to overturn the LEA's processing of the revised SWFP for the MRF. As
16 is the case in court proceedings, a party asserting a claim for relief has the burden of proof in
17

18 ¹³ The same limits apply to the LEA. PRC § 43209(a).

19 ¹⁴ An LEA may deny a SWFP under PRC 44300(b) if an applicant has not "complied" with CEQA. 27 CCR 21570
20 and 21650 also require evidence of CEQA compliance in order to process a SWFP application. However, these
21 provisions cannot be construed to provide an alternate forum for CEQA challenges. That is the province of the
22 courts. Without getting lost in the nuances of the IWMA and CEQA, a SWFP application may be processed if there
23 is evidence of some sort of CEQA review for the project that a court has not invalidated. In this case, the record
24 reflects an Initial Study and EIR Addendum were approved by the Lead Agency on January 2, 2013 and a Notice of
Determination filed January 10, 2013.

¹⁵ Clean Air Coalition of North Whittier and Avocado Heights v. County of Los Angeles et al., Los Angeles County
Superior Court Case No. BS143365. If necessary, the Department may take judicial notice of this litigation as a
record of the courts under Gov. Code Section 11515 and Evidence Code Section 452. If the Petitioners are
successful in this litigation, staff assumes they will get the remedy they appear to be seeking in this appeal -- a
suspension of the revised MRF operations pending further environmental review and/or mitigation. Please note that
the court did not issue a stay on any project approval so the applicant is free to proceed with the project at this time.
Kriebel v. City Council (1980) 112 Cal.App.3d 693, 707.

1 administrative proceedings as well.¹⁶ The party with the burden of proof must produce evidence
2 to meet that obligation.¹⁷

3 Here, the Petitioner is the party asserting a claim for relief and thus bears the burden of
4 proof. The petition raises one claim that is within the scope of this appeal proceeding, namely
5 that the MRF application package was based on significant false or misleading information or
6 misrepresentation. If this allegation is true, it would suggest that the LEA improperly concluded
7 that the SWFP application package was “complete and correct” and that the SWFP thus should
8 not have been processed as submitted.

9 Admittedly, it is difficult to decipher exactly what information the Petitioner claims is
10 false, misleading, or misrepresented. The petition states:

11 *“The Districts’ application is based on significant false or misleading*
12 *information or misrepresentations and presented to the Board including 2 letters*
13 *from Clean Air Coalition dated Oct. 21, 2013 and all previous documents of*
14 *issues.” [sic]*

15 One must, in turn, refer to the cited October 21, 2013 letter:

16 *“The LEA is wrong in allowing the Sanitation Districts to remove and alter*
17 *language in the TPR [Transfer and Processing Report] that identified us in the*
18 *1992 and 1995 EIR as a major impact area. The application contains misleading*
19 *information and significant misrepresentation.”¹⁸*

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22 _____
¹⁶ Bode v. Los Angeles Metro. Med. Ctr. (2009) 174 Cal.App.4th 1224.

23 ¹⁷ Brown v. City of Los Angeles (2002) 102 Cal.App. 4th 155, 175.

24 ¹⁸ For reference, this letter is included as attachment #12 in L.A. County’s transmittal of the hearing record, page 2.

1 This statement was reiterated at the local hearing virtually verbatim.¹⁹ Based on these
2 statements, staff believes the Petitioner is claiming that the TPR, a required component of the
3 SWFP application package,²⁰ should not have been considered “complete and correct” by the
4 LEA because information contained therein was somehow false, misleading, or misrepresented.

5 The Petitioner, however, fails to sustain the burden of proof on this issue. There is no
6 evidence in the record to indicate with specificity exactly what language in the TPR was altered
7 or removed or precisely how the current TPR differs from any prior version. Nor has Petitioner
8 submitted or cited to any evidence that demonstrates why any alleged removal or alteration of
9 language, if true, renders the document false, misleading, or a misrepresentation. No such
10 evidence otherwise appears in the record. Moreover, there is no evidence otherwise indicating
11 that the LEA was incorrect in finding the TPR “complete and correct.” Without evidence, the
12 finder of fact lacks a proper foundation to make any conclusion as to the validity of the
13 Petitioner’s claim.

14 Even if there were such evidence, the issue appears to be irrelevant. There is no
15 requirement in the IWMA for a TPR to contain language from CEQA documents or to identify
16 facility “impact areas.” The closest requirement is “a site location map, a site map, and
17 identification of adjacent land uses and distances to residences or structures that are within 1000
18 feet of the facility property line”²¹ all of which were included in the TPR for the MRF. **Exhibit**
19 **B.**²² As an aside, a TPR is not intended to be an analysis of the environmental effects of a facility

21 ¹⁹ Reporter’s Transcription of Hearing, October 21, 2013, page 23, line 22 through page 24, line 4.

22 ²⁰ 14 CCR 17403.9.

23 ²¹ 14 CCR 18221.6(b).

24 ²² The facility maps from the TPR do not appear to be included in the record before the local hearing panel. Staff is submitting a portion of the facility maps now pursuant to PRC § 45032(a) because they are relevant to determining the accuracy of the Petitioner’s claim.

1 anyway – that is the purview of CEQA. Instead, a TPR is a document to explain to the LEA in
2 detail the proposed physical operating parameters of a facility.²³

3 Without an evidentiary basis, the allegation that the TPR is false, misleading, or
4 misrepresented must be disregarded as unsubstantiated opinion²⁴ and the action of the LEA must
5 be upheld.

6 **CONCLUSION**

7 Because the Petitioner’s appeal did not raise issues properly within the scope of this
8 hearing and did not otherwise sustain its burden of proof, staff respectfully suggests that the
9 Department issue an order upholding the LEA’s processing of the SWFP.

10
11 Dated this 16th day of December, 2013.

12
13 

14 Harlee Branch, Senior Attorney
15 Department of Resources Recycling and
16 Recovery

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21 _____
22 ²³ 14 CCR 18221.6 regulates the content of Transfer and Processing Reports and requires contents such as a facility
23 plan, a description of structures at the site, methods to comply with state minimum standards, design capacity, and
24 operating hours.

²⁴ The opinions of lay (i.e. non expert) witnesses may generally be disregarded as evidence in the absence of facts to
support that opinion. Evidence Code § 800; Taliaferro v. Taliaferro (1962) 203 Cal.App.2d 649.

EXHIBIT A



COUNTY OF LOS ANGELES

Public Health

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

CYNTHIA A. HARDING, M.P.H.
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

TERRI S. WILLIAMS, REHS
Assistant Director of Environmental Health

JACQUELINE TAYLOR, MPA, REHS
Director, Bureau of Environmental Protection

Solid Waste Program

Cindy Chen, REHS
Chief Environmental Health Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5540 • FAX (626) 813-4259

www.publichealth.lacounty.gov

October 29, 2013

Mr. Christopher R. Salomon
Supervising Engineer
Facilities Planning Department
County Sanitation Districts of Los Angeles County
1955 Workman Mill Road
Whittier, CA 90601-1400

Dear Mr. Salomon:

TRANSMITTAL OF THE REVISED SOLID WASTE FACILITY PERMIT FOR PUENTE HILLS MATERIALS RECOVERY FACILITY, SWIS NO. 19-AA-1043

Please find enclosed a copy of the issued Solid Waste Facility Permit (SWFP) for the Puente Hills Materials Recovery Facility. The Department of Resources Recycling and Recovery (CalRecycle) received a proposed revised SWFP on September 24, 2013 and concurred on its issuance on October 28, 2013. This agency issued the SWFP on October 29, 2013.

If you have any questions, please contact Gerry Villalobos at (626) 430-5543.

Sincerely Yours,

Cindy Chen,
Chief Environmental Health Specialist
Solid Waste Management Program

CC:dhl

Enclosure

e: Susan Markie, CalRecycle
Jose Reynoso, SWMP



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

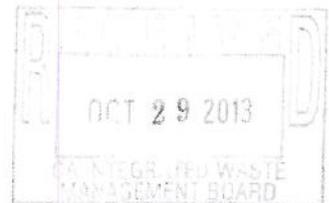


EXHIBIT B

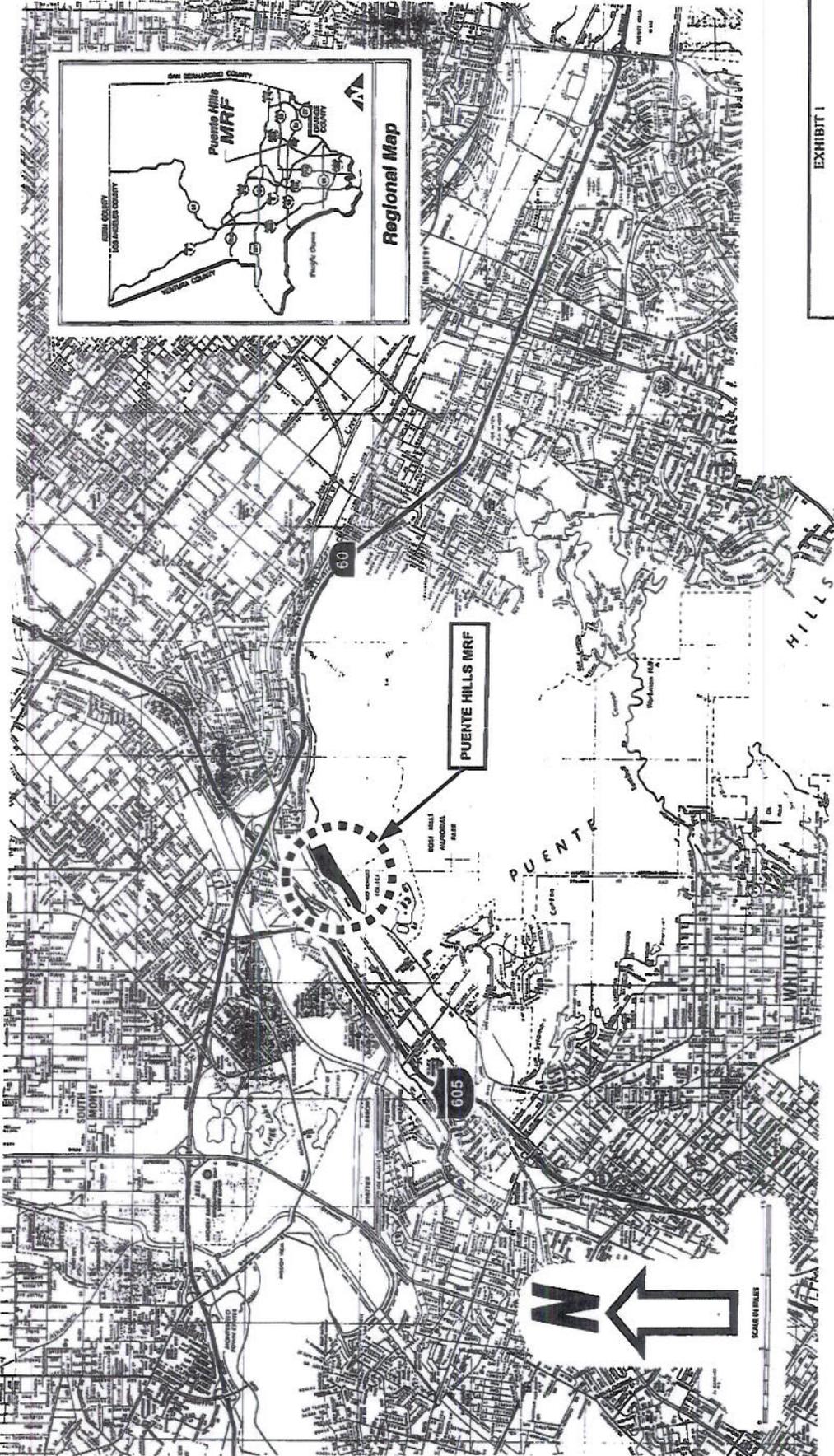
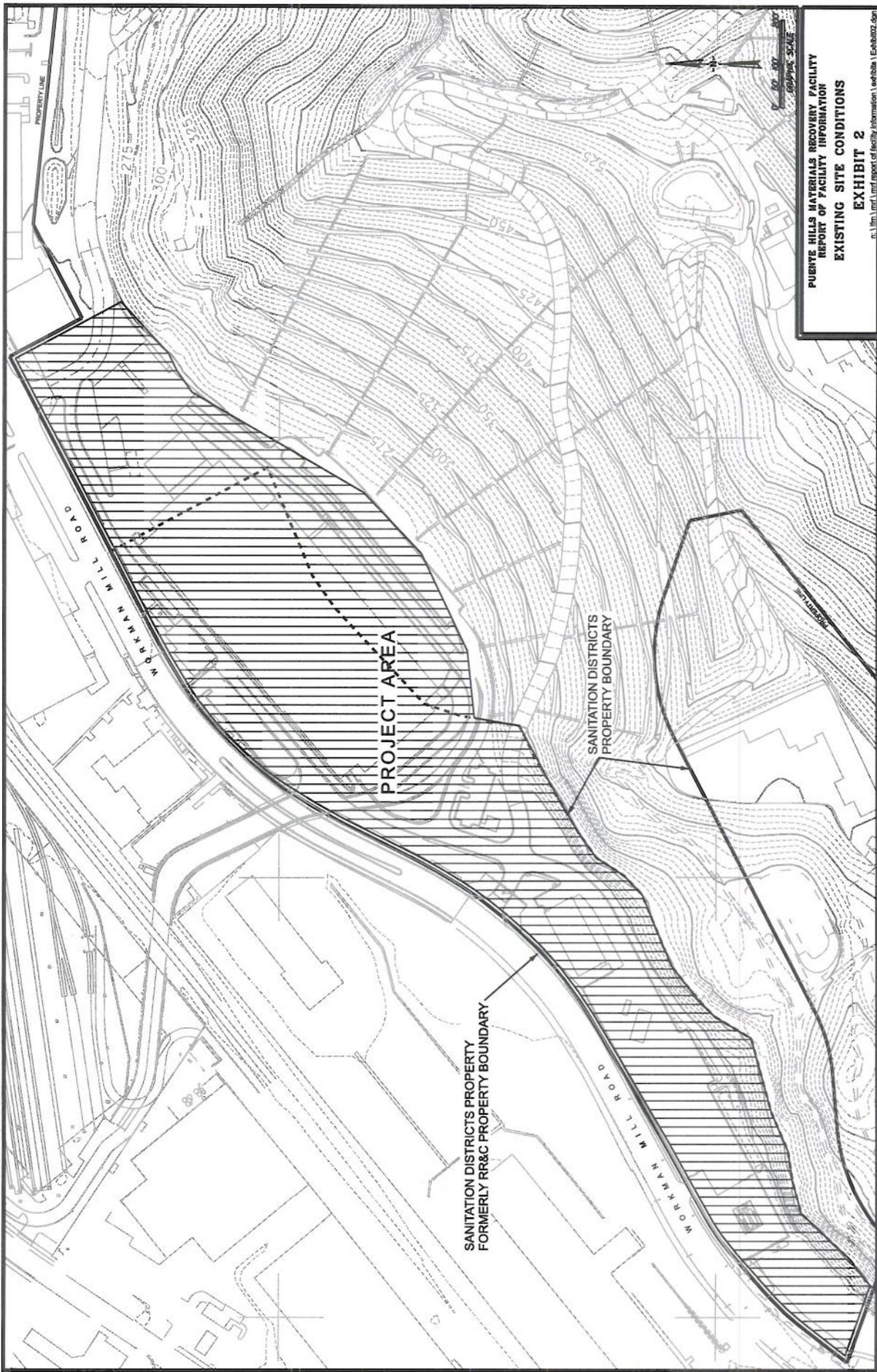


EXHIBIT 1

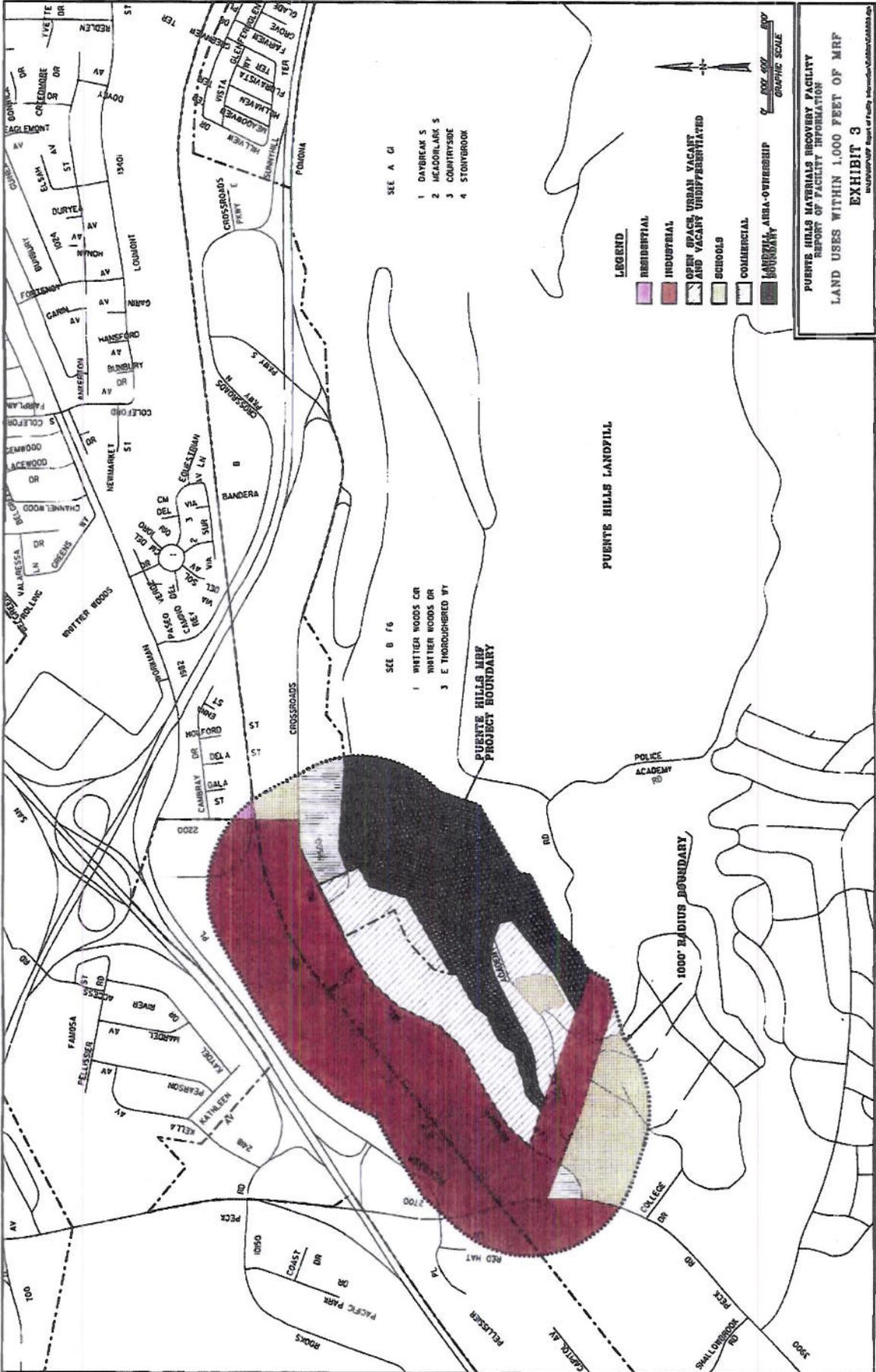
SITE LOCATION MAP

PUENTE HILLS MRF REPORT OF FACILITY INFORMATION



PUEBLO HILLS MATERIALS RECOVERY FACILITY
REPORT OF FACILITY INFORMATION
EXISTING SITE CONDITIONS
EXHIBIT 2

July 19, 2013 10:45 am PM39



SEE A G1

- 1 DAYBREAK S
- 2 MEADOWLARK S
- 3 COUNTRYBEE
- 4 STONEBROOK

SEE B F6

- 1 WHITTIER WOODS CR
- WHITTIER WOODS DR
- 3 E THOROUGHBRED WY

PUEENTE HILLS LANDFILL

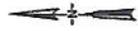
PUEENTE HILLS MRF PROJECT BOUNDARY

POLICE ACADEMY RD

1000' RADIUS BOUNDARY

LEGEND

- RESIDENTIAL
- INDUSTRIAL
- OPEN SPACE, URBAN VACANT AND VACARY UNDIFFERENTIATED
- SCHOOLS
- COMMERCIAL
- LANDFILL AREA-OTHERSHIP
- BOUNDARY



GRAPHIC SCALE
0' 100' 200'

PUEENTE HILLS MATERIALS RECOVERY FACILITY
 REPORT OF FACILITY INFORMATION
 LAND USES WITHIN 1,000 FEET OF MRF
EXHIBIT 3
UNIVERSITY OF CALIFORNIA, SAN DIEGO

1 DECLARATION OF SERVICE BY MAIL

2 Case Name: APPEAL OF LOS ANGELES COUNTY SOLID WASTE FACILITIES
3 HEARING BOARD DECISION, PUENTE HILLS MATERIAL RECOVERY FACILITY.

4 I declare:

5 I am employed by the Legal Office of the Department of Resources Recycling & Recovery
6 (CalRecycle), which is the office of a member of the California State Bar under which member's
7 direction this service is made. I am 18 years of age or older and not a party to this matter. I am
8 familiar with the business practice of CalRecycle for collection and processing of
9 correspondence for mailing with the United States Postal Service. In accordance with that
10 practice, correspondence placed in the internal mail collection system at the Legal Office of
11 CalRecycle is deposited with the United States Postal Service that same day in the ordinary
12 course of business. On December 16, 2013, I served the attached **DEPARTMENT OF**
13 **RESOURCES RECYCLING AND RECOVERY STAFF REPORT**, by placing a copy in a sealed
14 envelope with mail delivery postage thereon to be fully prepaid, in the internal mail collection
15 system at CalRecycle, to the following addresses:

16
17 Caroll Mortensen
18 Director, CalRecycle
19 1001 I Street
20 Sacramento, CA 95814

21
22 Clean Air Coalition of North Whittier and Avocado Heights
23 Attn: Marilyn & Richard Kamimura
24 843 Caraway Drive
25 Whittier, CA 90601

1 Los Angeles County Department of Public Health

2 Attn: Cindy Chen

3 5050 Commerce Dr.

4 Baldwin Park, CA 91706

6 Los Angeles County Sanitation District

7 Attn: Raymond L. Tremblay

8 1955 South Workman Mill Rd.

9 Whittier, CA 90601

11 I declare under penalty of perjury under the laws of the State of California that the foregoing is
12 true and correct.

13 Executed on the 16th day of December, 2013, at Sacramento, California.

14 
15 _____

16 Harlee Branch

17 Declarant