

MINUTE ORDER

SCAQMD vs. BROWNING-FERRIS INDUSTRIES OF CALIFORNIA, INC. and REPUBLIC SERVICES, INC. dba SUNSHINE CANYON LANDFILL
14747 San Fernando Road
Sylmar, CA 91342

Case No: 3448-14

Facility ID: 49111

Hearing Date: 03/29/2017

Hearing Type: Mod. Order for Abatement

Previous Hearings: 8/27/16, 8/31/16, 10/25/16, 10/26/16, 10/27/16, 11/2/16, 11/3/16, 11/5/16, 11/29/16, 11/30/16, 12/1/16, 12/6/16, 12/7/16, 12/8/16, 12/13/16, 12/15/16, and 3/1/17

Next Hearing: 5/4/17

HEARING BOARD ACTION

Action: ISSUED

Starting Date: 03/29/2017

Ending Date: 06/30/2019

RULES

402

H&S Code §41700

EQUIPMENT DESCRIPTION

DEVICE/APPLICATION/PERMIT

Solid Waste Disposal Site

CONDITIONS

1. Respondent shall have the neutralizer systems installed and fully operational in the Republic Transfer Stations by September 30, 2017.
2. Respondent shall have the odor neutralizer installed and fully operational on the working face equipment by June 30, 2017.
3. Respondent shall install 150 new and/or replacement wells by July 31, 2017.
4. Respondent shall install the 30 pumps needed on existing wells by April 15, 2017.
5. Of the 150 new and replacement wells mentioned above, Respondent shall install any necessary pumps on those wells by August 31, 2017.

Additionally, the Conditions as set forth in the Findings and Decision dated March 14, 2017 remain in full force and effect.

Failure to comply in full with any and all conditions and increments of progress may result in modification or revocation of this order by the Hearing Board, and/or enforcement actions by the SCAQMD.

REMINDER

The Board scheduled a Status Report/Modification Order for Abatement hearing on May 4, 2017, for an update on Complaints.

Present:

Edward Camarena, Chair
Julie Prussack, Vice Chair
Patricia Byrd
Roger L. Lerner, M.D.
Hon. Nate Holden

Representing the Petitioner:

Nicholas Sanchez, Acting Asst. Chief Deputy District Counsel
Karin Manwaring, Senior Deputy District Counsel
Mary Reichert, Senior Deputy District Counsel

Representing the Respondent:

Thomas Bruen, Attorney at Law
William Beck, Attorney at Law

Witness for the Petitioner:

Laurence Isreal, Air Quality Inspector III

Witnesses for the Respondent:

Michael Beaudoin, Director of Remedial Projects, Republic Services
Elena Goodhall, Director of Engineering, Republic Services
Robert Sherman, General Manager, Sunshine Canyon Landfill

Witnesses for the Public:

Andrea Provenzale, Resident of Granada Hills
Wayde Hunter, North Valley Coalition of Concerned Citizens
Steven Beck, Legends at Cascade Home Owners Association

Respondent's Exhibit:

- GGG-1 - Report, Intermediate Cover Enhancement Project - February 2017
- GGG-2 - Report, Best Management Practices and Recommendations for Odor Mitigation Programs at Republic Transfer Stations February 2017
- GGG-3 - Report, Revised Odorous Load Management Plan
- GGG-4 - Report, Evaluation of SCL LEA Recommendations for Best Management Practices and Recommendations for Odor Mitigation Programs at Republic Transfer Stations
- GGG-5 - Report, Physical Barrier Feasibility Assessment
- GGG-6 - Report, Assessment of the Feasibility of Installing Physical Barrier and or Dust/Odor Containment Structures
- GGG-7 - Report, Landfill Cover, Monthly ADC Report - February 2017
- GGG-8 - Report, Monthly Tonnage Report - February 2017
- GGG-9 - Report, Monthly Gas Wells with Pumps Report February 2017
- GGG-10 - Report, Intermediate Cover Proposal
- GGG-11 - Report, Evaluation of Potential Enhanced Intermediate Cover Alternatives
- HHH - Report, Intermediate Cover Proposal Expedited Schedule
- III - Hardcopies of PowerPoint Presentation
- JJJ - Photographs, Gabion Cubes and Future Full-Depth Drainage and Gas Collection (New Cells)

Petitioner's Exhibit:

- #P86 - Letter from Mohajer dated 3/26/17
- #P87 - Email from Volk, dated 3/2/17
- #P88 - Email from Mohajer dated 3/3/17
- #P89 - Email from Zenjinut dated 3/2/17
- #P90 - Email from Hindi-Chahayed dated 3/6/17
- #P91 - Email from Zenjinut dated 3/6/17
- #P92 - Email from WHunter dated 3/20/17
- #P93 - Email from Cotter dated 3/20/17
- #P94 - Email from Zenjinut dated 3/20/17
- #P95 - Email from Mohajer dated 3/21/17
- #P96 - Email from Volk dated 3/23/17
- #P97 - Email from Mohajer dated 3/26/17
- #P98 - Email from Zenjinut dated 3/28/17
- #P99 - Comments and Report submitted by Mr. Hunter

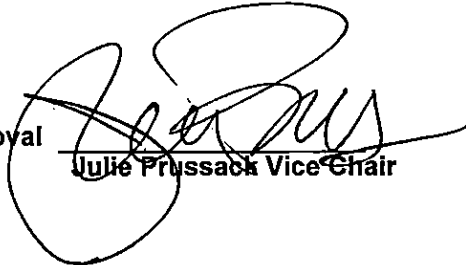
Comments:

Opening Statements were made by both parties. Testimony was presented by Messrs. Isreal , Beaudoin, Sherman and Ms. Goodhall. Respondent's Exhibits GGG-1 though GGG-11, HHH, III, JJJ and Public Exhibits Nos. P86 through P99 were marked for identification. Public Testimony was presented by Messrs. Hunter, Beck and Ms. Provenzale. On motion of Ms. Prussack, seconded by Mr. Camarena, unanimously passing, the Board modified the Oder, but did so through the Minute Order, so as to not actually change the Order to include additional dates by which certain measures need to be taken care of and to return in a month to monitor the truck traffic specifically to update odor complaints in the morning hours..

Motion:

PRUSSACK/CAMARENA 5-0

Board
Review/Approval



Julie Prussack Vice Chair

Dated

4/5/17

Prepared by:
Attachment: Respondent's Exhibit HHH

Clerk of Board

From: Sherman, Rob <RSherman@republicservices.com>
Sent: Tuesday, March 28, 2017 10:51 AM
To: Clerk of Board; Nicholas Sanchez
Cc: Thomas Bruen; Hauser, Dave; Costa, Patti; Eaton, Matthew
Subject: Sunshine Canyon – Intermediate Cover Proposal Expedited Schedule (Case No. 3448-14)
Attachments: Sunshine Canyon - Intermediate Cover Enhancement Expedited Schedule.pdf

SOUTH COAST AQMD
CLERK OF THE BOARDS

17 MAR 29 09:03

Dear Clerk and Mr. Sanchez,

Per the Stipulated Abatement Order Condition 10 in the above-matter, an expedited schedule is attached for upgrading and improving the targeted intermediate cover areas at Sunshine Canyon Landfill. The schedule and areas identified are in alignment with the recommended solutions identified in the Intermediate Cover Enhancement Proposal report submitted on 3/15/17.

Please note, in light of the status hearing tomorrow morning, it would be beneficial if the Hearing Board received a copy the attached report in advance.

Thank you,

Rob Sherman
General Manager
Los Angeles Post Collection
e rsherman@republicservices.com
o 818-362-2072 c 818-359-9624
w www.RepublicServices.com



We'll handle it from here.™



RESPONDENT: CASE NO. <u>3448-14</u>
Exhibit No. <u>HHH</u> Consisting of <u>4</u> pages
Identification <u>3/29/17</u> Evidence _____

SUNSHINE CANYON LANDFILL

March 28, 2017

VIA EMAIL

Clerk of the Board South Coast Air Quality Management District 21865 Copley Dr. Diamond Bar, CA 91765 ClerkofBoard@aqmd.gov	Nicholas Sanchez, Esq. Senior Deputy District Counsel South Coast Air Quality Management District 21865 Copley Dr. Diamond Bar, CA 91765 nsanchez@aqmd.gov
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Re: In the Matter of SCAQMD v Browning-Ferris Industries of California
Case No. 3448-14
Condition 10, Intermediate Cover Proposal Expedited Schedule

Dear Clerk and Mr. Sanchez,

Per the Stipulated Abatement Order Condition 10 in the above-matter, an expedited schedule is attached for upgrading and improving the targeted intermediate cover areas at Sunshine Canyon Landfill. The schedule and areas identified are in alignment with the recommended solutions identified in the Intermediate Cover Enhancement Proposal report submitted on 3/15/17.

The expedited schedule calls for 115 acres of intermediate cover area to receive enhancements with portions of the work already in progress. The additional activity will be completed as expeditiously as possible throughout the remainder of 2017.

Sincerely,



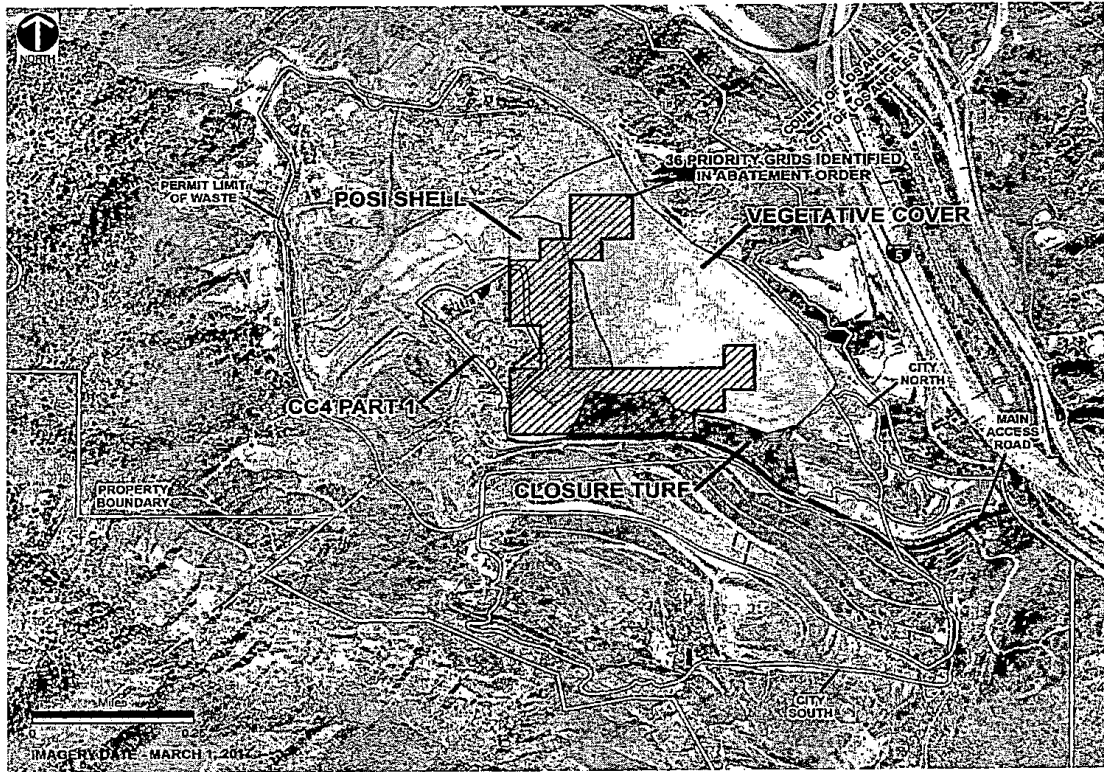
Rob Sherman
General Manager
Sunshine Canyon Landfill

**Sunshine Canyon Landfill
Intermediate Cover Proposed Expedited Schedule**

	JAN	FEB	MAR	APR	MAY	JUNE	JUL	AUG	SEP	OCT	NOV	DEC
Closure Turf Installation (20.7 acres)												
Intermediate Spray-On Cover (37.3 acres)												
Vegetative Cover Trial Area (5 acres)												
Vegetative Cover Preparation and Seeding (57 acres)												

As of March 28, 2017

Locations for Enhanced Intermediate Covers



PROOF OF SERVICE BY MAIL

I, the undersigned, declare that I am employed in the **County of Los Angeles, State of California**. I am over the age of eighteen years and I am not a party to the within action. My business address is **21865 Copley Drive, Diamond Bar, California 91765**.

On **April 11, 2017** I deposited in the **United States Mail at Diamond Bar, California**, an envelope sealed and addressed to

**THOMAS BRUEN ESQ
LAW OFFICES OF
THOMAS M BRUEN
1990 N CALIFORNIA BLVD
STE 608
WALNUT CREEK CA 94596**

**WILLIAM BECK
LATROP GAGE
2345 GRAND BLVD
SUITE 2000
KANSAS CITY MO 64108**


CASE FILE NO. 3448-14

which, envelope contained a true and correct copy of the attached **Findings and Decision and/or Minute Orders** before the **Hearing Board**, which envelope was then sealed and placed for collection, mailing and deposit on the above date, in the **United States Postal Service**, following ordinary business practices.

I am readily familiar with the practice of this office for collection and processing of correspondence for mailing with the **United States Postal Service**; this correspondence would be deposited with the **United States Postal Service** on the above date in the ordinary course of business.

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

Executed on **April 11, 2017** at **Diamond Bar, California**


Candy Adams
Office Assistant