Clean Air Coalition of
North Whittier and Avocado Heights11
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December 13, 2013

Caroll Mortensen
Director, CalRecycle
1001 I Street
Sacramento, CA 95814

RE: Puente Hills Materials Recovery Facility (MRF) Appeal of Los Angeles County Solid Waste Facilities Hearing Board Decision

Dear Caroll Mortensen:

THE HEARING BOARD FAILED TO ADDRESS LEA REQUIREMENTS PER LAW INCLUDED BUT NOT LIMITED TO PRC 44300.

I. Argument

Pursuant to *PRC Section 44310(b)*, the LEA failed to schedule an appeal hearing within 30 days.

a. *PRC 44307* Clean Air Coalition of North Whittier and Avocado Heights (CAC) date of discovery was August 23, 2013. Our hearing was scheduled for October 21, 2013. LEA by wrongfully scheduling an appeal hearing past the timeline placed CAC at a time disadvantage to appeal any unfair decision before the Solid Waste Facility Permit (SWFP) was issued.

b. On July 25, 2013 at the Informational Meeting CAC was mislead. A letter was submitted to LEA on September 18, 2013 (letter to LEA from CAC) Administrative Records (Adm. R. 12-iv) signed by members stating that misleading information was presented.

c. On September 24, 2013, (Adm. R. 6-i) letter from Cindy Chen, of LEA to CAC, states "...the LEA would be amenable to accepting the request for hearing....expressly agree to waive....aforementioned timeline." THE LETTER WAS THREATENING BY ASKING CAC TO WAIVE LEGAL RIGHTS AND CAC DID NOT SIGN THIS WAIVER.

d. **Exhibit 1**, letter to Jeff Hackett from CAC dated October 8, 2013, includes a request that CalRecyle review the outcome of the October 21, 2013 Hearing before making a decision.

e. **Exhibit 2**, CalRecycle Staff Report dated October 23, 2013, reference page 9 of 9. In response to a request for a meeting with CalRecycle, CAC was offered the option of a phone conference or letter writing. CAC chose to ask questions by letter. CAC was led to believe by CalRecycle, that all questions would be answered through CalRecycle's Staff Report. Questions on the October 8, 2013 letter (Exhibit 1), item II, IV through V were not answered through the Staff Report. In addition, CalRecycle did not address Environmental Justice question.

II. Argument

Pursuant to *PRC Section 44004 (b)* and *PRC 44300*, the LEA failed by not acknowledging significant changes occurring through this SWFP and by not legally addressing changes makes the SWFP invalid.

a. *PRC Section 44300 (c)(d)*, the LEA failed to follow regulations *Title 14, Division 7, Chapter 3, Article 6.0 Section 17403.2* to include Sealed Container Transfer Operation in their current SWFP. As stated in letter dated October 21, 2013, CAC to Hearing Board, response to comment 7 and 7a. (Adm R. 12 ii)).

"If the operator proposes a change in the design or operation of the PHMRF, the operator is required to follow the requirements provided in 27CC R, Section 21620, including a revision of the TPR." which is part of the permit. (Reference Exhibit 2 page 7 of 9).

b. The addendum states "...there will be no other physical or operational changes at the PHMRF." There needs to be a subsequent or supplemental EIR because there will be significant and substantial changes allowed in this permit (Reference SWFP 17 a9 "...during the planning stages...").

c. There already is change (Adm. R. 3) as proven by the June 2013 TPR as part of October 2013 SWFP 19-AA-1043 including but not limited to: Facility overview 1E (intermodal containers on chassis), 111A.1a.4 (intermodal trucked to Puente Hills Intermodal Facility (PHIMF), 111 A.1.d (pushed into intermodal), 111 A.2 (exterior storage), 111 C4 b.3 (covered intermodal), 111 C4.d (trucked) 111C 5.b.1 (covered intermodal) 111 c.5.b.2 (cleaned intermodal), 111 D.3 (covered intermodal), 111 D.7 (covered under odor control), Table 6.670 intermodal containers.

d. The TPR also includes 670 Intermodal containers that would not fit on PHMRF site without significant physical or design change at the PHMRF. Pursuant to *PRC 44004* violated their responsibility by not requiring *Title 27 CCR, Section 21620*, including a revision of the TPR to include and not limited to Sealed Container Transfer Operation.

e. The LEA violated their responsibility by not requiring a revised permit when the 20 million dollar connecting tunnel from the Puente Hills Materials Recovery Facility (PHMRF) to the Puente Hills Intermodal Facility (PHIMF) was being constructed and the tunnel would be considered significant design change (Adm. R.12 xii).

Exhibit 3 - TPR June 2013 (Adm. R. 3) Site Plan Description page 2.
Description states "...(including the Puente Hills Intermodal Facility, currently under construction and directly accessible to the MRF by a tunnel)...".

f. **Exhibit 4 -** CIWMB Board Meeting, August 22-23, 2000, Agenda Item #28.
LEA is inconsistent with the SWFP process. For example, the PHMRF was issued its first SWFP during construction phase (not operational) in August 2000. The PHMRF became operational in 2005. The August 2000 SWFP was issued through the project's construction phase as stated on p28-3 Key Issues.

Pursuant to *PRC Section 44300 (d)* the LEA has wrongfully gone beyond the limitations of the SWFP by allowing operational, physical and design changes in the previous October 2009 permit and during the next five years that are not part of the addendum January 2013 and environmental review.

g. Starting from the August 2000 SWFP (Adm. R 12 viii) LEA improperly disregarded the limitation on processing to Monday through Saturday as stated in Agenda Item 28, August 22-23, 2000 page 28.4 (Exhibit 4).

The Agenda item states, "The hours of operation for waste processing, recovery and handling operations at the facility will occur 24 hours a day, Monday through Saturday".

SWFP 2000 (Adm. R 12viii), SWFP 2009 (Adm. R. 9) LEA continued to disregard that processing at the PHMRF is limited through Saturday and it does not include Sunday.

Addendum dated January 2013 (Adm. R. 12vii) states "There will be no other physical or operational changes at the PHMRF." and "..hours to accommodate 24 hour per day operation.", but LEA's SWFPs state 24 hours DAILY processing.

Pursuant to *PRC Section 44300 (d)* the current SWFP has false information and misrepresentation. There are no supporting documents to allow processing on Sunday. Reference CUP 92-251, no mention of 24 hours daily or Sunday, (Adm. R 10, 8j)

III. Argument

Pursuant to *PRC 44308* the Hearing Board failed to be fully informed and *PRC Section 21000(g)* the Hearing Board failed to address all issues and carefully review the process of the SWFP that would affect the quality of our environment and a decent home.

a. On October 21, 2013, Michael Mohajer asked if there would be a crisis if the Sanitation Districts did not get its revised permit. He then asked the Sanitation Districts to respond, which they did in detail. They are not a party to the appeal and CAC believes Sanitation Districts comments may have resulted in a swayed decision because it appeared that way.

b. We believe the word "crisis" was removed or not recorded from Michael Mohajer's language during the transcribing. Michi Dobashi, a resident, stated there is no "crisis" for the Sanitation Districts as a rebuttal from the public, and CAC believes she would not have used that term if she had not heard it. (PT p134 line 3)

c. **Exhibit 5** - May 13, 2013, Color Copy of CAC Point Power Presentation
Not fully informed – The Addendum (Adm. R. 4ii) states "Due to the recent decline in incoming tonnage to the PHLF..." and there is an existing October 2009 SWFP (Adm. R. 9) that allows movement of waste 18 hours a day which shows that the Sanitation Districts are not in crisis. Haulers can go elsewhere (refer to Exhibit 5 - page entitled "Environmentally Sensitive is Staying Locally").

The community is in CRISIS, May 13, 2013, CAC PowerPoint presentation. Exhibit 5 – We have provided a color copy because the quality was not clear in the administrated record.

d. On October 21, 2013 – Margaret Clark states "We don't want anything done on Sundays, is that within our purview or is it not?" (PT p125, line 6-7) and "Personally, I would like to say, No activity on Sunday." (PT p149, line 18-19).

e. Pursuant to *PRC Section44300 (d)* the LEA included 24 hours daily processing in their SWFP (Adm. R. 2) a misrepresentation without supporting documents. Reference: CAC letter dated October 21, 2013 to Hearing Board. CAC response to comment 9 and item 1 Supplement Issues (Adm. R. 12ii).

f. The Hearing Board Decision letter dated October 25, 2013 (Adm. R. 1) incorrectly states under Factual Background C "...unrestricted employee commuting Monday through Sunday.". CUP 92-251 (1999) and modified CUP 92-251 and the Addendum January 2013 do not state "Sunday".

Margaret Clark was in question about Sunday; it was in her purview to deny the SWFP pursuant to *PRC Section 44300(b),(d)* and *PRC Section 21000(g)*.

g. At the Hearing of October 21, 2013, speaker Darlene DeLange spoke in regards to Les Bittenson, (PT p70, line 4-17). Ms. DeLange did research on all three Hearing Board Members and she found Mr. Bittenson's background was questionable. "This appeal hearing is questionable. And with that, I'm asking that his impact or input or critique on this be put aside."

CAC is questioning his position, as per his comments on (PT p79 line 2, p83 line 10, p89 line 4, p91 line 4, p94 line 10, p96 line 1, p99 line 25, p110 line 17-18, p112 line 8, p152 line 25, p154 line 13-14, p156 line 23) which seemed to suggest he was guiding the board.

Exhibit 6 - Hearing Board Member Roster Detail
On the Member Roaster Detail, Les Bittenson is not listed. Les Bittenson called the vote, not the Chairman.

h. The Hearing Board chose not to review the material CAC submitted to them, including questions, on the argument that the material was the same. The material was not the same.

The Hearing Board was not able to follow along with CAC/ Marilyn Kamimura's presentation because they were not aware of the written material provided by CAC to the Panel (October 21, 2013 letter Adm. R. 12ii) until after the presentation was finished (PT p40, line 1-25) .

i. The Hearing Board's responsibility was to review and comment on CAC responses, issues and exhibits. New information included the date of discovery which was not included in the binder of records, Exhibits 1, 2, 3, 6, 7, 10, comments under 4.2 bullet, 4a, 7, 7a, 8, 8a, 8b, 11b of August 30, 2013 letter to Cindy Chen from CAC and responses/issues Item 1 and Item 2 of October 10, 2013 letter to Cindy Chen from CAC, among others listed on October 21, 2013 letter to the Board from CAC. (Adm R.12ii).

The transcript will show that the LEA Counsel requested two weeks to review CAC's letter (Adm. R. 12ii) but changed her mind. The LEA by not responding at the Hearing closed the door to what was presented as new material.
CAC was not allowed to further clarify LEA's violation per *PRC 44300* in reference to the new material because CAC/Marilyn Kamimura was not allowed to speak further. (Reference PT p145 lines 3-24, p147 lines 24-25, p148 line 1-9, p156 line 1-9).

The Hearing was unfair, the board was uncertain of the process and of their purview of authority.

The "Operator" failed to address significant and substantial changes in the Addendum January 2013 approved under misleading information. It is clear the operation is changing as the landfill is closing and significant changes are affecting a community. Significant and substantial change includes but is not limited to the landfill closing. Using 20-year old EIRs is deficient and negative declaration is not transferable between projects. It is known the "operator" is linking the PHIMF as part of a new operation with the PHMRF "The Project". It's clear the "Operator" has made it this far with misleading and false representation of its project. CalRecycle and LEA must deny the revised permit as the "Operator" failed to identify the changes in the project, including but not limited to the failure to prepare a subsequent or supplemental EIR.

CAC is not in litigation with the Solid Waste Department/LEA nor CalRecycle. The Clean Air Coalition has prevailed through this appeal process without legal counsel. Therefore, an injunction was not considered by CAC to stop the PHMRF from proceeding with an invalid SWFP. We are hoping along the way there will be ONE Department that will step forward and make the decision that will ensure the people have an equal right to a healthy life, the right to a good quality of life, and the right for an environment that will not be of harm to the children and families of our community.

We ask pursuant to *PRC Section 45032 (b)(1)(2)* and commencing with *PRC 21000* and under CalRecycling delegation order and Delegation of Authority that the Hearing Board decision be overturned by CalRecycle and the SWIS #19-AA-1043 be revoked.

Sincerely,

Marilyn Kamimura, Chairperson

Richard Kamimura, Co-Chairperson

Attachments:
Exhibit 1 – October 8, 2013 letter to CalRecycle/Jeff Jackett from CAC
Exhibit 2 – October 23, 2013 Staff Report SWIS No. 19-AA-1043
Exhibit 3 – TPR June 2013 page 2 Site Plan Description
Exhibit 4 – CIWMB Board Meeting August 22-23, 2000 Agenda Item 28
Exhibit 5 – May 13, 2013 Color Copy of CAC's PowerPoint Presentation
Exhibit 6 – Hearing Board Member Roster Detail

Exhibit 1

October 8, 2013 Letter

To CalRecycle/Jeff Hackett

From CAC

Clean Air Coalition of
North Whittier and Avocado Heights
843 Caraway Drive, Whittier, Ca 90601 (626) 330-9365
northwhittier@gmail.com

October 8, 2013

Mr. Jeff Hackett, Manager
Permits and Assistance South Section
Permitting and Assistance Branch
Department of Resources Recycling and Recovery (CalRecycle)

RE: REVISION SWIS # 19-AA-1043

Dear Jeff Hackett:

We represent the residents of North Whittier which includes Avocado Heights. According to the 2010 census, there are 15,411 people who live here comprised of 81.2% Hispanic or Latino descent.

How have you addressed this environmental justice location?

Are you aware that our community is sandwiched and inundated by *large volume transfer processing facilities within wind-draft impact? This includes: Athen Services (5,000 tpd), Valley Blvd. in the City of Industry, Grand Central (5,000 tpd) City of Industry, Puente Hills MRF (4400 tpd) unincorporated Whittier, Waste Management (Azusa) Athen Services (Irwindale).

These facilities bring negative environmental impacts of foul air, black dust, excessive noise, diesel pollution and traffic congestion. Government has approved and cannot mitigate facilities that we have to live with FOREVER.

Exhibit 1 – Enough is enough, Voted against the CUP Revision 92-251, Regional Planning Commissioner Valadez.
Regional Planning Commissioner Helsley also voted against the CUP Revision 92-251

We ask that the PHMRF Solid Waste Facility permit remain the same and not be revised.

WE REQUEST THAT THE FOLLOWING CONCERNS BE ANSWERED IN WRITING:

I. Why has Martin Perez, your CalRecycle representative, who was present at the July 25, 2013 Public Informational Meeting not come forward to verify what we were led to believe by Gerardo Villalobos (LEA), that an appeal hearing must be filed after the proposed permit has been issued?
Exhibit 2 – Subject third paragraph letter dated October 2, 2013.

Our response: Our petition for a hearing was filed timely on August 30, 2013. The time frames stated in Rule 44310 B(4b) was not met by the Solid Waste Program/LEA.

As an agency that oversees the LEA of Los Angeles County, we ask that before you make a decision, that part of your review include the scheduled appeal hearing on October 21, 2013.

II. Intermodal – Puente Hills

a. Why were both the PHMR and rail loading facility monitoring program (1992) and the 1994 Puente Hills Material Recovery Facility monitoring program included in the application package? The 1995 FEIR was not site specific and should not be a consideration for the present SWFP revision.

In reference to 17 LEA condition A(9) the operator shall notify the LEA in writing of any proposed changes.....during the planning stages.....at least 180 days.

b. Was the LEA notified of the connecting road, exclusively built to connect the PHMRF to the PHIMF? If so, when?
Exhibit 3 Picture of connecting road.

c. As a significant change, why was this permit not resubmitted for a revision?

d. At what stage would you require a new permit for change in operation in regards to the PHIMF, which is connected by an exclusive roadway to the PHMRF?

e. How are you determining during planning stages and in operation? At what point would you require a Subsequent or Supplemental EIR? The 1994 Supplemental EIR was not site specific.

f. In the TPR, under Table 6 Equipment, it states 670 intermodal containers, and intermodal is mentioned approximately 10 times. If measured, approximately half of the 670 intermodal containers would fit on PHMRF property. Where are they being stored?

g. If the intermodal containers are stored at the PHIMF, would the connection of the roadway mean that they are in operation?

h. What public resource code states that the Solid Waste Dept./LEA has the authority to allow what is being proposed? If not, who has the authority?

III. Where in the SWFP does it allow commercial sale of fuel to Athen Services on PHMRF property?

IV. Monitoring Program Project No. 92-251(4)
In compliance with Section 21081.6 Public Resource Code for example, was Regional Water Quality Control Board and the South Coast Air Quality Management District notified to ensure compliance with the conditions of the grant?

V. What action do you take when the Solid Waste/LEA failed to enforce the guidelines of the Solid Waste Permit?

VI. Why was it necessary for the proposed Solid Waste Facility Permit (SWFP) to be resubmitted September 12, 2013 and September 24, 2013?

Incorporated by Reference, the following are letters addressed to Susan Markie which we are also requesting a response in writing:

Clean Air Coalition NWAH Marilyn Kamimura Teresa M. Aguilar	August 2, 2013
CACNWAH Richard & Marilyn Kamimura Chairperson & Co-Chairman	August 2, 2013
Member CACNWAH Michi Dobashi	August 2, 2013
Member CACNWAH Albert & Margie Porras	August 3, 2013
Member CACNWAH Henry & Vivian Zamorano	August 6, 2013
Clean Air Coalition of NWAH Richard & Marilyn Kamimura Chairman & Chairperson	August 9, 2013
Member CACNWAH Darlene Delange	August 9, 2013
Member CACNWAH Cruz & Marie Gomez	August 19, 2013

Addressed to Cindy Chen cc: Martin Perez, Cal Recycle Permitting & Assistance
Clean Air Coalition NWAH — August 30, 2013 – Request for a hearing
Richard & Marilyn Kamimura
Chairman & Chairperson

For all the above reasons, the SWFP proposed cannot be lawfully approved.

We would appreciate a timely response. Thank you for your consideration.

Sincerely,

Marilyn Kamimura, Chairperson

Richard Kamimura, Co-Chairperson

cc: Bob Gottschalk, Southcoast Air Quality Mgt. District
Cindy Chen, Chief Solid Waste Program/LEA
Wang Wen, Supervisor Calif. Regional Water Quality Control Board L.A. Region

Exhibit 2

October 23, 2013 Staff Report

Revised Full Solid Waste Facilities Permit for MRF

SWIS No. 19-AA-1043

Permitting & Assistance Branch Staff Report
Revised Full Solid Waste Facilities Permit for
Puente Hills Material Recovery Facility
SWIS No. 19-AA-1043
October 23, 2013

Background Information, Analysis, and Findings:
This report was developed in response to the Los Angeles County Department of Public Health, Solid Waste Management Program, Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for Puente Hills Material Recovery Facility (PHMRF) located in the City of Whittier, and owned by the County Sanitation Districts of Los Angeles County District No. 18 and operated by the County Sanitation Districts of Los Angeles County District No. 2. A copy of the proposed SWFP is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed SWFP was initially received on August 30, 2013. New proposed SWFPs were received on September 12, 2013 and September 24, 2013. Action must be taken on this SWFP no later than November 23, 2013. If no action is taken by November 23, 2013 the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Project:
The following are the key design parameters of the proposed project:

	2009 SWFP	Proposed SWFP
Permitted Hours of Operation	Receipt of Waste: 9:00 am to 4:00 pm, and 7:00 pm to 6:00 am, Monday through Saturday Processing: 24 hours daily	Materials Receipt and Transport: 24 hours per day, Monday through Saturday Processing: 24 hours daily

Other changes include:

1. The submittal of a revised Transfer/Processing Report, dated July 2013.
2. Update to "13. Findings" section to include a summary regarding the CEQA documents prepared for the project.
3. Update to "14. Prohibitions" section to further clarify the list of unacceptable wastes.
4. Revision to "15. Documents" section to include the revised Transfer/ Processing Report, the recently prepared CEQA document, the modified Conditional Use permit, and the National Pollution Discharge Elimination System Permit.
5. Revision to "16. Self-Monitoring" section to include additional self-monitoring programs.
6. Revision to "17. LEA Conditions" section to include additional conditions and restrictions relative to the personnel training, permitted daily/weekly tonnage, load checking, notifications, waste processing activities, nuisance control measures, waste removal frequency, and emergency operations.

Key Issues:
The proposed revised SWFP will allow for the following:

1. The facility will change the permitted hours of operation for the receipt and transport of waste to 24 hours per day, Monday through Saturday.

Background:
The proposed revised SWFP will allow for the continued operation of a Large Volume Transfer/Processing Facility located along the Northwest boundary of the Puente Hills Landfill, in the City of Whittier (County of Los Angeles). The facility is currently operating under the existing SWFP issued on October 19, 2009.

Findings:
Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated August 22, 2013.	☑ Acceptable ☐ Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on September 5, 2013. The LEA provided a copy to the Department on September 20, 2013.	☑ Acceptable ☐ Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a revised proposed Solid Waste Facilities Permit on September 24, 2013.	☑ Acceptable ☐ Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code (PRC) 50001	The LEA in their permit submittal package received on August 30, 2013, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Nondisposal Facility Element, as described in their memorandum dated August 26, 2013.	☑ Acceptable ☐ Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspection and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on October 23, 2013. See Compliance History below for details.	☑ Acceptable ☐ Unacceptable

27 CCR Sections	Findings	
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on August 30, 2013, that the proposed permit is consistent with and supported by the existing CEQA documentation. See Environmental Analysis information below for details.	☑ Acceptable ☐ Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on July 25, 2013. Written and oral comments were received by LEA staff. See Public Comments section below for details.	☑ Acceptable ☐ Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	☑ Acceptable ☐ Unacceptable

Compliance History:
WEEB staff in the Inspection and Enforcement Agency Compliance Unit conducted a pre-permit inspection on October 23, 2013, and found that the facility is in compliance with applicable state minimum standards and permit terms and conditions.

Based on the LEA's monthly inspection reports, the facility did not receive a violation of state minimum standards or permit terms and conditions during the last five years.

Environmental Analysis:
Under the California Environmental Quality Act (CEQA), the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed revised SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the County Sanitation District No. 2 of Los Angeles County, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The proposed project that will be authorized by the issuance of the proposed permit include:

1. The facility will change the permitted hours of operation for the receipt and transport of waste to 24 hours per day, Monday through Saturday.
2. The proposed SWFP also includes updates/changes to the "Findings," "Prohibitions," "Documents," "Self-Monitoring," and "LEA Conditions" sections.

A June 1992 Environmental Impact Report (EIR), State Clearinghouse No. 1991121070, prepared by the Lead Agency concluded that the environmental impacts caused by the project would have a significant effect on the environment even after mitigation measures were made on the project. The Lead Agency certified the Final EIR, together with the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations, on November 1992. A Conditional Use Permit (CUP), CUP No. 92-251(4), for the PHMRF was approved by the Los Angeles County Board of Supervisors on July 1993. The approved project included a mitigation

measure that imposed restrictions on the inbound and outbound shipment of commodities, residuals, and waste over public roads during peak traffic hours (6:00 a.m. – 9:00 a.m. and 4:00 p.m. – 7:00 p.m.). The hour restrictions were to mitigate impacts from concurrent operation of the facility and the Puente Hills Landfill at their maximum permitted capacity of 17,600 tons of refuse per day.

As a result of a court order, a supplement to the 1992 EIR was conducted by the Lead Agency, SCH No. 93121114, to consider the environmental impacts and cumulative impacts of a potential intermodal facility and a waste-by-rail system originating at the project. The supplement to the 1992 EIR was circulated for an extended review period from December 16, 1994 to February 21, 1995. The Lead Agency certified the Final EIR for the Intermodal Facility and Waste-by-Rail Disposal System and re-certified the Final EIR for the PHMRF on June 14, 1995. The County Board of Supervisors re-approved with slightly modified conditions to the Conditional Use Permit (CUP) No. 92-251(4) for the PHMRF and approved the EIRs on August 3, 1999.

An Addendum/Initial Study to the June 1992 Final EIR, dated January 2013, was prepared by the Lead Agency and approved by the Board of Directors of County Sanitation District No. 2 of Los Angeles County on January 9, 2013. The Addendum eliminates the mitigation measure that imposed the restrictions on the receipt of inbound materials and transport of outbound materials, allowing for the receipt and transport of materials 24 hours per day Monday through Saturday. The Addendum concluded that the proposed change would not result in a substantial change that would require major revision of the previous EIR and will not have a significant effect on the environment or result in a substantial increase in the severity of previously identified significant effects. Based on the Addendum, the revision to the previously approved project would not result in any new impacts and preparation of a subsequent EIR is not required. A Notice of Determination for the Addendum was filed by the Lead Agency on January 10, 2013. A modification to the Conditional Use Permit for the proposed change in hours for the receipt and transport of waste was approved by the Los Angeles County Regional Planning on May 13, 2013.

A CEQA lawsuit was filed in June 2013 against the Los Angeles County Sanitation Districts, as Lead Agency, by the Clean Air Coalition of North Whittier and Avocado Heights. The lawsuit seeks various reliefs, including an order setting aside and vacating the Lead Agency's approval of the project and adoption of the Addendum to the 1992 EIR and requiring that a subsequent or supplemental EIR be prepared. It is Department staff's understanding that a hearing on the merits of the lawsuit is not scheduled until early 2014. The plaintiffs did not seek a stay on the project approval pending the outcome of the litigation.

The LEA has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental documents.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the Final EIRs and Addendum as prepared by the Lead Agency since there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document, pursuant to 14 CCR, Sections 15162 and 15163 respectively, or assume the role of Lead Agency, pursuant to 14 CCR, Section 15052, for its consideration of the proposed revised SWFP. Furthermore, since there is no stay on the project approval in the pending lawsuit, CEQA requires the Department to assume the Lead Agency's CEQA document is compliant and continue to process the SWFP (PRC, Section 21167.3(b); Title 14 CCR, Section 15233). Upon

approval of the SWFP, the permittee would then proceed at its own risk pending the outcome of the litigation.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the EIRs and Addendum adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on July 25, 2013, at the County Sanitation Districts of Los Angeles County, Administrative Offices Board Room, located at 1955 Workman Mill Road, Whittier. Twenty-five members of the public were in attendance and provided the following comments and questions related to the project and permit revision application process:

1. A member of the public questioned the reason for extended hours. The operator answered by stating the hours are convenient to the companies travelling to the MRF after the Puente Hills Landfill closes at the end of October 2013.
2. A member of the public asked what reasons are needed for the LEA to not approve the project. The LEA answered by stating that as long as the application is consistent with the modified conditional use permit and the addendum to the FEIR, there is no reason for the LEA to reject a complete and correct application[1].
3. A member of the public asked if there will be more waste transferred to the facility as a result of the change. The LEA answered by clarifying that the permit revision does not include an increase to the permitted tons per day.
4. A member of the public made a statement that the operator should be more considerate of the residents/community nearby and it should not request for extended hours.
5. A member of the public asked for the requirements for an appeal process to the permit. The LEA discussed the appeal process and provided the applicable PRC sections in the power-point presentation.
6. A member of the public directed a question to Department staff regarding the state permit process and a request was made for the Department to mail notices of the upcoming Department monthly meeting. The Department staff person discussed the next steps in the permit process, the availability of public participation in monthly meetings, and the Department's role in the LEA's public informational meeting.
7. A member of the public made a comment that proper notice was not given for the public information meeting. The LEA answered by stating that a 10 day notice was provided as required, pursuant to 27 CRR, Section 21660.
8. A member of the public asked questions about the EIR, the Addendum to the FEIR, and the CEQA history for the facility. The LEA and operator answered by giving an explanation of the CEQA process and CEQA history of the facility. The Addendum to the FEIR analyzed for the proposed changes that would take effect after November 2013.

[1] To clarify the applicable law, under 14 CCR Section 21650, the LEA shall reject an application package if it does not meet the content requirements of 27 CCR Section 21570. Furthermore, the LEA's issuance of a new or revised SWFP shall comport with 27 CCR, Section 21663 and PRC 44014.

9. A member of the public asked if the operator can process waste on Sundays. The LEA discussed that the operation is currently permitted for 24/7 processing.
10. A member of the public expressed concerns regarding requirements of Rule 410, dust, odors, and the Alternative Odor Management Plan (AOMP). The LEA discussed the requirements for an AOMP, and clarified that requirements of Rule 410 are regulated by another agency.
11. A member of the public asked about the intermodal facility/waste-to-rail operation and if there will be a "co-mingling/linking" between the two facilities, and if the permit action will include the addition of the intermodal/waste-to-rail facility. The LEA and operator provided the CEQA history and explained that a separate permit process is required for the intermodal/waste-to-rail facility.
12. A member asked why waste is "double-handled." The LEA gave an explanation of the purpose for transfer stations.

Since the LEA's public informational meeting, the LEA received comment letters and emails from the public, which the LEA subsequently responded.

A Petition, submitted by Marlinda Glasman, President of Whittier Woods Homeowners Association Board of Directors, was received by Department staff on August 26, 2013, and on September 9, 2013. The petition, signed by 52 residents of the Whittier Woods community, describes the resident's strong opposition to the "approval" of the permit revision and that the Department require additional CEQA review.

In addition, the Department has received nine comment letters from the public, including the Clean Air Coalition of North Whittier and Avocado Heights. Several of the commenters had multiple concerns requesting the Department deny or not approve of the permit revision due to concerns regarding traffic, dust, noise, and air quality. Commenters also requested the Department conduct further CEQA review for the project. Staff have included a summary of the comments and responses below.

Diversion/AB 939

Comments were received regarding the design of the facility to recover/recycle 15 percent of the material received, which is not consistent with state law (AB939) of 50 percent recycling.

In response, the current Transfer/Processing Report (TPR) and amended TPR, submitted as part of the application for permit revision, state that the facility is designed to recover 15 percent of the waste that is processed as recyclable material. AB 939 requires every jurisdiction to divert 50 percent of its waste stream, and does not apply to a specific facility or operation.

Environmental Review

Comments were received regarding concerns related to traffic, dust, noise, air quality and need for additional environmental review (e.g., new, subsequent or supplemental EIR) to address potential impacts associated with the change in hours and connection to the Puente Hills Intermodal Facility (PHIMF).

In response, and as detailed in the Environmental Analysis section above, Department staff has reviewed the environmental documentation and has determined that the Final EIRs and Addendum to the June 1992 Final EIR, as prepared by the Lead Agency, are adequate for the Department's environmental evaluation of the proposed project for those project activities which

are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department. In addition, under the circumstances, the Department must use the Lead Agency's CEQA documents since the Department has no authority to prepare a subsequent or supplemental environmental document, pursuant to 14 CCR, Sections 15162 and 15163 respectively, or assume the role of Lead Agency, pursuant to 14 CCR, Section 15052, for its consideration of the proposed revised SWFP. None of the comments provided any substantial evidence to support an alternate conclusion.

Both of the EIRs identified in Sections 13 and 15 of the proposed SWFP relate to the environmental analysis of the PHMRF and potential cumulative impacts. The 1994 EIR is a supplement to the 1992 EIR, therefore, both documents are referenced in Sections 13 and 15 of the proposed SWFP.

With regard to comments on the PHIMF, the PHIMF is not part of this proposed project.

Transfer/Processing Report
Comments were received regarding the content/description provided in the TPR.

In response, Department staff has reviewed the TPR (as amended) and has determined that the TPR was submitted and contains the information as required by 14 CCR, Section 17403.9/18221.6. The TPR describes the current and proposed design and operation of the facility and how the facility will comply with the terms and conditions of the proposed SWFP and state minimum standards.

The TPR is required to describe the planned method of final disposal of the solid waste, which is described on Page 2, including transport to Class III landfills and in the future the PHIMF or another local intermodal facility as options for final disposal. Providing options for the final disposal of solid waste and handling procedures in the TPR is consistent with the required contents of a TPR. Access to the facility is currently from Crossroads Parkway, which will continue to be used for access to the facility. The requirements/contents of the TPR are listed in 14 CCR, Section 18221.6, which does not require that the location for the storage of intermodal containers or other containers be specified.

The proposed SWFP is for the PHMRF only and does not include the PHIMF. The planned PHIMF does not have to be described in the TPR and will be required to go through its own review and permitting process prior to receiving solid waste, pursuant to 14 CCR or 27 CCR. If the operator proposes a change in the design or operation of the PHMRF, the operator is required to follow the requirements provided in 27 CCR, Section 21620, including revisions to the TPR.

Hours of Operation
Comments were received regarding the proposed hours of operation.

In response, the current SWFP, issued on October 19, 2009, allows processing of materials 24 hours daily, which includes Sundays. There is no proposed change to the currently permitted processing hours and establishing employee hours is not within this Department's authority. Waste receipt and transport will not be allowed on Sundays as specified in the proposed SWFP. Since the proposed change is for an increase in hours, which is considered a significant change pursuant to 27 CCR, Section 21620(a)(4), the operator submitted an application for a SWFP revision to the LEA as required.

Terms & Conditions and Changes to Proposed SWFP
Comments were received regarding the terms and conditions and changes to the proposed SWFP.

In response, LEA Condition 17.A.9. relates to planned changes in design and operation and 27 CCR, Section 21620 requires an operator to notify the LEA of any change in design or operation at least 180 days prior to the proposed change unless otherwise determined by the LEA. The condition is consistent with state minimum standards. The fueling station is identified in Section I.C. and on Exhibit 4 of the TPR; however, the commercial sale of fuel is outside the jurisdiction of the LEA and Department under the Integrated Waste Management Act and the SWFP is not required to include any terms or conditions related to this activity. With regard to multiple versions of the proposed SWFP, the proposed SWFP was resubmitted on September 12, 2013 to reflect the amended TPR date and on September 24, 2013 to reflect the correct owner and operator of the facility.

LEA Responsibilities and Authority
Comments were received regarding the LEA's responsibilities and authority.

In response, a LEA is responsible for permitting solid waste handling activities within their jurisdiction as provided in PRC, Section 43200 et. seq (LEA designation and certification requirements) and Section 44001 et. seq (permitting requirements). The LEA's authority is limited to the statutes and regulations under the Integrated Waste Management Act, Division 30 of the PRC and 27 CCR and 14 CCR. The LEA and Department do not have authority with regard to the requirements of the CUP, which was issued separately by the Los Angeles County Board of Supervisors. The LEA is only responsible for any specific mitigation monitoring program requirements which are within their powers and authority as the LEA under the Integrated Waste Management Act.

If the Department determines that a LEA has failed to enforce the terms and conditions of the SWFP and/or compliance with state minimum standards, the Department follows the provisions in 14 CCR, commencing with Section 18080.

Request for Hearing
Comments were received regarding the Clean Air Coalition of North Whittier and Avocado Heights' request for a hearing that was submitted to the LEA, dated August 30, 2013 (filed pursuant to PRC, Section 44307), and the Department's consideration of the proposed SWFP.

In response, it is Department staff's understanding that the Los Angeles County Solid Waste Facilities Hearing Board (Hearing Board) conducted a Notice of Appeal Hearing on October 21, 2013. As of the preparation of this Staff Report, the Department has not received a copy of the Hearing Board's written decision. With regard to the Department's review of the proposed SWFP pending the Hearing Board's written decision, the Department's processing/consideration of the proposed SWFP is a separate action from the hearing.

Deny/Not Approve Revision

Comments were received requesting the Department deny or not approve the revision of the proposed SWFP.

In response, based on the information provided in the application package and as supported in this staff report, there are no grounds for the Department to object to the concurrence in the revised SWFP pursuant to PRC 44009(a)(2) or conduct further CEQA review.

Department staff provided the Clean Air Coalition of North Whittier and Avocado Heights an opportunity to conduct a conference call with their members prior to the Department's October 15, 2013 monthly meeting to provide verbal comments regarding the facility. However, the Clean Air Coalition of North Whittier and Avocado Heights decided to submit additional written comments (incorporated above) rather than conducting a conference call.

Department staff provided an opportunity for public comment during the Department's Monthly Public Meeting on September 17, 2013 and October 15, 2013.

Exhibit 3

TPR June 2013

Page 2

Site Plan Description

another local intermodal rail yard, where containers of waste loaded at the MRF would be placed onto rail cars for transport to a remote disposal facility.

This Report of Facility Information has been prepared to fulfill the requirements of Title 14, Division 7, Chapter 5 and Title 27, Division 2, Chapter 4 of the California Code of Regulations. This Report of Facility Information includes a description of how the minimum standards listed in Title 14 Sections 17406.1 through 17419.2 are met at the facility.

I.B. Site Location

The MRF is located in unincorporated Los Angeles County near the western end of the City of Industry. The MRF location, as is shown in Exhibit 1, is located near the junction of the I-605 and SR-60 freeways. The MRF and the Puente Hills Landfill have the same entrance on Crossroads Parkway South, which is located next to the SR-60 freeway on- and off-ramps. The MRF receives waste from the San Gabriel Valley as well as from communities throughout the metropolitan Los Angeles area.

I.C. Site Plan Description

The Puente Hills MRF is located in a mostly industrial area as shown in Exhibits 2 and 3. The site is bounded to the south by the Puente Hills Landfill, to the north and east by various industrial and office facilities (including the Puente Hills Intermodal Facility, currently under construction and directly accessible to the MRF by a tunnel) and a Union Pacific Railroad line, and to the west by a Southern California Edison property used for high voltage transmission lines.

As shown in Exhibit 4, the MRF structure is located on the eastern side of the site. Also on the eastern side of the site are scales and an associated scale house in order to weigh the loads of incoming waste. The facility is approximately 217,000 square feet (with approximately 206,000 square feet of usable area), and is divided into two functional areas: one for tipping, and one for the processing and recovery of materials.

The area west of the MRF structure is paved for use as a storage area for transfer tractors and trailers, containers, chassis, storage bins and recovered materials. This area is also used as a maintenance area, including a maintenance building, refueling station, truck washing area and liquefied natural gas (LNG) fueling facility.

The MRF site is designated "O-S" (Open Space) in the Los Angeles County General Plan. The Los Angeles County Zoning Ordinance identifies land reclamation projects as a

Exhibit 4

CIWMB Board Meeting

August 22-23, 2000

Agenda Item 28

California Integrated Waste Management Board

Board Meeting

August 22-23, 2000

AGENDA ITEM 28

ITEM

Consideration Of A New Solid Waste Facility Permit For The Puente Hills Material Recovery Facility, Los Angeles County

I. SUMMARY

Name:	Puente Hills Material Recovery Facility (PHMRF) Facility No. 19-AA-1043
Facility Type:	Large Volume Transfer/Processing Facility
Location:	2800 South Workman Mill Road Whittier, California
Proposed Area:	25 acres
Setting:	Unincorporated Los Angeles County near the western end of the City of Industry in the San Gabriel Valley. The surrounding land use to the north and west is industrial with the Puente Hills Landfill to the south and east. Within 1000 feet of the proposed facility are commercial developments as well as Rio Hondo College to the southwest and a small portion of a residential area at the edge of the 1000 foot radius to the northeast.
Operational Status:	Planned
Proposed Tonnage:	4400 tons/day
Owner:	County Sanitation Districts of Los Angeles County
Operator:	County Sanitation Districts of Los Angeles County Contact: Mr. Donald Nellor
LEA:	Mr. Richard Hanson, Chief Los Angeles County, Solid Waste Management Program

II. PREVIOUS BOARD ACTION

The PHMRF is a newly proposed large volume transfer/processing facility and the proposed Solid Waste Facility Permit (SWFP) is the initial permit for the operation of the facility. There has been no previous Board action.

III. OPTIONS FOR THE BOARD

Requirements for Concurrence with the Solid Waste Facilities Permit Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur with or object to the issuance of a SWFP. Since the proposed permit for this facility was received on June 26, 2000, the last day the Board may act on the permit is August 25, 2000.

The Board may decide to:

1. Concur with the issuance of the proposed permit as submitted by the LEA;
2. Object to the issuance of the proposed permit as submitted by the LEA;

3. Take no action on the proposed permit as submitted by the LEA. If the Board chooses option three, the Board shall be deemed to have concurred in the issuance of the proposed permit as submitted by the LEA 60 days after the Board's receipt of the permit.

IV. STAFF RECOMMENDATION

Board staff recommends Option 1, that the Board concur in the issuance of the proposed permit as submitted by the LEA.

V. ANALYSIS

Background

In November 1992, the Sanitation Districts of Los Angeles County (Districts) acting as Lead Agency, certified a Final Environmental Impact Report (EIR) (State Clearinghouse (SCH) No. 91121070) for the Puente Hills Waste Management Facilities. In July 1993, a Conditional Use Permit (CUP No. 92-251(4)) for the PHMRF was approved by the County Board of Supervisors. As a result of a court order, a subsequent EIR (SCH No. 93121114) was conducted by the District to consider the environmental impacts and cumulative impacts of a potential intermodal facility and a waste-by-rail system originating at the PHMRF. In June 1995 the Districts re-certified the Final EIR for the Intermodal Facility and Waste-by-Rail Disposal System and re-certified the Final EIR for the Puente Hills Waste Management Facilities with respect to the Materials Recovery Facility. On August 3, 1999 the County Board of Supervisors re-approved with slightly modified conditions CUP No. 92-251(4) for the PHMRF and approved the EIRs.

Key Issues

- The construction of the PHMRF is planned to be completed in phases, the first phase is scheduled for completion in the year 2002. The capacity of this phase will accommodate an average tonnage of 2000 tons per day with a maximum of 3000 tons on any one day. This will occur in a 124,000 sq. ft. fully enclosed building. The building will include a tipping floor, a processing area, a sorting line, storage areas and three bays for outloading residual waste. The sorting line will be capable of recovering recyclable materials from 500 tons of waste per day. Additional recovery of recyclables will be accomplished by floor sorting on the tipping floor. The last phase is expected to be completed in the year 2006 and will consist of a 215,000 sq. ft. building with eight sorting lines to process all the waste received at the facility. At this time the average receipt of waste which the facility will be capable of handling will be 4000 tons per day with a maximum on any one day of 4400 tons.
- PHMRF will be constructed on approximately 25 acres of land. The Districts currently own eight acres of the site and the remaining 17 acres are owned by the RR&C Development Company (RR&C). The Districts and RR&C have entered into a lease with option to purchase agreement for the 17 acres of land owned by RR&C.

- The hours of operation for waste processing, recovery, and handling operations at the facility will occur 24 hours a day, Monday through Saturday. Receipt of refuse and transport off-site over public roads of residual waste and recovered materials will be limited to the time between 9:00 a.m. and 4:00 p.m. and between 7:00 p.m. and 6:00 a.m.
- Residual waste from the PHMRF may be transported to the Puente Hills Landfill, some other landfill within trucking distance of the PHMRF or to a local intermodal rail yard and placed onto rail cars for transport by rail to a remote landfill.

Fiscal Impacts N/A

Findings

The following LEA certification and staff analysis are provided:

LEA Certification

The LEA accepted the proposed permit application package on April 26, 2000. In the cover letter for the proposed permit dated June 22, 2000 the LEA has provided the following determinations:

- Certification that the permit application package for this facility is complete and correct;
- Certification that the Report of Facility Information (RFI) meets the requirements of 14 CCR Section 18221.6; and
- The proposed permit is consistent with and is supported by the CEQA documents that were prepared for the project (EIRs, SCH No. 91121070 and SCH No. 93121114, Notice of Determination filed on June 14, 1995).

Staff Analysis

The following table summarizes Board staff's review and analysis of the proposed permit application package:

19-AA-1043	Accept-able	Unaccept-able	To Be Deter-mined	Not Applic-able	See Details in Agenda Item
CIWMP Conformance (PRC 50001)	X				1
CoSWMP Conformance (PRC 50000)				X	
General Plan Conformance (PRC 50000.5)				X	
Consistency With State Minimum Standards				X	2
California Environmental Quality Act	X				3
Closure/Post-Closure Maintenance Plan				X	
Funding for Closure/Post-Closure Maintenance				X	
Operating Liability				X	

RFI Completeness	X				

1. CIWMP Conformance

The Countywide Integrated Waste Management Plan (CIWMP) for Los Angeles County was approved on June 22, 1999. The Office of Local Assistance staff finds that the facility description in the proposed permit is consistent with the description in the County's Nondisposal Facility Element (NDFE) and, therefore, the proposed permit for PHMRF is in conformance with the County's NDFE.

2. Consistency with State Minimum Standards

Since this proposed SWFP is for the operation of a facility which has not yet been constructed a pre-permit inspection was not possible. However, Board staff have evaluated the RFI for the facility and based upon this review believe that the design and operation of the facility specified in this document will provide compliance with the State Minimum Standards.

3. California Environmental Quality Act (CEQA)

For a project subject to CEQA, state law requires evidence of compliance with the California Environmental Quality Act (CEQA); either through the preparation, circulation, and adoption/ certification of an environmental document; or by determining that the proposal is categorically or statutorily exempt prior to project approval.

The LEA has cited the final supplemental environmental impact reports (FSEIR), SCH #91121070 and (FSEIR) SCH #93121114 prepared by the Sanitation Districts of Los Angeles County as evidence of CEQA compliance for this proposed SWFP.

The DSEIR (SCH #93121114) identifies project related Unavoidable Significant Adverse Impacts that would still remain after mitigation measures were implemented in the area of **AIR QUALITY, BIOLOGICAL RESOURCES, and TRANSPORTATION AND CIRCULATION.** The Lead Agency filed a Notice of Determination (NOD) for the construction and operation of the MRF on June 14, 1995. The NOD states that a Statement of Overriding Considerations (SOC) was prepared for this project approval. Attachment 1 (Pages 51 and 52) of the County of Los Angeles Conditional Use Permit (CUP) #92-251(4) contains the text of the SOC for these unavoidable significant impacts (See Attachment 3.)

Environmental Review Section (ERS) staff has reviewed the CEQA documents and referenced information provided by the LEA, along with permit conditions in the proposed SWFP, and is of the opinion that the cited CEQA documents, along with the referenced information and SWFP conditions are adequate for the Board's environmental evaluation of this proposed project (revision of SWFP #19-AA-1043), for those project activities which are within this agency's expertise and/or powers, or which are required to be carried out or approved by the Board.

VI. FUNDING INFORMATION N/A

VII. ATTACHMENTS

1. Location Map
2. Site Map
3. Pages 51-52 of CUP #92-251 (4)
4. Proposed Permit (Facility No. 19-AA-1043)
5. Resolution No. 2000-368

VIII. CONTACTS

Name: William Marciniak — Phone: (714) 449-7070

Name: Suzanne Hambleton — Phone: (916) 255-4165

Name: Mark De Bie — Phone: (916) 255-2453

Name: Julie Nauman — Phone: (916) 255-2431

Exhibit 5

May 13, 2013

Color Copy of CAC's

Power Point Presentation

Public Hearing
May 13, 2013

Permit No. 92-251
PHMRF CUP Modification 8

We **OPPOSE** the Proposed change that would allow inbound & outbound shipments and employee arrival and departure **during peak traffic hours**.

TABLE OF CONTENTS

I. Introduction

A) Identifying Our Opposition
B) Surrounded by Trash
C) We Had Enough
D) Cumulative Impact

II. Reasons for Not Increasing Hours

A) Dominantly Northerly Downwinds
B) Negative Impacts Reaches US
C) Document 2414120, Section 6
- Environmentally Sensitive?
- Cost Effective Solid Waste Disposal?

D) Traffic Study in Question
- Outdated and Inadequate Review

II. Regional Planning Commissioners

A) Request to Deny Increase in Hours

IV. Conclusion – The People

The PHMRF wants 24 hours over Public Roads!

Facility Is permitted to:

Open Mon. – Sat.
9 am – 4 pm
7pm – 6 am

Facility wants
6 more Hours!

Open Mon. – Sat.
24 HOURS

Modification, Condition No. 8 will read….

With the requested modification, Condition No. 8 would read as follows:

"8. This grant allows the construction and operation of a materials recovery facility subject to the following restrictions as to use:

…

i. The permittee shall actively promote programs aimed at encouraging employees to arrive at work by means other than a single-occupancy vehicle, to minimize traffic impacts.

j. The permittee may schedule the inbound and outbound shipment of commodities, residuals and waste over public roads 24 hours per day, Monday through Saturday.

k. The permittee may schedule employee shifts, as required, to accommodate 24 hour per day operation."

No Restrictions!!!

“WE”

North Whittier, Avocado Heights, Gladstone, Whittier Woods & Pellissier Village

Have Had Enough!

This is Our Home

Surrounded by Tons of Trash

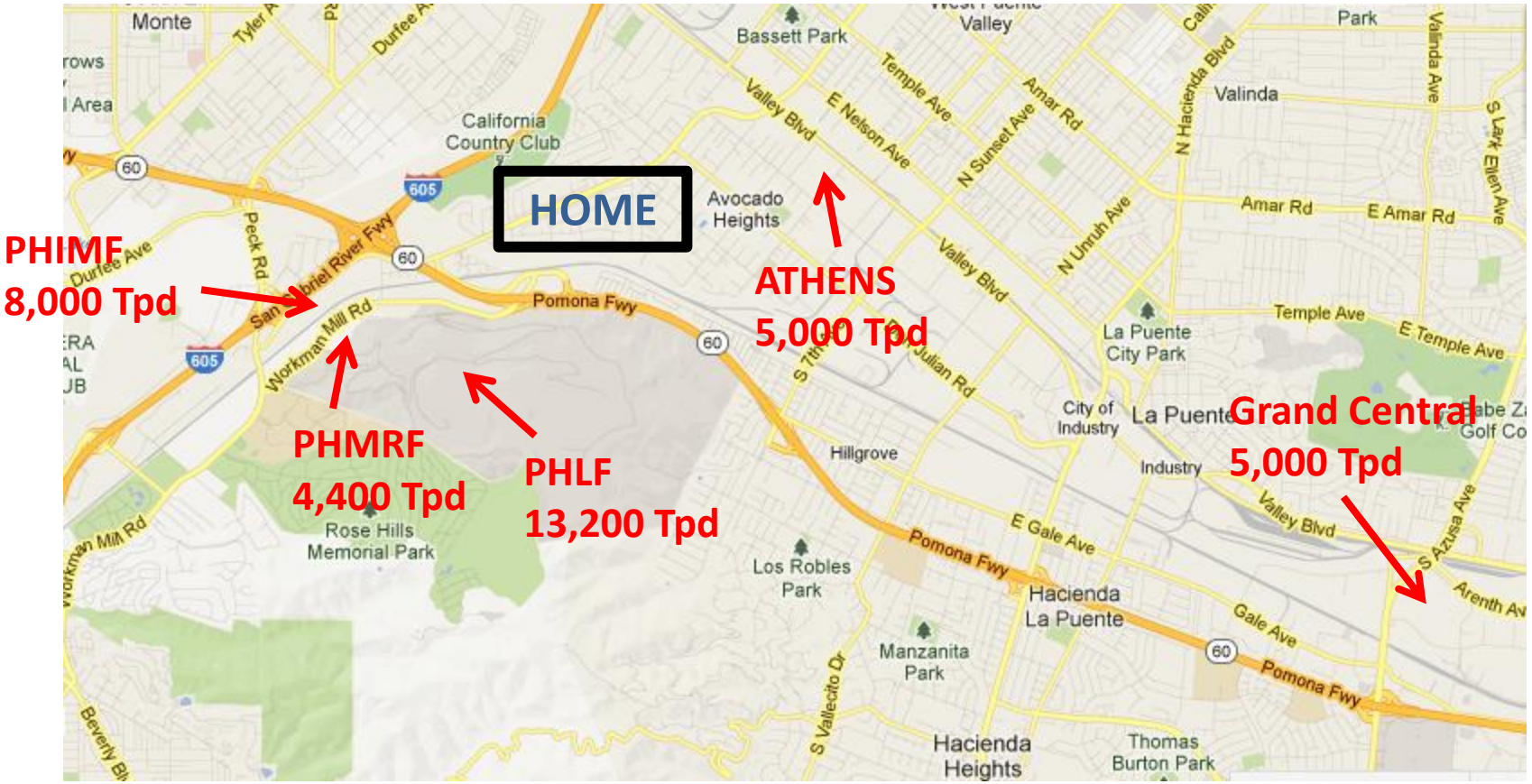
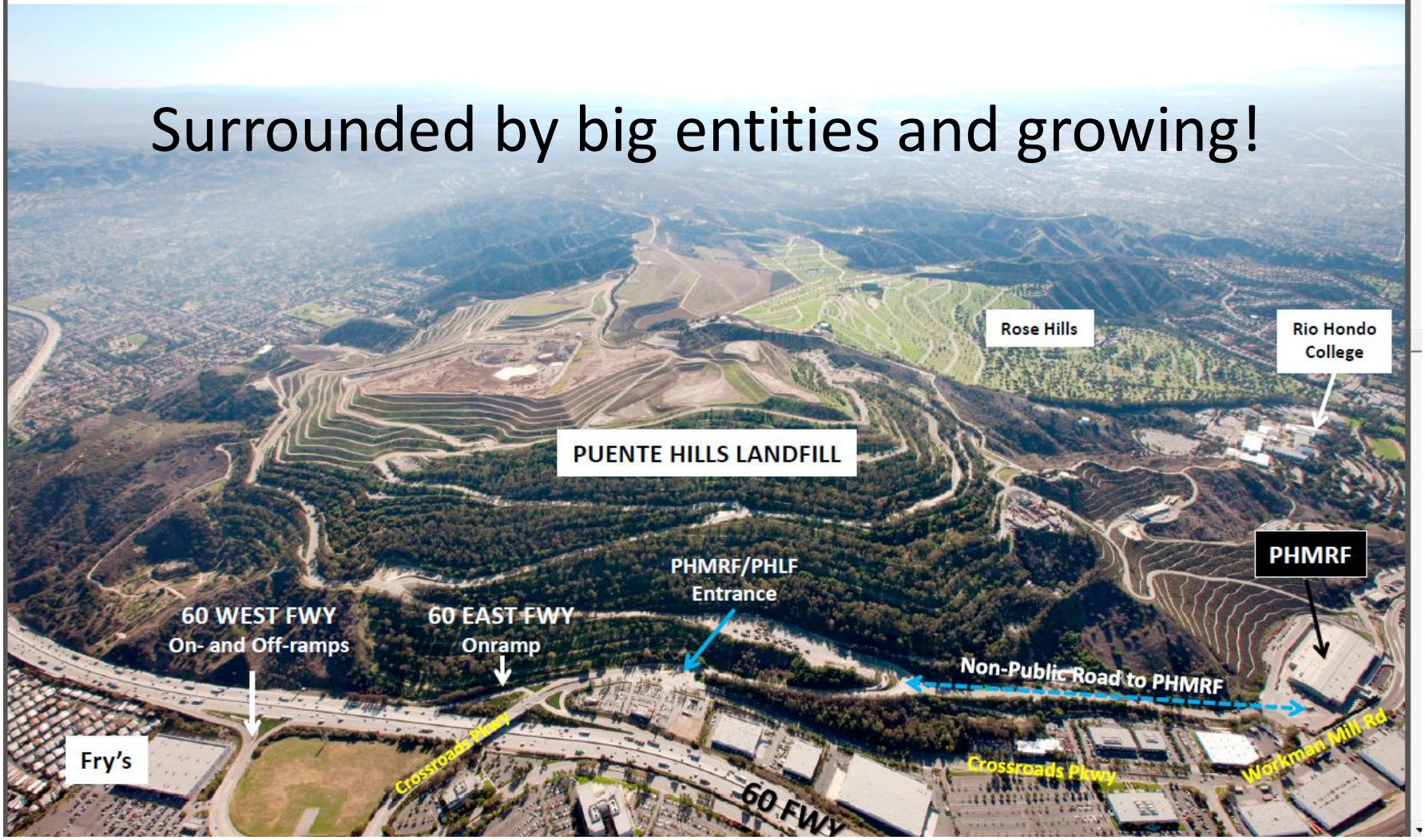


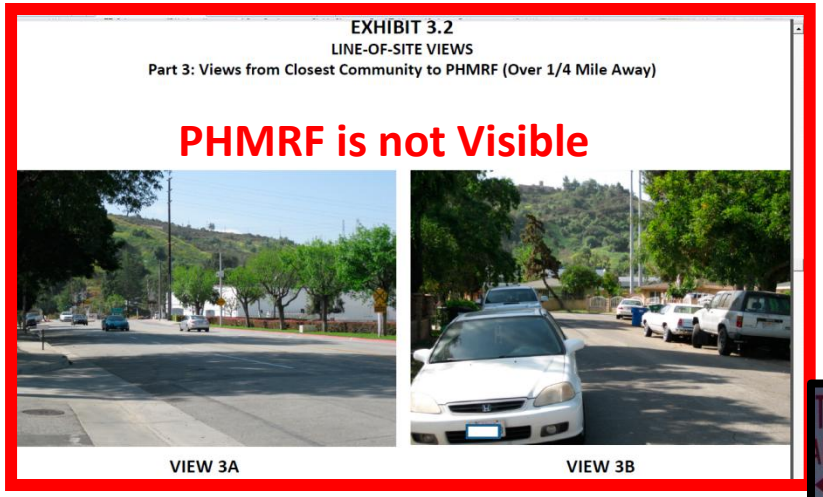
EXHIBIT 2

Aerial View of PHMRF/PHLF Entrance and Vicinity

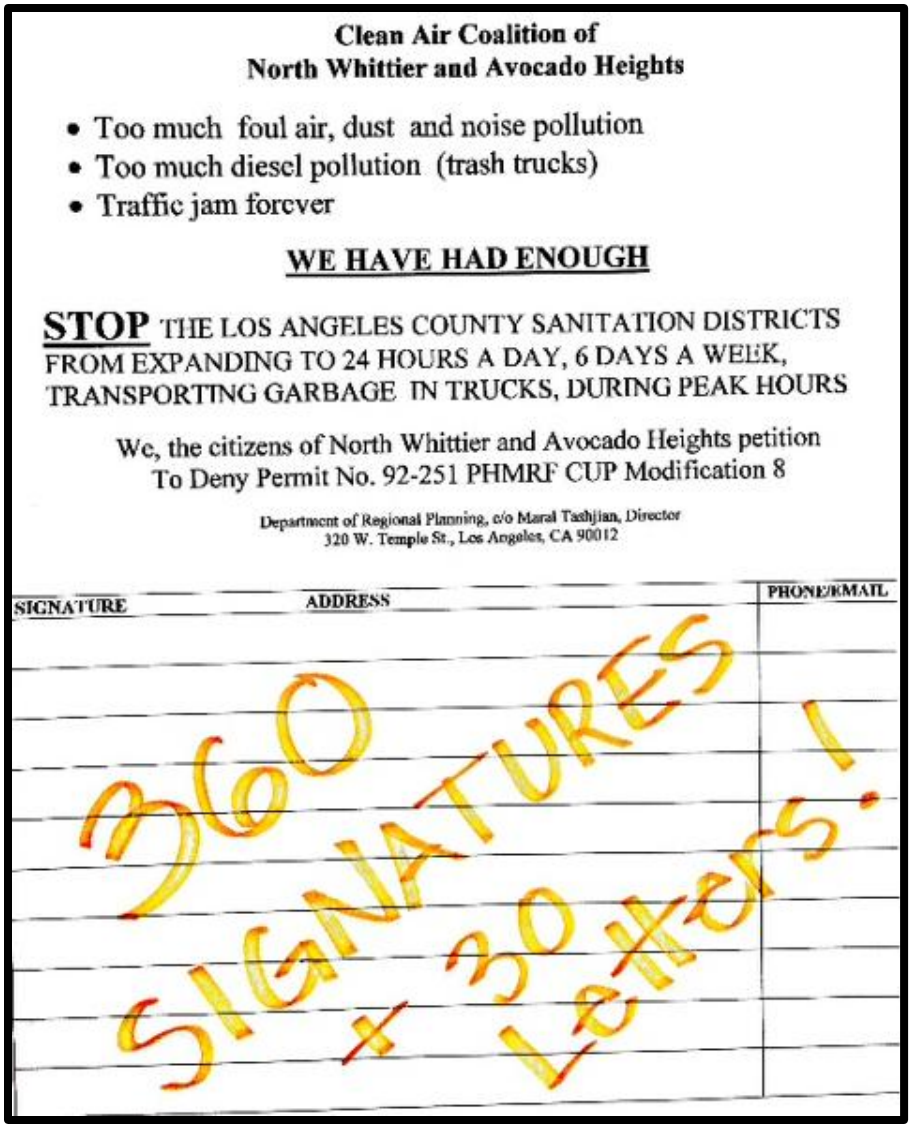


Study says the PHMRF is not Visible

But it is to US!



WE Must OPPOSE?



Clean Air Coalition of
North Whittier and Avocado Heights

- Too much foul air, dust and noise pollution
- Too much diesel pollution (trash trucks)
- Traffic jam forever

WE HAVE HAD ENOUGH

STOP THE LOS ANGELES COUNTY SANITATION DISTRICTS FROM EXPANDING TO 24 HOURS A DAY, 6 DAYS A WEEK, TRANSPORTING GARBAGE IN TRUCKS, DURING PEAK HOURS

We, the citizens of North Whittier and Avocado Heights petition
To Deny Permit No. 92-251 PHMRF CUP Modification 8

Department of Regional Planning, c/o Maral Tashjian, Director
320 W. Temple St., Los Angeles, CA 90012

SIGNATURE	ADDRESS	PHONE/EMAIL

3600 SIGNATURES + 30 Letters!

Residents &
Workman Mill Association, Inc.

Workman Mill Association, includes the areas within **6th** Ave. to **60 Fwy**, to **605 Fwy** to **Valley Blvd**. and object to the increasing hours of the PHMRF.

We had Enough!

Puente Hills Landfill (PHLF)

43 years of
13,200 Tons per day

Puente Hills
Material Recovery Facility (PHMRF)

30 year Permit of
4,400 Tons per day

Puente Hills Waste-by-Rail Intermodal Facility (PHIMF)

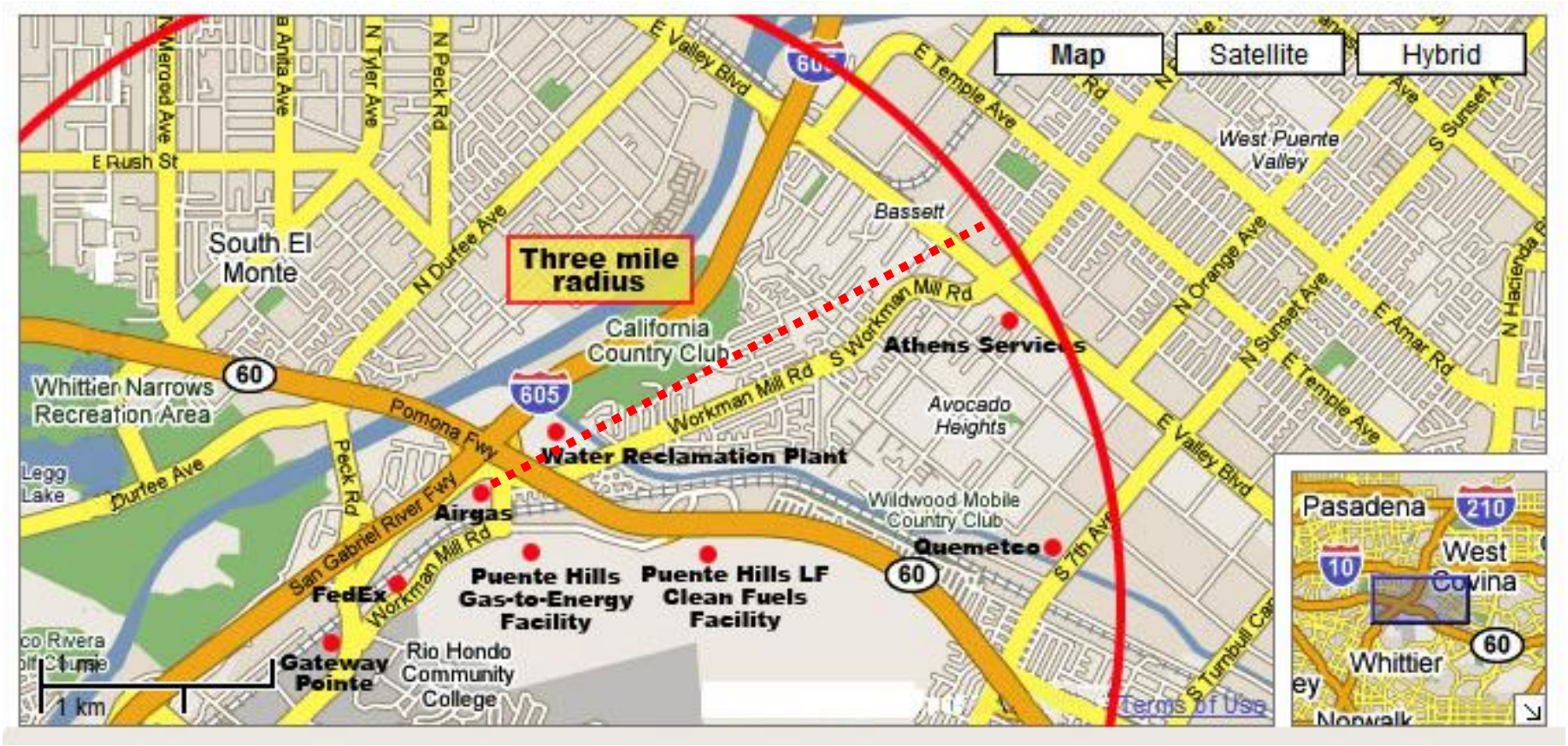
30 year Permit of
8,000 Tons per day

Cumulative Environmental Impacts
in Avocado Heights/North Whittier

According to CEQA, "the **cumulative impact** from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related **past, present,** and reasonably foreseeable probable **future** projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time."

We are surrounded by Cumulative Impacts!

Our Community Cumulative Impact begins at a ¼ mile from the PHMRF.



PROPOSITION 65 WARNING

Diesel Exhaust from Railroad Operations

Railroad locomotives and related equipment used in transporting goods and passengers are powered by diesel engines and emit diesel exhaust. Diesel exhaust is a chemical known to the State of California to cause cancer, and contains chemicals known to the State to cause birth defects or other reproductive harm.

Some people near railroad operations are exposed to diesel exhaust. Exposure depends on many factors, including the type and intensity of railroad operations, how close you are to the facility, how much time you spend there and whether there are other sources of diesel exhaust in your area. This map shows major railroad facilities in this area, although smaller facilities may also result in exposure:

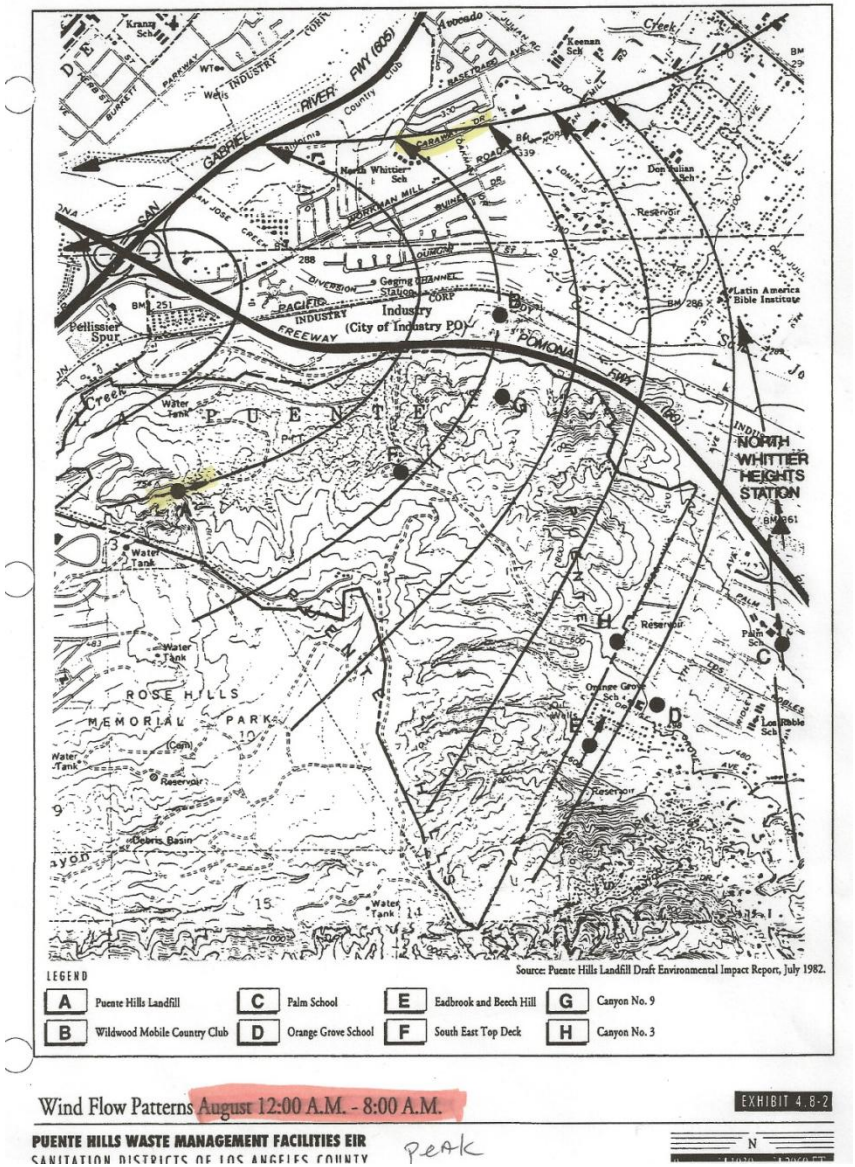
…we will get more FOUL AIR, DUST, NOISE & DIESEL EMISSION, because of predominately Northerly/Downwind.

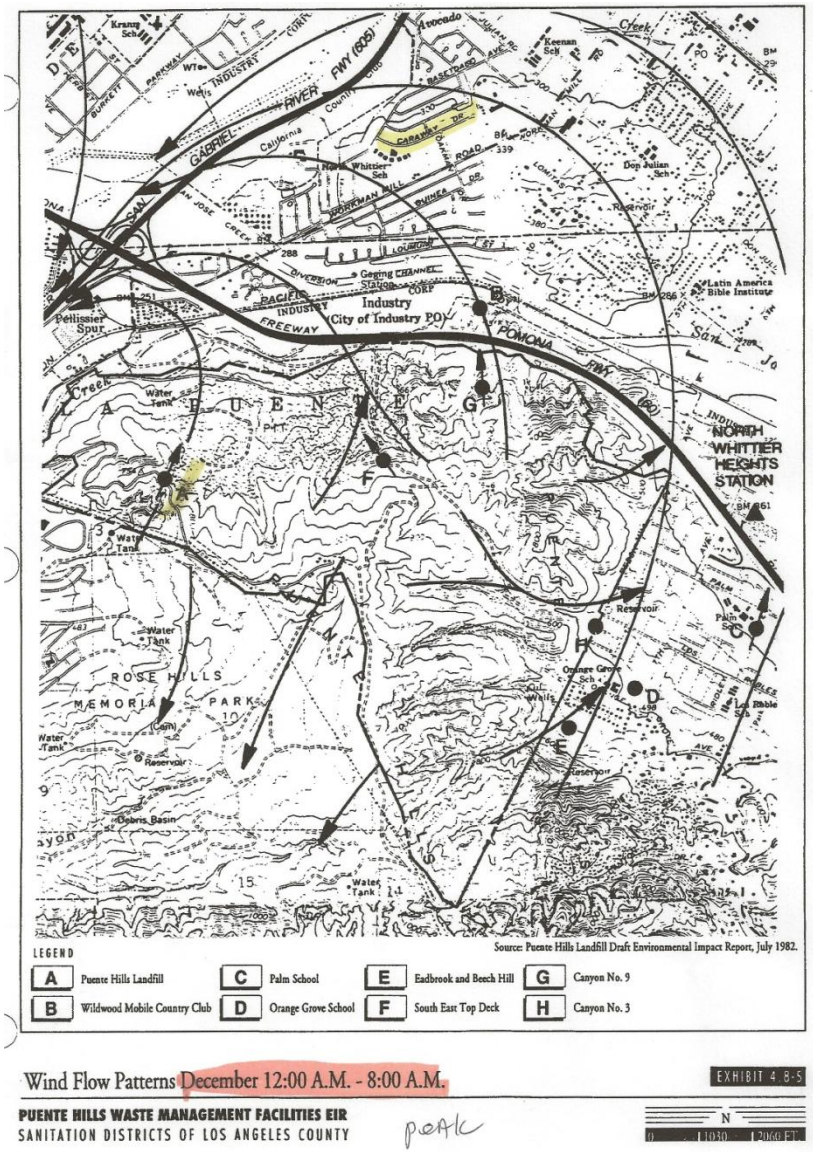
Wind Pattern to OUR HOME!

Wind Direction Per PHIMF EIR 2008, SCH#200602 1097

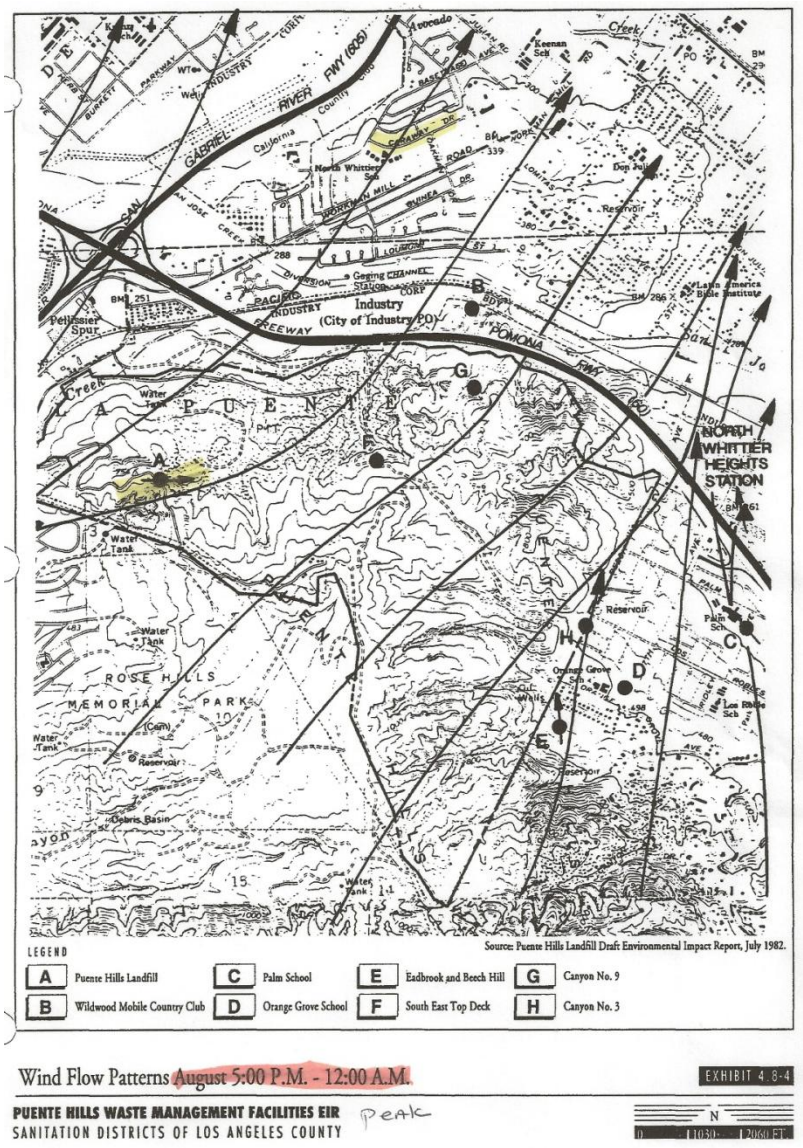
Figure 5.2-2

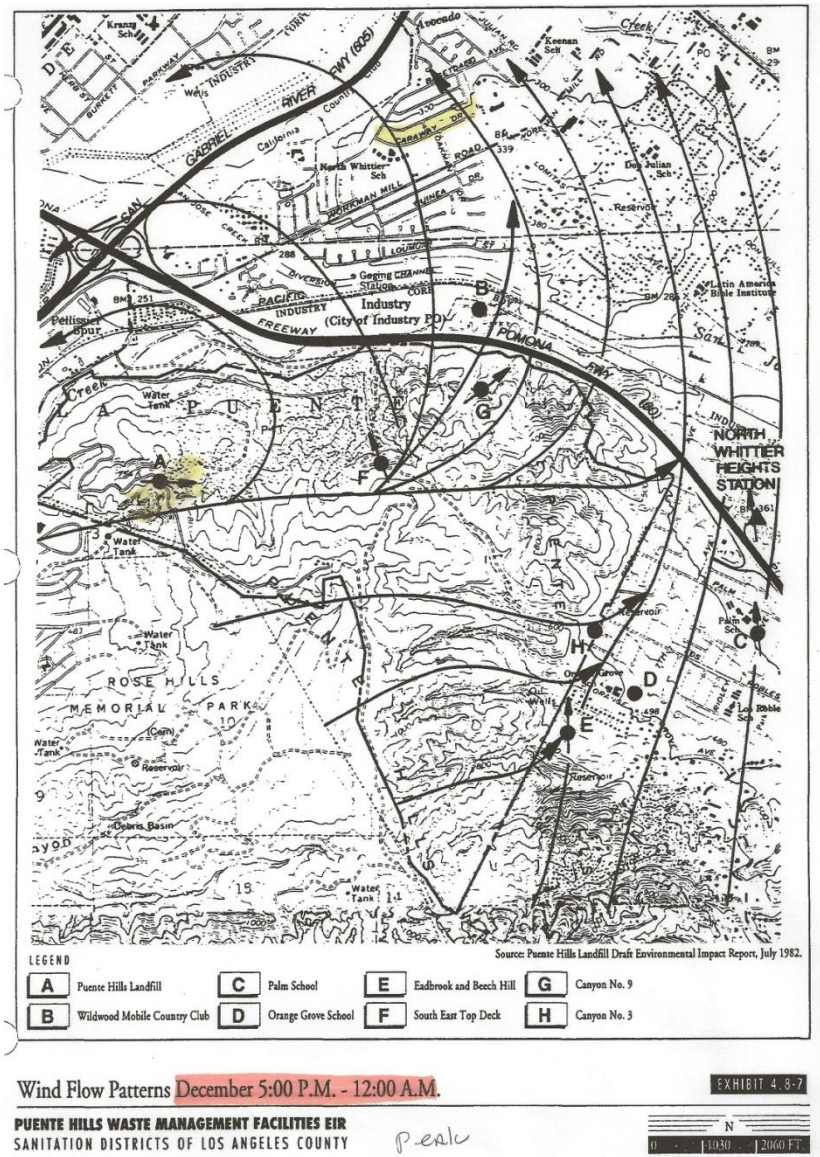
Wind Flow Pattern from EIR 1992 **AM PEAK HOURS**





Wind Flow Pattern from EIR 1992 **PM PEAK HOURS**





Our Negative Environmental Impacts Concerns!

1. **Foul Air**
   - From MRF operation
   - Garbage Trucks Traveling over Public Road
2. **Dust**
   - Black Dust
3. **Noise**
   - Intensified at NIGHT
4. **Diesel**
   - Downwind Pollutions travels more than a mile early PEAK mornings

L.A. Times: Air Pollution Article

Freeway air pollution travels farther in early morning

Peak Hours

Comments 4 Email Share 181 Tweet 89 Recommend 92 +1 10

Traffic crawls through downtown Los Angeles on the 110 Freeway. New research shows that in the early morning, air pollution plumes from freeways can travel more than a mile downwind. (Robert Gauthier / Los Angeles Times / November 9, 2012)

L.A. Times: Air Quality Article

Peak Hours

Air Pollution

- In the early morning, concentrated plumes of air pollution from freeways can **travel more than a mile downwind**
- Before sunrise, residential exposure to freeway pollution is more **far-reaching than previously thought**

Health Effects from vehicle Pollution

- Elevated pollution levels are **harmful** causing
  - Asthma
  - Heart Disease
  - And other Health Problems

AA6 THURSDAY, APRIL 18, 2013 Los Angel

Air quality worse in early morning

Residential exposure to freeway pollution is more far-reaching than previously thought, study shows.

BY BETTINA BOXALL

Two years ago, researchers outfitted an electric Toyota RAV4 with a set of test instruments and drove back and forth near four Los Angeles County freeways between 4:30 a.m. and 6:30 a.m., sampling the air.

They found that in the early morning, concentrated plumes of air pollution from freeways can travel more than a mile downwind, exposing more residents than previously thought to harmful pollution levels.

Most previous air quality studies, based on measurements taken during the day or evening, have found vehicle emission plumes generally blow no more than about 1,000 feet downwind from a major roadway before they break up.

But in the hours just before sunrise, weather conditions are different. Surface inversions caused by nighttime cooling trap air near the ground, slowing the dispersal of concentrated pollution particles and allowing them to travel farther than during the day.

A 2009 study documented extended emission plumes near the 10 Freeway in Santa Monica in the early morning.

To see if the same thing was happening elsewhere, researchers from UCLA and the California Air Resources Board in 2011 sampled the air in residential neighborhoods downwind of the 91 freeway in Paramount, the 210 in Claremont, the 110 in Carson and the 101 in downtown Los Angeles.

Their findings, published in December in the journal Atmospheric Environment, suggest that in the hours before sunrise, residential exposure to freeway pollution is more far-reaching than previously believed.

"It's clear [that] heavily trafficked roadways have a large impact on downwind populations, and a similar situation likely happens around the world in the early morning hours," said Suzanne Paulson, a UCLA atmospheric sciences professor and co-author of the paper. "The particles tend to end up indoors, so a lot of people are being exposed inside their homes and schools."

Studies have shown that exposure to elevated levels of vehicle pollution can contribute to asthma, heart disease and other health problems.

In greater Los Angeles, where apartment buildings and single-family homes stand cheek by jowl with some of the busiest freeways in the nation, the researchers estimated that on any given morning, roughly a quarter of the population could be exposed to downwind pollution consisting of ultra-fine particles, nitric oxide and hydrocarbons.

Their advice: If you live within roughly a mile of a freeway and are downwind, keep your windows closed in the hours just before sunrise. Use air conditioning. Install HEPA air filters. Postpone outdoor exercise until later in the morning or exercise farther away from the highway.

After sunrise, the surface air warms up and the inversion breaks up, diluting the pollution.

bettina.boxall@latimes.com

Air Pollution Impacting US!

Richard & Marilyn Kamimura
843 Caraway Drive
Whittier, Ca 90601

April 30, 2013

Department of Regional Planning of County of Los Angeles
320 West Temple Street, Room 1348
Los Angeles, Ca 90012

MAY - 2 2013

RE: PERMIT #92-251 PHMRF CUP MODIFICATION 8

Dear Regional Planning Commissioners:

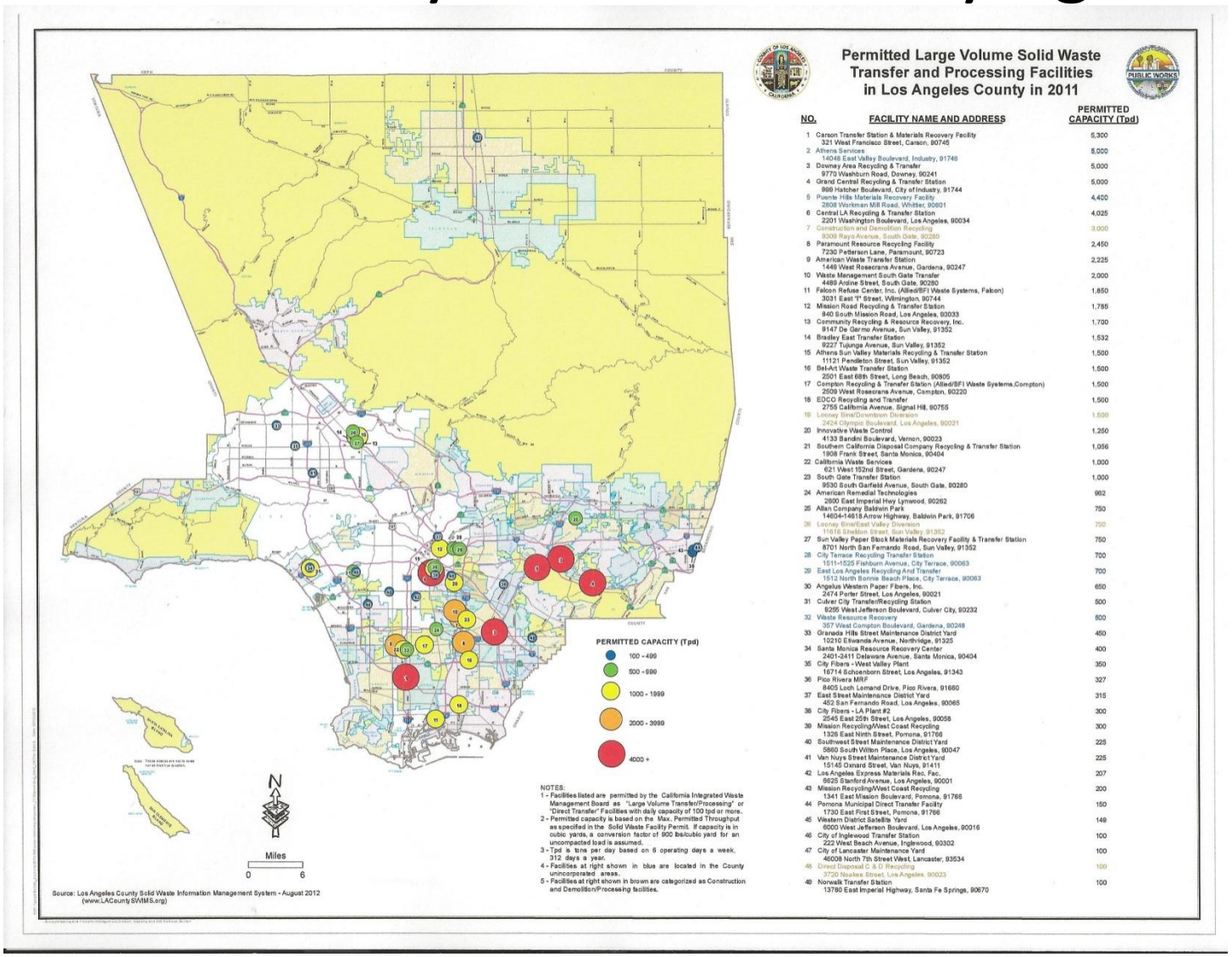
We are forty year residents of Whittier/Avocado Heights. Because we want to preserve the "quality of life" of this community, we ask that you deny the Sanitation Districts of Los Angeles County's request for modification 8.

Traveling during peak hours is NOT FEASIBLE for the following reasons:

Sanitation Districts fact sheet document 2414120, dated after their formal denial February 19, 2013, Section 6, OTHER RATIONAL FOR SUPPORTING MODIFICATION states
a. "depends on a balance of privately and public owned and operated facilities providing service to residents of the county."---This balance was developed to provide an ENVIRONMENTALLY SENSITIVE AND COST EFFECTIVE SOLID WASTE disposal system for the County's residents.

This letter was not addressed in the Supplement RCP date May 8, 2013

Environmentally Sensitive is Staying Locally



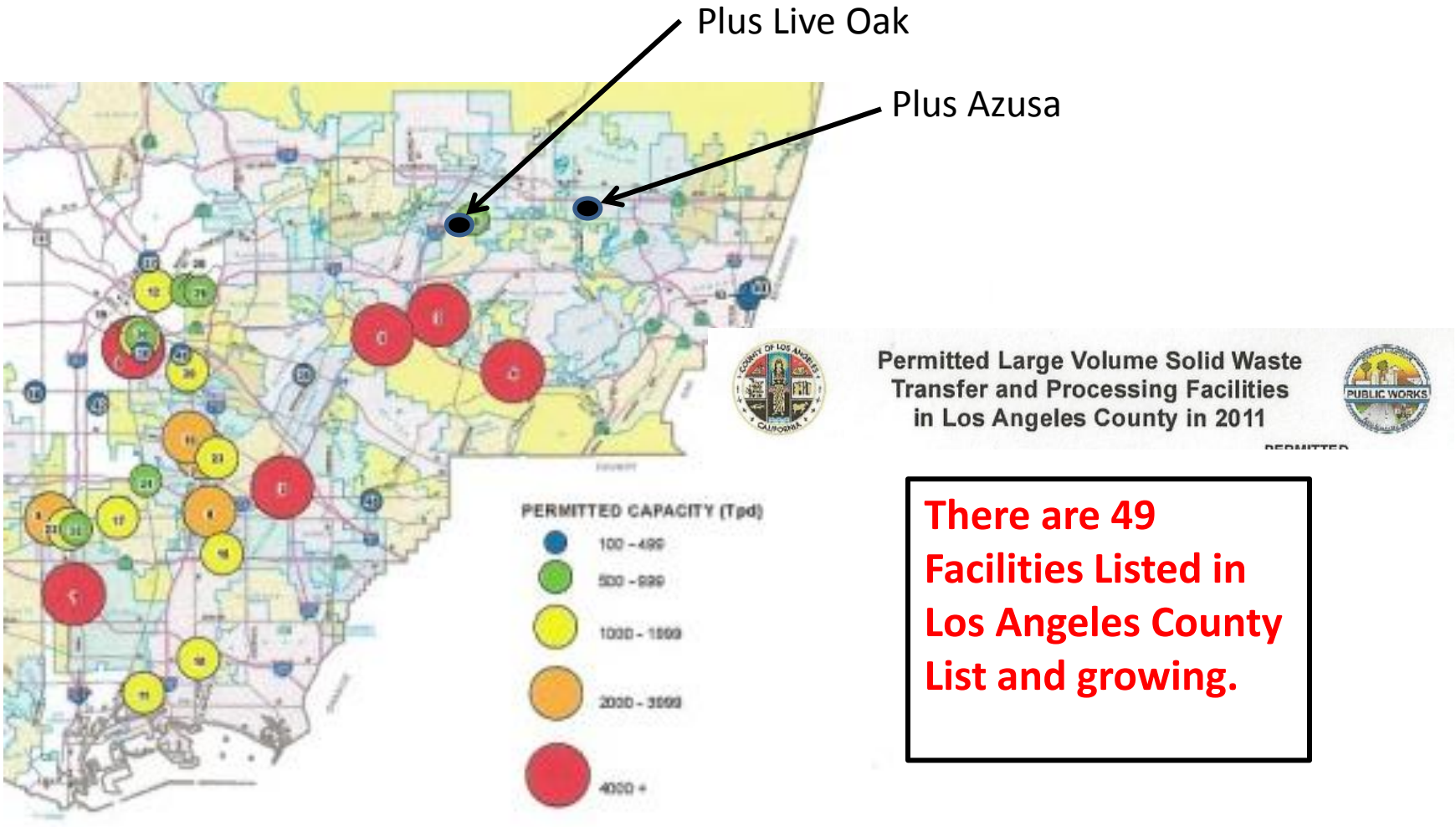
NO.	FACILITY NAME AND ADDRESS	PERMITTED CAPACITY (Tpd)
1	Carson Transfer Station & Materials Recovery Facility 321 West Francisco Street, Carson, 90745	5,300
2	Athens Services 14048 East Valley Boulevard, Industry, 91746	8,000
3	Downey Area Recycling & Transfer 9770 Washburn Road, Downey, 90241	5,000
4	Grand Central Recycling & Transfer Station 999 Hatcher Boulevard, City of Industry, 91744	5,000
5	Puente Hills Materials Recovery Facility 2808 Workman Mill Road, Whittier, 90601	4,400
6	Central LA Recycling & Transfer Station 2201 Washington Boulevard, Los Angeles, 90034	4,025
7	Construction and Demolition Recycling 9309 Rayo Avenue, South Gate, 90280	3,000
8	Paramount Resource Recycling Facility 7230 Petterson Lane, Paramount, 90723	2,450
9	American Waste Transfer Station 1449 West Rosecrans Avenue, Gardena, 90247	2,225
10	Waste Management South Gate Transfer 4489 Ardine Street, South Gate, 90280	2,000
11	Falcon Refuse Center, Inc. (Allied/BFI Waste Systems, Falcon) 3031 East "I" Street, Wilmington, 90744	1,850
12	Mission Road Recycling & Transfer Station 840 South Mission Road, Los Angeles, 90033	1,785
13	Community Recycling & Resource Recovery, Inc. 9147 De Garmo Avenue, Sun Valley, 91352	1,700
14	Bradley East Transfer Station 9227 Tujunga Avenue, Sun Valley, 91352	1,532
15	Athens Sun Valley Materials Recycling & Transfer Station 11121 Pendleton Street, Sun Valley, 91352	1,500
16	Bel-Art Waste Transfer Station 2501 East 68th Street, Long Beach, 90805	1,500
17	Compton Recycling & Transfer Station (Allied/BFI Waste Systems,Compton) 2609 West Rosecrans Avenue, Compton, 90220	1,500
18	EDCO Recycling and Transfer 2755 California Avenue, Signal Hill, 90755	1,500
19	Looney Bins/Downtown Diversion 2424 Olympic Boulevard, Los Angeles, 90021	1,500
20	Innovative Waste Control 4133 Bandini Boulevard, Vernon, 90023	1,250
21	Southern California Disposal Company Recycling & Transfer Station 1908 Frank Street, Santa Monica, 90404	1,056
22	California Waste Services 621 West 152nd Street, Gardena, 90247	1,000
23	South Gate Transfer Station 9530 South Garfield Avenue, South Gate, 90280	1,000
24	American Remedial Technologies 2900 East Imperial Hwy Lynwood, 90262	992
25	Allan Company Baldwin Park 14604-14618 Arrow Highway, Baldwin Park, 91706	750
26	Looney Bins/East Valley Diversion 11616 Sheldon Street, Sun Valley, 91352	750
27	Sun Valley Paper Stock Materials Recovery Facility & Transfer Station 8701 North San Fernando Road, Sun Valley, 91352	750
28	City Terrace Recycling Transfer Station 1511-1525 Fishburn Avenue, City Terrace, 90063	700
29	East Los Angeles Recycling And Transfer 1512 North Bonnie Beach Place, City Terrace, 90063	700
30	Angelus Western Paper Fibers, Inc. 2474 Porter Street, Los Angeles, 90021	650
31	Culver City Transfer/Recycling Station 9255 West Jefferson Boulevard, Culver City, 90232	500
32	Waste Resource Recovery 357 West Compton Boulevard, Gardena, 90248	500
33	Granada Hills Street Maintenance District Yard 10216 Etiwanda Avenue, Northridge, 91325	450
34	Santa Monica Resource Recovery Center 2401-2411 Delaware Avenue, Santa Monica, 90404	400
35	City Fibers - West Valley Plant 16714 Schoenborn Street, Los Angeles, 91343	350
36	Pico Rivera MRF 8405 Loch Lemand Drive, Pico Rivera, 91660	327
37	East Street Maintenance District Yard 452 San Fernando Road, Los Angeles, 90065	315
38	City Fibers - LA Plant #2 2545 East 25th Street, Los Angeles, 90058	300
39	Mission Recycling/West Coast Recycling 1326 East Ninth Street, Pomona, 91766	300
40	Southwest Street Maintenance District Yard 5860 South Wilton Place, Los Angeles, 90047	225
41	Van Nuys Street Maintenance District Yard 15145 Oxnard Street, Van Nuys, 91411	225
42	Los Angeles Express Materials Rec. Fac. 6625 Stanford Avenue, Los Angeles, 90001	207
43	Mission Recycling/West Coast Recycling 1341 East Mission Boulevard, Pomona, 91766	200
44	Pomona Municipal Direct Transfer Facility 1730 East First Street, Pomona, 91766	150
45	Western District Satellite Yard 6000 West Jefferson Boulevard, Los Angeles, 90016	149
46	City of Inglewood Transfer Station 222 West Beach Avenue, Inglewood, 90302	100
47	City of Lancaster Maintenance Yard 46008 North 7th Street West, Lancaster, 93534	100
48	Direct Disposal C & D Recycling 3720 Noakes Street, Los Angeles, 90023	100
49	Norwalk Transfer Station 13780 East Imperial Highway, Santa Fe Springs, 90670	100

Local Options

- City of Industry (Valley Blvd, Athens)
- City of Industry (Azusa Ave, Grand Central)
  - Open to General Public
- Azusa – Gladstone & Irwindale (Wast Mgt.)
- Pomona – Mission Recycling (2 facilities)
- City of Irwindale – Live Oak & Arrow
  - EIR period (Athens)

***All facilities are open during peak hours.**
***In time, private MRF's will be open to all haulers**

Why Truck the Trash across cities?



There are 49 Facilities Listed in Los Angeles County List and growing.

Is Solid Waste Disposal System Cost Effective?

As a governmental agency the Sanitation District's directive is to MANAGE solid waste, thus they cannot pick up solid waste. They depend on the hauler to bring it to the PHMRF.

Giving the Sanitation District unlimited hours (24 hours) inbound and outbound 6 days a week will provide them unfair advantage over the private MRF's.

It is my understanding Grand Central (a public MRF open to all haulers) in the City of Industry is permitted for 24 hours but have chosen to limit their hours because it is not cost effective.

In conclusion, will the Sanitation Districts use taxpayers money to be more competitive even when it is not cost effective? All to garner the MRF market.

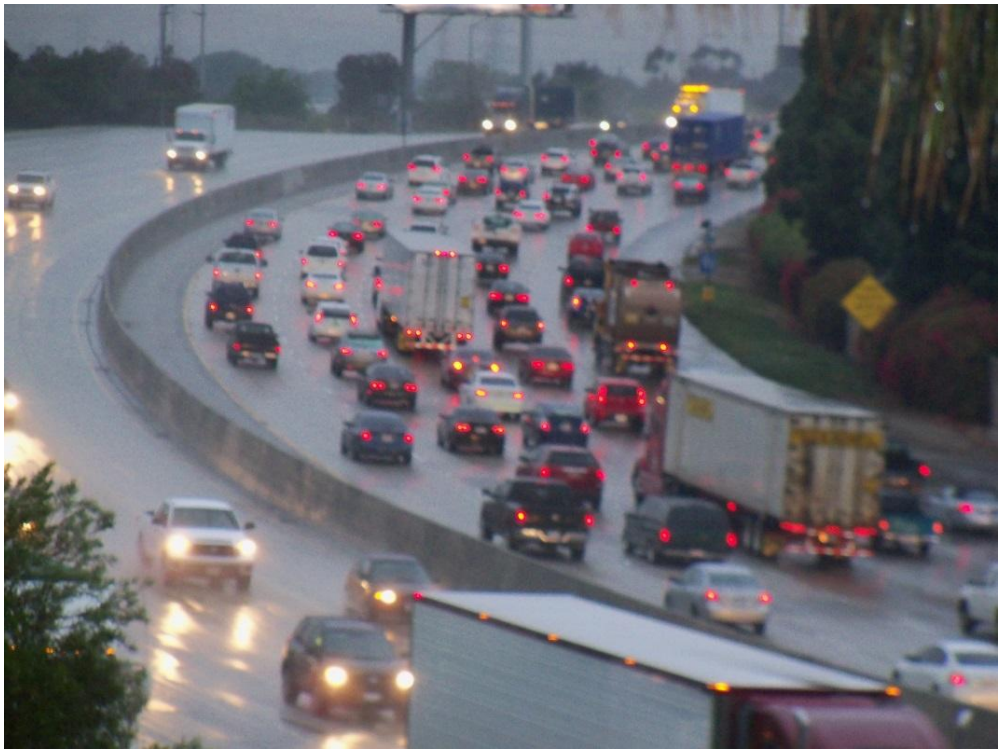
Ultimately, government cannot be allowed to compete with private industry.

The Sanitation District insist on US being victims at any COST!

TRAFFIC

Traffic Study was done in EIR 1992 & 1995

- Using data from 1990 (over 20 years old)
- And Traffic & Lighting said NO STUDY NEEDED



Traffic & Lighting States…

Base on review of "original environmental document" (EIR 1992/1995)

"operation is not expected to have significant Impact"

"project is not required to submit a traffic impact analysis"

June 20, 2012

TO: Pat Proano
Environmental Programs Division

Attention Emiko Thompson

FROM: Dean Breshears
Traffic and Lighting Division

PUENTE HILLS MATERIALS RECOVERY FACILITY
PROPOSED EXPANDED HOURS (FEBRUARY 2012)

As requested, we have reviewed the proposal to expand the hours for receipt of waste at the existing Puente Hills Materials Recovery Facility. The project site is located at 2808 Workman Mill Road, which is adjacent to the Puente Hills Landfill in the unincorporated area.

Based on the review of the project's original environmental documents and submitted information on truck trips, the proposed expansion to the hours of operation is not expected to have a significant impact to the County roadways and intersections in the area. Consequently, the project is not required to submit a traffic impact analysis for review and approval.

If you have any questions regarding the review of this document, please contact Suen Fei Lau of Traffic Studies Section at Extension 4820.

SFL:sm
P:\tpub\WPFILES\LAND DEVELOPMENT REVIEW\FeIEIR 12-0093 Puente Hills MRF Hours Extension.doc

AFT ENVIRONMENTAL IMPACT REPORT
TE HILLS WASTE MANAGEMENT FACILITIES
TECHNICAL APPENDICES

State Clearinghouse Number 91121070

Prepared by:

Solid Waste Management Department
Sanitation Districts of Los Angeles County
1955 Workman Mill Road
Whittier, California 90601
(310) 699-7411

June 1992

The truth is the EIR data count is Outdated!

sion summarizes the results of a traffic and circulation study prepared for the Management Facilities project by Kunzman Associates in May, 1992. The study y in Appendix F of this Draft EIR.

Existing Landfill Traffic Distribution and Volumes

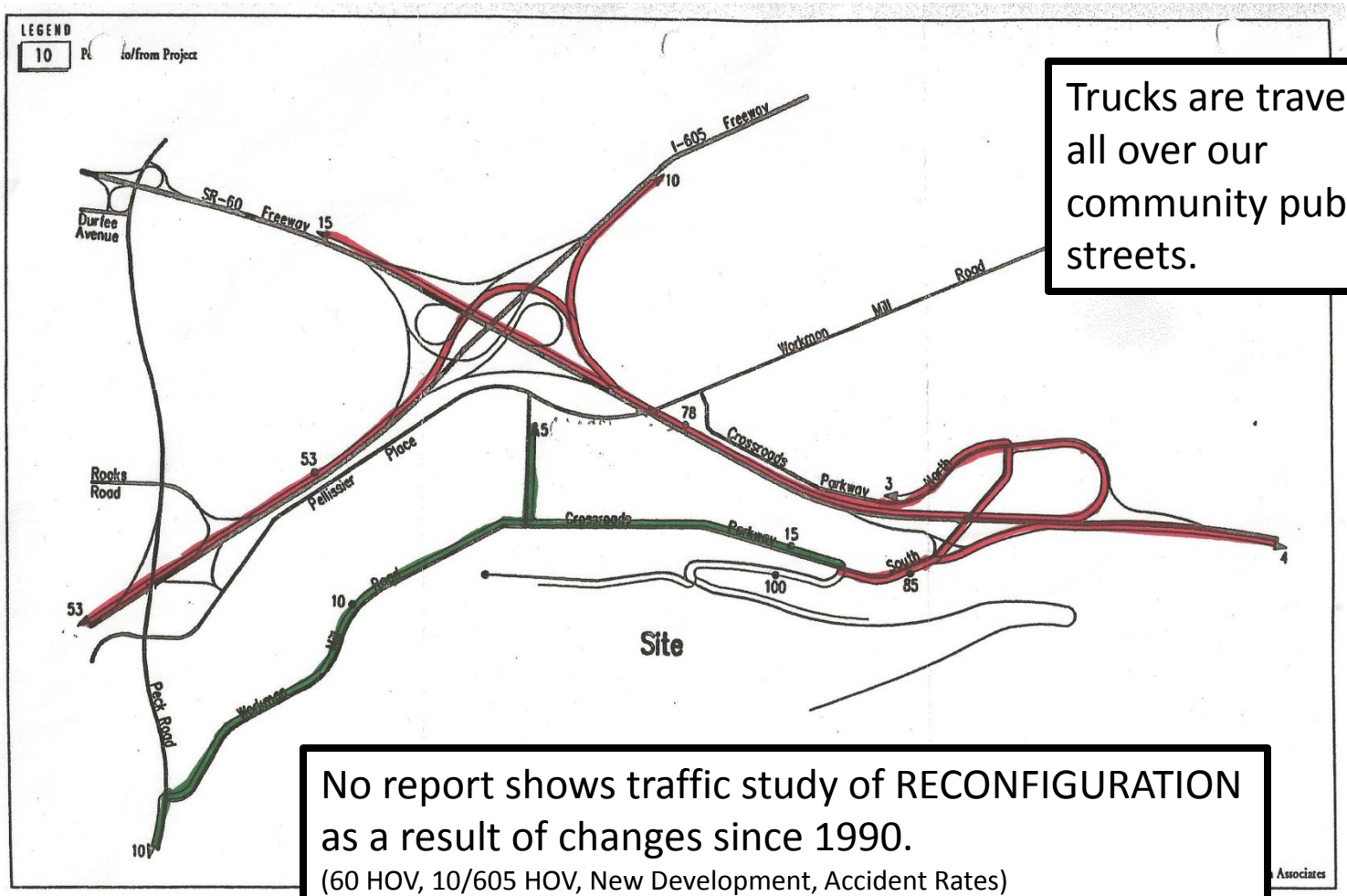
Twenty-four hour counts were taken at the entry roads to the landfill (C Workman Mill Road) in April, 1990. These data were used to calculate results when the landfill reaches its daily tonnage limit and closes to comm

Existing Daily Traffic Volumes

Exhibit 4.7-4 depicts the average daily two-way traffic volumes on streets in the vicinity of the landfill, and are factored from counts taken by Kunzman Associates in January 1992. Traffic volumes were obtained from the County of Los Angeles 1990 Traffic Volumes and Caltrans 1990 Traffic Volumes on State Highways. Exhibit 4.7-5 depicts the weekday morning peak-hour (7:00 a.m. to 8:00 a.m.) and turning movement volumes at intersections in the vicinity of the project site, which include traffic volumes associated with the landfill.

Counts were taken on I-605 at Peck Road and on SR-60 at Crossroads Parkway South in March, 1992. The vehicles counted were separated into two categories: those with two axles and those with three or more axles.

Project Traffic Distribution, EIR 1992



Trucks are traveling all over our community public streets.

No report shows traffic study of RECONFIGURATION as a result of changes since 1990.
(60 HOV, 10/605 HOV, New Development, Accident Rates)

Project Traffic Distribution

EXHIBIT 4.7-6

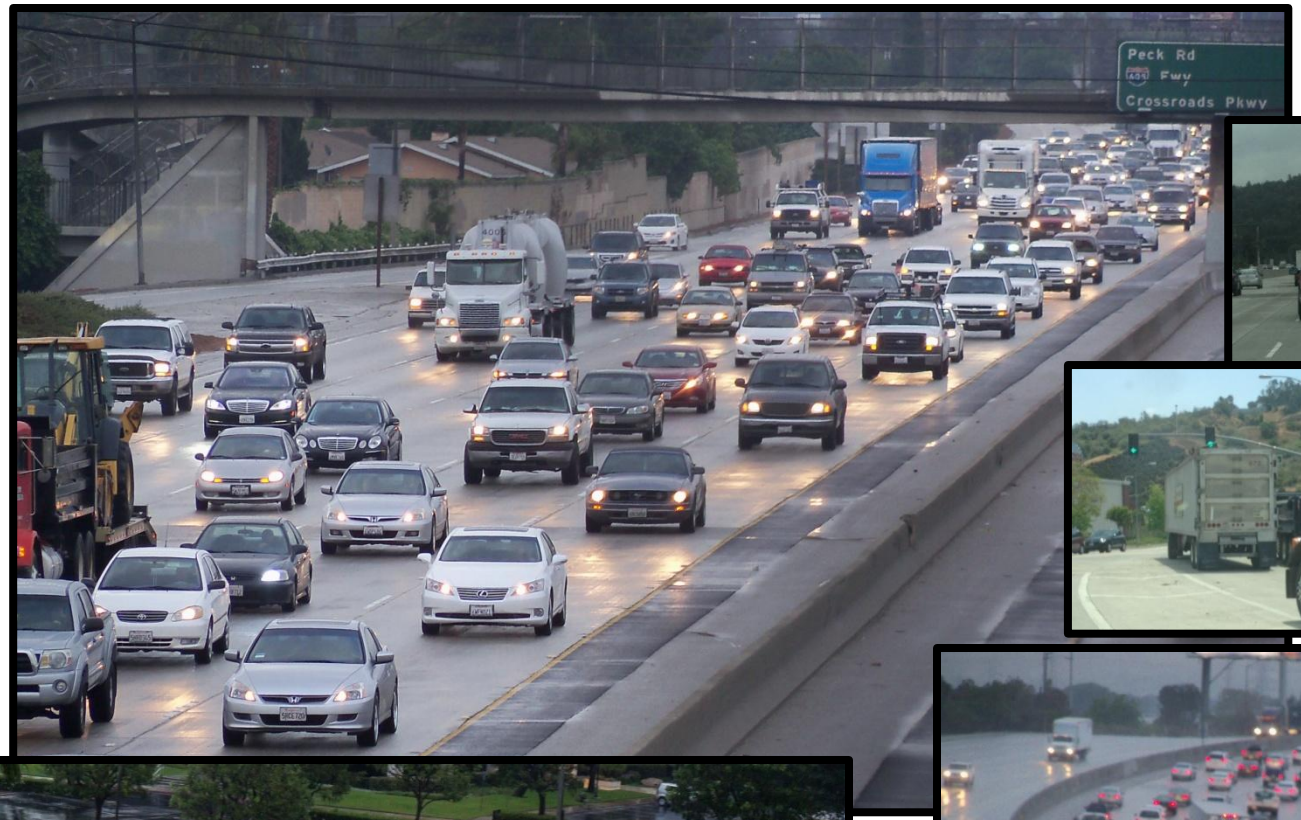
PUENTE HILLS WASTE MANAGEMENT FACILITIES EIR
SANITATION DISTRICTS OF LOS ANGELES COUNTY

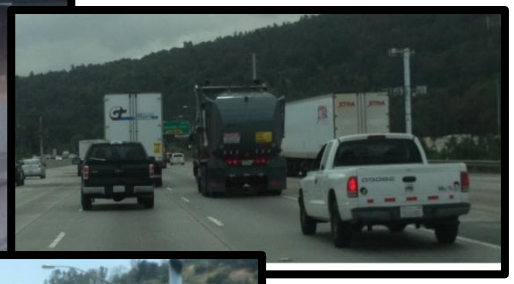
N
NOT TO SCALE

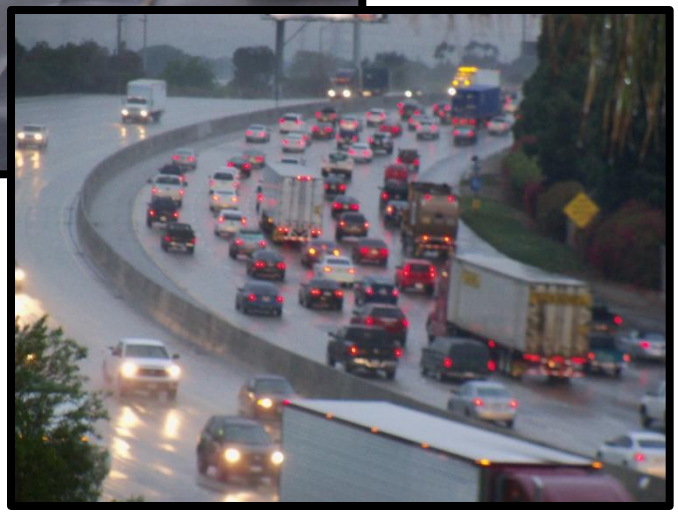
Traffic Intensifies by…

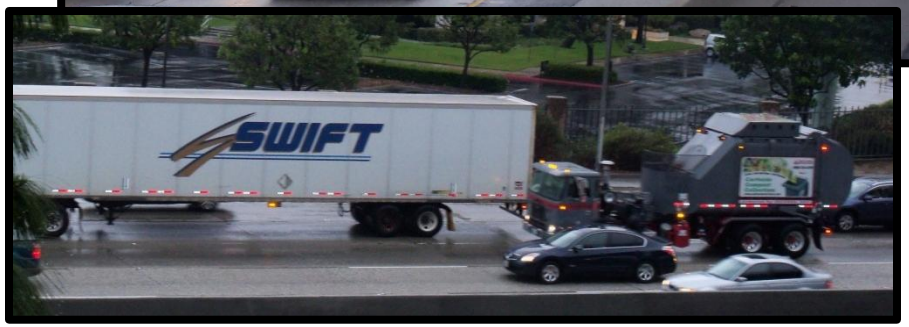
Congestion

Congestion on our work routes
60 Fwy & 605 Fwy!



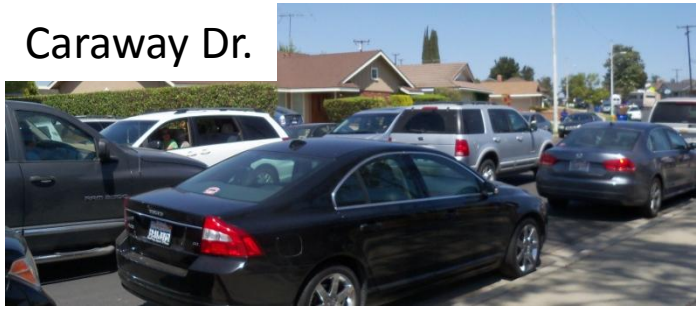




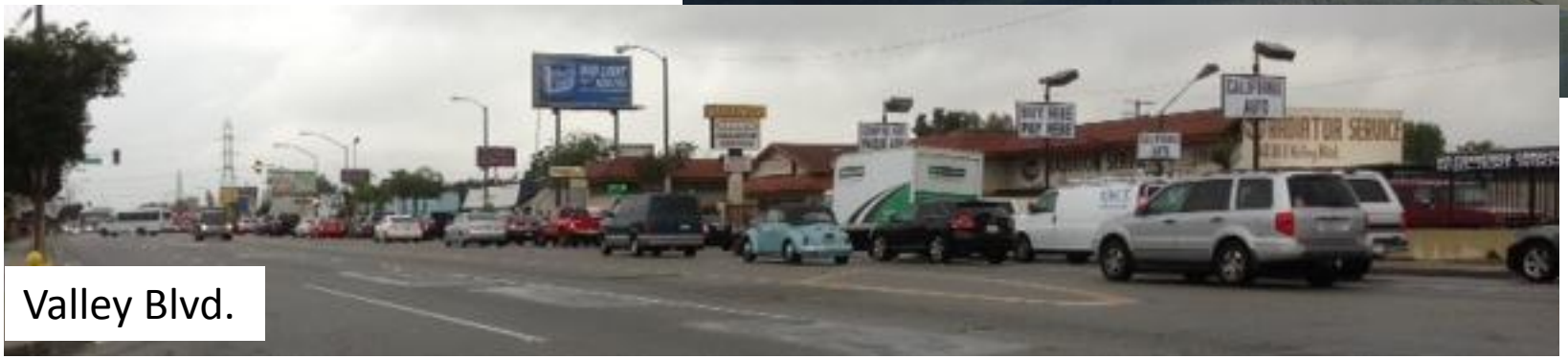


Congestion on Our Local Street!

Crossroads Pkwy South

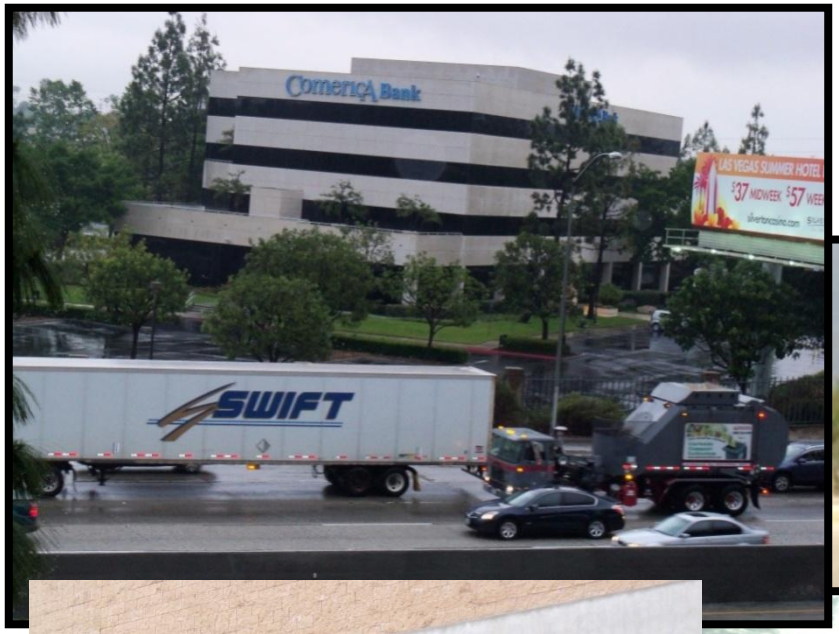

Caraway Dr.

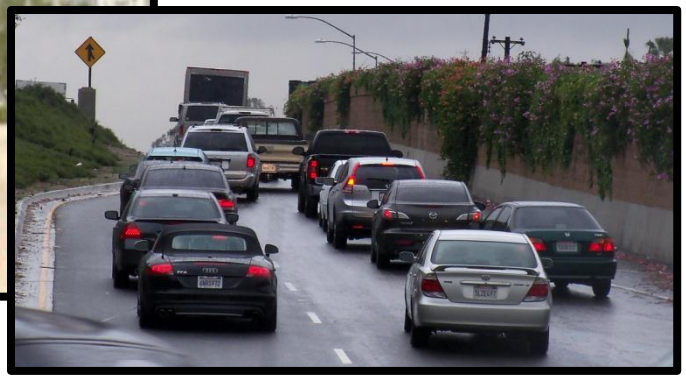
Pellissier Pl


Valley Blvd.

We have Trucks Everywhere all Day!

The Truth is…we are Congested!





Traffic Intensifies by…

Improved Economy

Improved Economy

Articles states:

For the first three months this year (2013), congestion was up **4%** compared to the same time last year.

In a jam again: Traffic tie-ups back

Larry Copeland
USA TODAY

After nearly two years of sharp declines, traffic congestion in the USA is on the rise again, thanks largely to an improving economy.

For the first three months this year, congestion is up 4% compared with the same time last year, INRIX, a Kirkland, Wash.-based firm that provides traffic information and driver services, says in its annual Traffic Scorecard, released today.

The uptick in the first quarter of this year follows a 22% drop in congestion in 2012 compared with 2011. This is the first such consecutive monthly increase in two years, and it parallels a steady increase in employment, which is up 1.3% for the year, INRIX says. This year's rise and last year's decrease were both tied to the economy and to political wrangling in Washington, according to INRIX.

61
Number of cities that saw traffic worsen this year.

6
Number of cities that saw traffic worsen in 2012.

Source: INRIX survey of the nation's 100 worst traffic cities.

"In 2012, what we saw was a stop and go situation, where a tax and fiscal deadline, combined with fluctuations in employment, had a detrimental impact on traffic congestion," says Jim Bak, INRIX's director of community relations. "As consumers and businesses took a wait-and-see approach, employers were slowing hiring, consumers were not spending that — all had an impact on congestion."

Adie Tomer, an associate fellow specializing in transportation at the Brookings Institution, agrees with the economic portion of that analysis. "Infrastructure usage correlates with economic growth patterns," he says. Tomer notes that traffic congestion is still well below pre-recession levels. He says that though it has rebounded somewhat, there has been "a fundamental shift" in traffic congestion as people who have dropped out of the labor force have curtailed their driving. It's unknown whether that shift is permanent, he says.

In February, the Texas Transportation Institute quantified the cost of congestion for 2011: Traffic snarls that year caused U.S. motorists to spend an additional 5.5 billion hours on the road and purchase an extra 2.9 billion gallons of fuel for an annual congestion cost of $121 billion.

A factor not influencing traffic so far this year: pain at the pump.

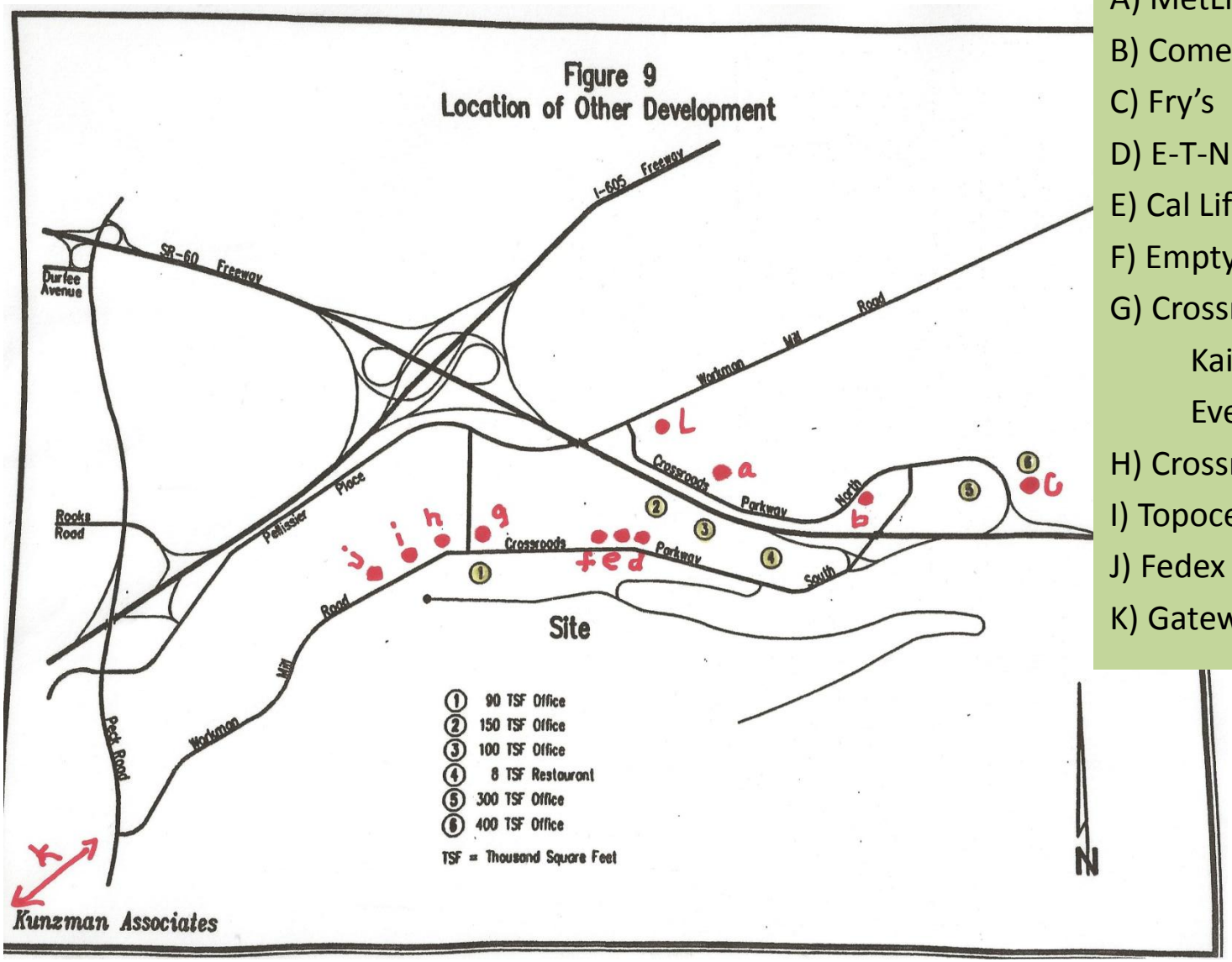
"The one thing we've not had come into play at all this year is fuel prices," Bak says. "They've remained relatively stable."

USA TODAY™
04.24.13
A GANNETT COMPANY

Traffic Intensifies by…

New Development

New Development



A) MetLife
B) Comerica
C) Fry's
D) E-T-N
E) Cal Lift
F) Empty
G) Crossroad Business Park
Kaiser
Everest
H) Crossroad Business Park
I) Topocean
J) Fedex
K) Gateway Point

New Development

Caltrans

Metlife

Comerica Bank

New Development

Frys
Chevron
Jack in Box
El Tepeyac
Subway
Waba

New Development

FedEx

Crossroad Business Park

New Development

Cal Lift

E-T-N

Kaiser

Everest College

New Development

Traffic Intensifies by…

Refueling Truck Traffic at the PHMRF

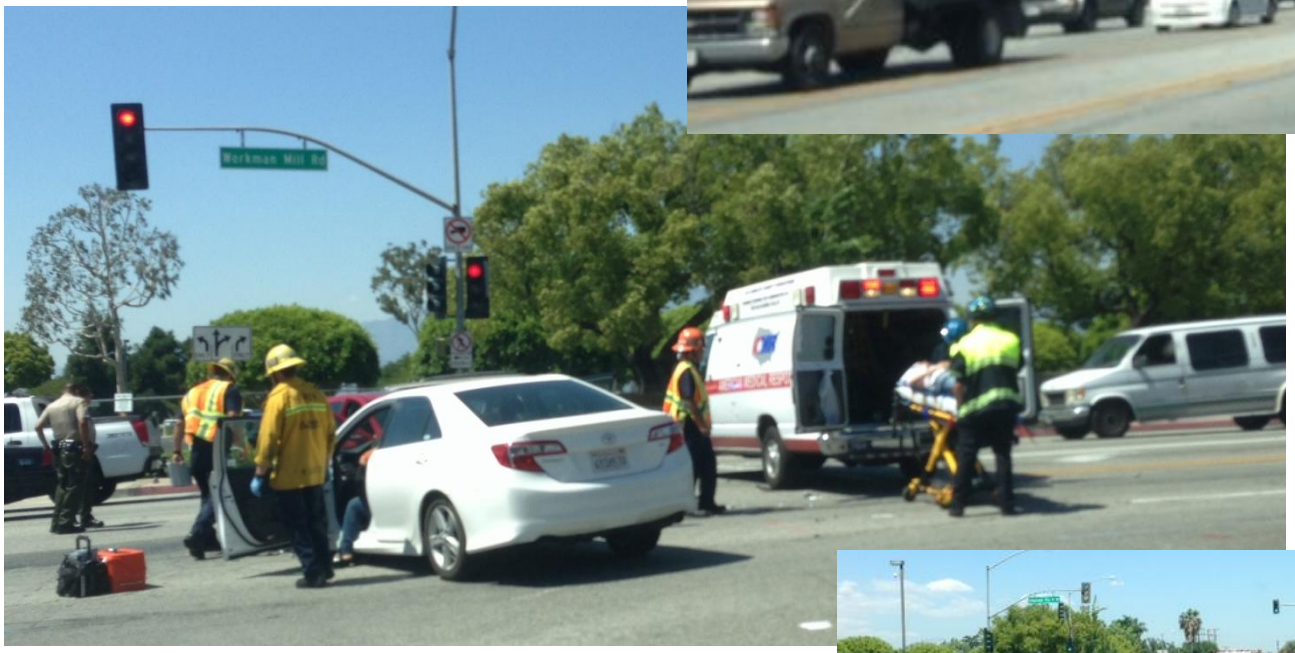
Refueling Traffic at PHMRF

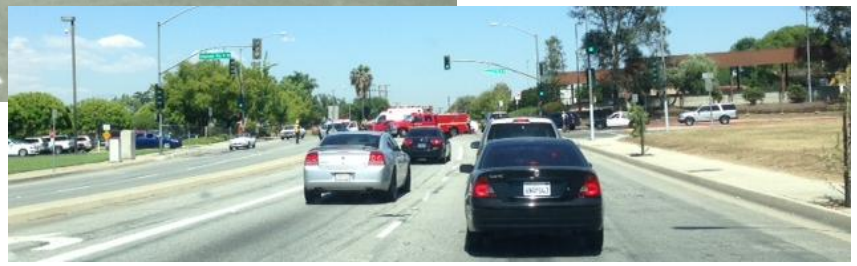
Traffic Intensifies by…

Accidents on road ways & freeways

Workman Mills Rd & Crossroads Pkwy

(front of Sanitation District 2)





FACT is

Our freeways can't keep up with the repairs due to **heavy truck use of outside lanes**.

Our freeways are running at Level of Service F (**LOS F),** an unacceptable level which puts us at accident risk.

Dear Regional Planning Commissioners,

It is clear that an updated environmental assessment was not done. Based on an outdated traffic study (over 20 years), the report is inadequate.

We have shown you that the changes are significant and substantial because of intensification from congestion, traffic and new development since 1992. We ask that the conditions on hours for the PHMRF not be increased.

(READ LETTER)

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
856 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012 / (213) 974-4111

GLORIA MOLINA
SUPERVISOR, FIRST DISTRICT

July 20, 2007

Ms. Marilyn Kamimura, Co-Chair
North Whittier Neighborhood Watch
Avocado Heights Coalition
843 Caraway Drive
Whittier, California 90601

Dear Ms. Kamimura:

Thank you for sharing your concerns about the potential cancer risks associated with the proposed Waste By Rail Project Intermodal Facility in the City of Industry, which is in an area already impacted by a nearby landfill, freeways and environmentally challenging industries. I understand your objections, and I agree that your community has been unfairly impacted.

As you may recall, in response to your earlier concerns, I successfully requested an extension of the public comment period on the expected Environmental Impact Report (EIR). I continue to advocate to the Los Angeles County Sanitation District for an adequate public process to address quality of life and health concerns related to the facility and the rail line. Additionally, I asked Stephen R. Maguin, Chief Engineer and General Manager of the County Sanitation Districts of Los Angeles County, to respond directly to you in writing to outline how these concerns will be addressed. I also notified Mr. Mike Kissell, Planning Director with the City of Industry. As you know, the Sanitation District is preparing the Environmental Impact Report, and the City of Industry is processing the project's Conditional Use Permit application

I absolutely agree that the facility must not exceed the currently proposed limit of 8,000 tons of trash per day; I do not expect the facility to be expanded beyond this limit, and I hope this allays some of your concerns. I also support siting another rail haul facility elsewhere, and I further anticipate that the environmental health issues will be adequately identified, studied, and mitigated in the EIR. I will vigilantly monitor the EIR process to ensure that any health impacts to our community are mitigated. Please know that I will continue to vigorously advocate for an inclusive public process to determine the appropriate mitigations.

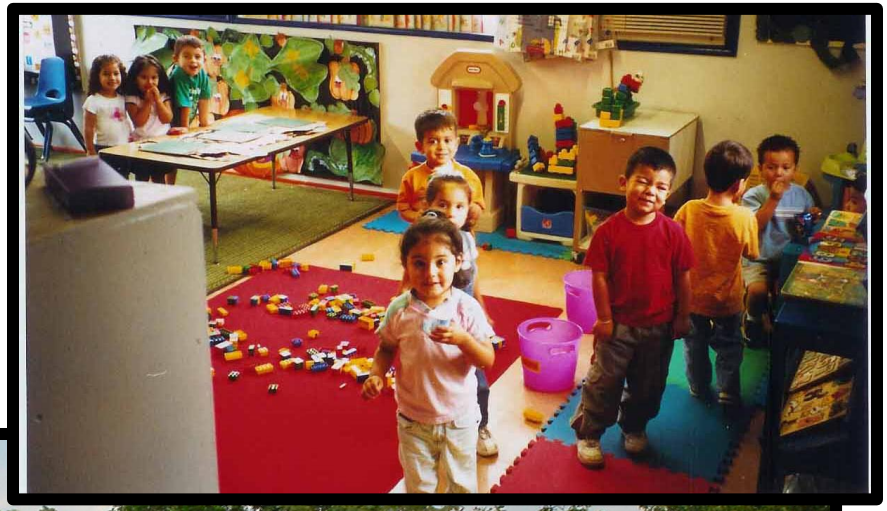
Sincerely,

GLORIA MOLINA
Supervisor, First District

GM/ne/sm

c: Congressmember Grace Napolitano, 38th District
State Senator Gloria Romero, 24th District
State Assemblymember Ed Hernandez, 57th District
Mr. Stephen R. Maguin, County Sanitation Districts
Mr. Mike Kissell, Planning Director, City of Industry

We need to protect
<u>OUR</u> children of the <u>FUTURE</u>!



We are Residents of North Whittier

41 years
Caraway Dr. & Pencin Dr.
(2 Generations)

40 years
Bunbury Dr.

North Whittier Residents

15 years
Caraway Dr. (next door neighbors)
(3 Generations)

40 years
Pamela Kay Ln. & Coleford St.
(3 Generations)

North Whittier Residents

38 years
Loumont Dr.
(4 Generations)

8 years
Cunningham Dr.
(2 Generations)

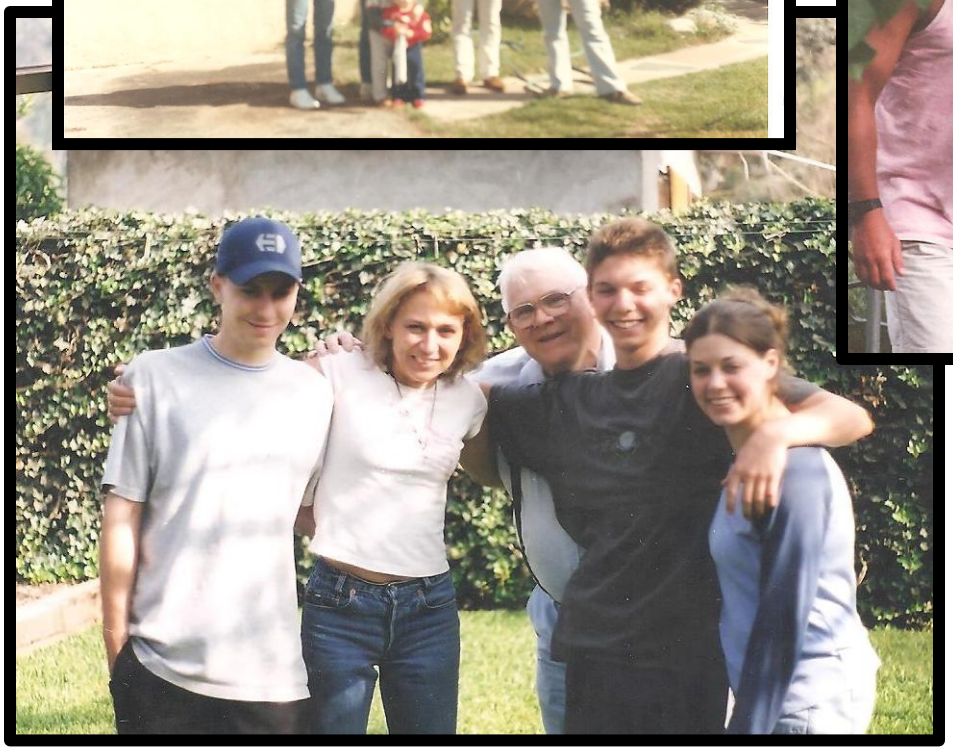
North Whittier & Avocado Heights

13 years
Peckham Dr.
(2 Generations)

9 years
Alanwood Rd.
(2 Generations)

1 month
Alanwood Rd.
(cousin, bought next door)

Gladstone Resident for 50 yrs.



Grandmother still lives on Gala, Gladstone Community which is a ¼ mile from the PHMRF.

This community is small but tight in family and friendships.

We love where we live.

Exhibit 6

Hearing Board

Member Roster Detail

Nominated By	Member Name	Title	Appointment	Term Expires	Fact Sheet
	Art Aguirre	Alternate Ex Officio		01/01/2002	Fact Sheet
	Barry Wallerstein	Ex Officio		04/30/2012	Fact Sheet
	Carlos Ruiz	Alternate		12/04/2009	Fact Sheet
	Charles Boehmke	Alternate Ex Officio			Fact Sheet
	Charles T Tripp	Alternate Ex Officio	10/06/2011	06/30/2013	Fact Sheet
	Christine F Andersen	Ex Officio			Fact Sheet
	Enrique Zaldivar	Alternate Ex Officio	11/15/1994	10/01/1996	Fact Sheet
	Fred Rubin	Alternate Ex Officio	02/16/1982		Fact Sheet
	Gail Farber	Alternate Ex Officio	01/15/2013	11/28/2016	Fact Sheet
	Grace R Chan	Alternate Ex Officio			Fact Sheet
	Jay Chen	Alternate Ex Officio	07/05/2011	06/30/2012	Fact Sheet
	Jim Kuhl	Alternate Ex Officio			Fact Sheet
	John Gulledge	Alternate Ex Officio			Fact Sheet
	John Kilgore	Alternate Ex Officio	11/29/2011	12/05/2012	Fact Sheet
	Karen Coca	Alternate Ex Officio		01/05/2015	Fact Sheet
	Ken Murray	Alternate Ex Officio	07/01/2010	07/01/2014	Fact Sheet
	Mitchell H Katz	Ex Officio			Fact Sheet
	Pete Oda	Alternate Ex Officio		03/01/2010	Fact Sheet
	Rita Robinson	Ex Officio	12/07/2010		Fact Sheet
	Stanton Uyehara	Alternate Ex Officio	01/10/2012	01/10/2014	Fact Sheet
	Stephen R Maguin	Ex Officio			Fact Sheet
	Steve Fortune	Alternate Ex Officio		04/01/2001	Fact Sheet
	Vacant Vacant				Fact Sheet
	William Thompson	Alternate Ex Officio			Fact Sheet
Supervisor Don Knabe	John C McTaggart	Alternate	01/31/2006	04/17/2015	Fact Sheet
Board of Supervisors	Albert Avolan	Alternate		06/30/2007	Fact Sheet
Board of Supervisors	Betsey Landis		02/14/1995	08/29/2007	Fact Sheet
Board of Supervisors	David Ross	Alternate	11/10/2009	12/06/2013	Fact Sheet
Board of Supervisors	M. Michael Mohajer				Fact Sheet
Board of Supervisors	Marsha McLean	Alternate	04/09/1996	06/30/2011	Fact Sheet
Agency	David D.S. Kim	Vice-Chair			Fact Sheet
Agency	Greig Smith		11/10/2009	12/06/2013	Fact Sheet
Agency	Joe Massey		12/13/2011	12/13/2014	Fact Sheet
Agency	John C McTaggart	Alternate	11/20/2012	01/02/2017	Fact Sheet
Agency	Margaret Clark				Fact Sheet
Agency	Mary Ann Lutz	Alternate	06/21/2011	11/19/2012	Fact Sheet
Agency	Michael Miller				Fact Sheet
Agency	Nicole Bernson	Alternate			Fact Sheet
Agency	Rafael Prieto				Fact Sheet
Agency	Ron Saldana	Ex Officio			Fact Sheet
Agency	Vacant Vacant				Fact Sheet
Primary Contact	Tranette Sanders 900 South Fremont Avenue Alhambra, CA 91803				Fact Sheet