

**North Valley Coalition of Concerned Citizens Inc.**  
**11852 Balboa Boulevard, Box 172**  
**Granada Hills, CA 91344**

March 25, 2008

California Integrated Waste Management Board  
1001 I Street  
P.O. Box 4025  
Sacramento, CA 95812-4025

Attention: Mark de Bie, Division Chief  
California Integrated Waste Management Board  
Waste Compliance and Mitigation Program  
Permitting and LEA Support Division

**RE: Solid Waste Facilities Permit Application #19-AA-2000, Browning-Ferris Industries,  
Sunshine Canyon Landfill**

Dear Board Members:

The NVC appreciates the opportunity to comment on the SWFP application and its supporting documentation in the form of a Joint Technical Document (JTD) submitted to the CIWMB. No permit should be deemed complete or approved unless and until all data necessary to make a final decision is provided. The only way to permit reasoned consideration is to have in hand, at the time deliberations commence on the merits of the application, all the data that will be needed for review. The CIWMB has failed to accomplish this not only from the point of documentation but by ignoring the input of their own appointed LEAs. For these reasons we remain firmly opposed to the CIWMB accepting this application.

**Notification and Documentation**

Mr. Mark de Bie, Permitting and LEA Support Division is already in receipt of our email in which we registered our complaints as to *"The size of the Joint Technical Document along with its many maps presents a number of hurdles and we believe that it is not reasonable to expect the public at large to copy it nor is it convenient to view it in Los Angeles (over 50 mile round trip through some of the worst traffic imaginable). We would respectfully request that since it has been the practice in the past that when documents were submitted to the various regulatory agencies, and that when copies of that documentation were to be made available to the general public, that they were placed in the Los Angeles Public Library system at Granada Hills."* A copy of the JTD for the City/County CACs for Sunshine Canyon Landfill which had been requested at previous meetings was only delivered by BFI late on a Friday night (Jan 18, 2008) for a period of 7 days claiming that it was a loaner as it was too expensive to supply a copy. However, it was subsequently retrieved by early morning the following Wednesday (January 23, 2008) when they claimed that it was their only copy and that the State had demanded it for use in their Los Angeles office. The February 6, 2008 amended material has never been supplied to us. Further, we were never notified by the CIWMB that the requested copy had been placed in the library except in later notices that went unread because the date of the hearing was the same and the public assumed that it was a repeat of earlier notices. The JTD consisting of 12 bound and collated volumes that were placed in the Granada Hills Library were not the same as the 3, 3-ring binders supplied us previously and represented by BFI as the copy subsequently sent to Los Angeles.

## Appeal

The NVC has filed a “Statement of Issues in Support of a Request for Hearing” before the California Integrated Waste Management Board on March 5, 2008. It is our position that BFI’s request should not have been submitted to the State, that the applicant has misstated the facts, failed to try to work with either the City or the County to address whether or not they could process such a request, and created an out-of-capacity situation on the City side where none exists in order to create an crises situation.

## Proponent Has Failed To Observe Land Use Conditions

BFI has claimed that they had nowhere else to file for the combined landfill when they were fully aware for a number of years that the City and the County had been working on a Memorandum of Understanding as to the fees, and that a Joint Powers Agreement was being worked on to specify the combined landfill’s lead LEA based on previously approved Zone Change documentation’s (T) and (Q)-Conditions; among them that under there was a 5-year moratorium on combining the City and County portions of the landfill and dates certain for processing.

They have manufactured a capacity shortfall where none exists today in order to force the State, the City, and the County to process and/or prematurely reach agreements. BFI claims that the shortage exists because Cell A of the City side is filling up, and that Cell C also on the City side which on which they have chosen to store excavated earth for future use will cause more pollution if they have to move it, and oh yes the real reason, it will cost more money to move it. The most efficient and expedient thing they say is to move into the bridge area and combine the two landfills. At a recent tour it appeared that they have already been preparing the bridge area (see CC-1 of combined landfill). At a recent meeting of the City CAC BFI admitted that activity was occurring in this area.

The County had contemplated some activity on the County side of the bridge area; however, it was suppose to occur only with City approval. Questions directed to the City’s LEA indicate that no such approvals have been given and requests by both the City and County CAC’s for written proof of that approval have not been supplied after several requests.

## Other Issues

Of great concern is the fact that the State does not have to consider local land use issues when processing this permit. The public has fought hard to win the conditional use conditions that they felt necessary in order to protect the health, safety and welfare of the surrounding communities.

One of the requirements for opening of the City side expansion was final closure of the old City Landfill. This has not occurred and despite its closure in 1991 it remains without final revegetation today, some 17 years later. The applicant, the City, and the State in particular have all been remiss in their duties and to be considering permitting a combined landfill without a State certified closure of Units 1 & 2 of the City is a violation of the public’s trust.

This brings us and the public to an important question. It was the City and County LEAs that processed and approved the original documentation and CEQA documents that supported their own approvals of subsequent expansions. Because the State is now usurping their own LEAs authority, what CEQA documentation does the State rely on?

The public already feels that the CEQA documentation is out-of-date and does not support a combined landfill. CEQA requires that the documentation be clear and that the public be able to understand it. The confusing mess of EIRs, DEIRs, SEIRs et cetera has made that impossible. We believe that a new EIR should be required regardless of who processes this permit.

The Joint Technical Document (JTD) which has been submitted in support of this SWFP is flawed. Both the City and the County agencies are now seeing this document for the first time. The Regional Water Quality Control Board – Los Angeles Region has reviewed this document and on February 7, 2008 found it to be incomplete due to deficiencies. The NVC will submit comments on the JTD at the scheduled March 25, 2008 meeting in Granada Hills.

Yours truly,

A handwritten signature in dark ink, appearing to read "Wayde Hunter", with a long horizontal flourish extending to the right.

Wayde Hunter  
President, NVC

Attachment

**NORTH VALLEY COALITION COMMENTS**  
**MARCH 25, 2008**  
**TO**  
**JOINT TECHNICAL DOCUMENT**  
**SUNSHINE CANYON CITY/COUNTY LANDFILL**  
**NOVEMBER 2007**  
**(As supplied Jan 18, 2008 in 3 3-Ring Volumes sans dividers & tabs)**

**Volume 1**

**B.3.3 Site Life Estimate**

Applicant fails to note under sections B.3.3.1 & B.3.3.2 that there was an approved date-certain-for-closure under their new replacement CUP as determined by the Los Angeles Board of Supervisors regardless of remaining capacity.

**B.3.9&10**

According to RWQCB R4-2007-0023 "*leachate collected in County can be discharged into the landfill in the County equipped with double liner*". We have received assurances in the past from the LARWQCB that leachate, treated or otherwise, would not be reintroduced in the landfill. While treated water from the underdrain system and the cutoff wall was considered for beneficial reuse on the landfill, the proposed structures described in the JTD appear to far exceed those requirements and instead bear the appearance of substructures required for a bioreactor landfill. We also believe that in a combined City/County landfill the most stringent conditions apply and we believe this arrangement does not apply to the City hence leachate treated or otherwise should not be returned to a combined landfill. Also see comments under C.3.5.6 Reintroduction of Leachate/Gas Condensate to Landfill, Page C.3.10 on the following page.

**B.3.11&12**

Green waste processing 800 tpd or recycling facilities (will need additional approvals for this).

**D.3-3 Wind (27CCR, Section 21750(e)(6))**

On page D.3-3 last paragraph should include a statement that winds of over 100 mph on-site have been recorded during Santa Ana conditions.

**Figure 11**

The open space boundaries shown do not appear to be accurate and do not match the original codicil. A copy of the original codicil map should be included to support this submission.

**Figure 13**

Why isn't gas-to-energy facilities contemplated for City Flare #1 and County #3 given that these facilities will be cleaner burning and less polluting to the residential areas to the south?

### **Figure 15 LCRS Plan (Existing & Proposed)**

Under previous documentation submitted to support expansion and the combined landfill the LCRS was connected to the City side system. Figure 15 now has the County system as unconnected and being directed to a northern sump with a proposed riser. Is it the applicant's intent to pump out leachate? If so there appears no service road on subsequent maps. Again, the on the City side Cells A, B and part of the bridge area appear to be serviced by a new riser which will also require being pumped out. A terminal sump for the balance of the City has no connection with a future planned liquid treatment and control building near the entrance to the landfill. Will it require pumping also and/or connection to facility at entrance?

### **C.3.5.6 Reintroduction of Leachate/Gas Condensate to Landfill, Page C.3.10**

Applicant appears to be trying to create structures far in excess of requirements to the point of creating a bioreactor landfill under 40 CCR 258.28 and 27 CCR Sect 20090(6)(e), 20200(d) and 20340(g). Also see comments under B.3.9&10 on the preceding page.

## **Volume III**

### **Appendix N Excavation Slope Stability Analysis and Final Refuse Fill Slopes**

This analysis was prepared in 2002 and does not appear to be for the current design. After the approval of the new County CUP all liner systems after phase IV were constructed with double liner systems (see Appendix R, dwg. 9 JTD Proposed Liner Details – Phases V – VII date 1/11/06) as opposed to single liner systems (see Appendix R dwg. 8 JTD Proposed Liner Details – Phases I – IV dated 12/30/02). While section C.3.9.2 – C.3.9.6.3 proposes stability analyses for each phase there no plan for the entire project. A new analysis should be prepared for the entire combined landfill as proposed rather than a piecemeal approach. The CIWMB is already in receipt of documents submitted on our behalf by our attorneys Altshuler, Berzon, Nussbaum, Rubin & Demain on March 7,2006 in which our consultant, Dr. Stark had commented on the August 2005 JTD and found that it lacked much of the data necessary to evaluate slope stability.

### **Appendix O Corrective Action Financial Assurance Plan**

This information was originally submitted to the RWQCB but does not reflect their subsequent decision and the amounts finally approved by them. New information should be included.

### **Appendix R Excerpts from Geologic Report and Slope Stability Analyses**

See comments incorporated above in Appendix N.