

RESPONDENT'S REQUEST FOR
MODIFICATION OF AN EXISTING ORDER FOR ABATEMENT
BEFORE THE HEARING BOARD OF THE
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

SOUTH COAST AQMD
CLERK OF THE BOARDS

17 OCT 13 P2:04

RESPONDENT: BROWNING-FERRIS INDUSTRIES OF CALIFORNIA, INC. (SUNSHINE CANYON LANDFILL)

CASE NO: 3448-14

FACILITY ID: 49111

FACILITY ADDRESS: 14747 San Fernando Road

CITY, STATE, ZIP: Sylmar, California, 91342

1. TYPE OF MODIFICATION REQUESTED

- (a) **EXTENSION OF A FINAL COMPLIANCE DATE:** If you are operating under an existing Order for Abatement and will not be in full compliance by the final compliance date, you may request an extension of the ending date. **A petition requesting such an extension must be filed at least 21 days prior to the existing ending date in order to meet the legal notice requirement.** *(Hearing will be held approximately 21 days from date of filing--10-day published notice required.)*
- (b) **MODIFICATION OF CONDITIONS:** If you are unable to comply with one or more conditions of an existing Order for Abatement, you may request a modification of conditions. *(Hearing will be held approximately 21 days from date of filing--10-day published notice required)*
- (c) **XX OTHER:** Specify: Respondent requests that the Hearing Board modify the Stipulated Abatement Order to remove the prohibition on the disposal of waste at the landfill between the hours of 6 am and 9 am, weekdays and Saturday.

2. **CONTACT:** Name, title, company, address and phone number of person(s) authorized to receive notices regarding this Petition (no more than two authorized persons).

Rob Sherman, General Manager

Sunshine Canyon Landfill

14747 San Fernando Road

Sylmar, CA 91342

(818-362-2072)

Email: rsherman@republicservices.com

Persons with disabilities may request this document in an alternative format by contacting the Clerk of the Board at 909-396-2500 or by e-mail at clerkofboard@aqmd.gov.

If you require disability-related accommodations to facilitate participating in the hearing, contact the Clerk of the Board at least five (5) calendar days prior to the hearing.

3. List the equipment and/or activity that are the subject of this request, if different from the existing order. **(You must attach a copy of last Minute Order and Findings and Decision regarding this Order for Abatement)**

Equipment/Activity	RECLAIM Device No.	Application/Permit No.
Waste disposal operations at the Sunshine Canyon Landfill from 6 to 9 am.		

4. If you are seeking to extend your final compliance date, what date are you requesting? _____
5. If you are unable to comply with any conditions or compliance dates in the existing Order for Abatement, identify each condition or date, and explain why you cannot comply.

6. Describe each new condition or compliance date you are proposing for the Order for Abatement. Include any dates, time periods, or other specific changes to the Order for Abatement that you are requesting.

Modification of Condition 2 of the Stipulated Abatement Order and any related provisions to remove the prohibition on the disposal of waste at the Sunshine Canyon Landfill during the hours of 6 am to 9 am, weekdays and Saturday.

7. Is it necessary to obtain permits, reviews, approvals, etc. from any other public agency before compliance with this order can be achieved? Yes No

If you answered yes, for each approval needed: list the full name of the agency, the type of permit and/or approval required, the expected timetable, and whether the agency has a provision or statute allowing for expedited review.

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8. Explain the steps taken since the last hearing to achieve compliance, including how you have met each of your existing conditions.

Respondent has complied with the condition in the Stipulated Abatement Order (SAO) prohibiting the disposal of waste at Sunshine Canyon Landfill between the hours of 6 am to 9 am, weekdays and Saturday.

Respondent has implemented an Action Plan that exceeds the requirements of the SAO. Respondent has: (a) installed 150 new landfill gas collection wells; (b) installed 253 pumps in gas wells to remove liquids in gas wells and the landfill; (c) placed 21 acres of "Closure Turf" and 38.5 acres of spray-on "posi shell" cover on areas of the landfill approved by the SCL-LEA; (d) retrofitted mobile equipment to spray odor neutralizer on the working face during disposal operations; (e) installed systems at all Republic-operated transfer stations to spray odor neutralizer on transfer van waste loads before the trucks depart for the landfill; and (f) placed 8 rock-filled gabions (18 foot X 18 foot X 12 foot high) in new cells to prevent the future build up of liquids in the landfill.

Respondent is also ahead of schedule with respect to its other landfill improvement commitments.

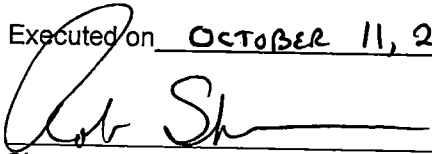
9. Have you received any complaints from the public regarding the operation of the subject equipment or activity within the last six (6) months? Yes No

Date of Complaint	Number of Complainant(s)	Nature of Complaint
		Respondent is informed the SCAQMD has received complaints from the public regarding occasional landfill gas odors claimed to be associated with the landfill. Complaints are down significantly year over year. Respondent does not believe any complaints are due to disposal operations. No NOVs have been received since April 5, 2017.

10. Were you issued any Notice(s) of Violation or Notice(s) to Comply concerning the subject equipment or activity since the last hearing? Yes No (none since April 5, 2017) / If yes, you must attach a copy of each notice.

The undersigned, under penalty of perjury, states that the above petition, including attachments and the items therein set forth, is true and correct.

Executed on OCTOBER 11, 2017, at SYLMAR, California



 Signature

Rob Sherman

 Print Name

GENERAL MANAGER

 Title

SOUTH COAST AQMD
CLERK OF THE BOARDS

THOMAS M. BRUEN
ERIK A. REINHERTSON
17 OCT 13 P2:04

LAW OFFICES OF

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October 12, 2017

VIA FEDERAL EXPRESS and EMAIL

Clerk of the Board
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, CA 91765

Re: SCAQMD v. Browning-Ferris Industries, Inc., et. al.
(Case No. 3448-14; Facility ID No. 49111)

Dear Clerk,

Enclosed please find an original and eight copies of Respondent Browning-Ferris Industries of California, Inc.'s Petition to Modify Stipulated Abatement Order. We stated to the Hearing Board at the status hearing on May 4, 2017 that at the next status hearing we would request the Hearing Board consider modifying the Stipulated Abatement Order prohibition on morning disposal of waste at the Landfill. Although the hearing is scheduled as a status hearing and to consider further modification of the SAO, out of an abundance of caution we felt we should file the attached Petition to ensure our request can be heard at the hearings scheduled for November 8 and 9. We request the Petition be calendared for consideration at those hearing dates.

I am serving the enclosed Petition and this letter on SCAQMD counsel, Nicholas Sanchez and Karin Manwaring, Esq. on the date of this letter.

Sincerely,



Thomas M. Bruen

TMB:ks

cc. Nicholas Sanchez, Esq.
Karin Manwaring, Esq.