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SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
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South Coast Air Quality Management District

7
8 BEFORE THE HEARING BOARD OF THE
9 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

10
11 **In the Matter of**

CASE NO. 3448-13

12 SOUTH COAST AIR QUALITY MANAGEMENT
13 DISTRICT,

**PETITION TO AMEND STIPULATED
ORDER FOR ABATEMENT**

14 Petitioner,

District Rule 402

15 vs.

16 BROWNING-FERRIS INDUSTRIES OF
17 CALIFORNIA, INC., and REPUBLIC SERVICES,
INC. dba SUNSHINE CANYON LANDFILL, a
18 California Corporation,

Hearing Dates: November 19, 29 and 30, 2011

Time: 9:00 a.m.

Place: Hearing Board
South Coast Air Quality
Management District
21865 Copley Drive
Diamond Bar, CA 91765

19 [Facility ID No. 49111]

20 Respondent.

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22 SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, (hereinafter referred to as
23 "District" or "Petitioner") petitions the South Coast Air Quality Management District Hearing Board to
24 issue a Third Amended Order for Abatement regarding Browning-Ferris Industries of California, Inc., a
25 wholly owned subsidiary or Republic Service, Inc., (identified herein as "REPUBLIC SERVICES,
26 INC."), corporations authorized to do business in the State of California (hereinafter referred to as
27 "Respondent").

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1 Modifications to the April 22, 2010, Stipulated Order for Abatement ("Order") were approved by
2 the Hearing Board on March 24, 2010, and January 20, 2011, pursuant to notice and in accordance with
3 the provisions of California Health and Safety Code § 40823 and SCAQMD Rule 812.

4 **BACKGROUND**

- 5 1. District Rule 402 and California Health and Safety Code ("H&S Code") Section 41700
6 prohibit the discharge from any source whatsoever such quantities of air contaminants or
7 other material which cause injury, detriment, nuisance, or annoyance to any considerable
8 number of persons or to the public, or which endanger the comfort, repose, health or
9 safety of any such persons or the public, or which cause, or have a natural tendency to
10 cause, injury or damage to business or property.
- 11 2. Respondent is in violation and has been in violation of District Rule 402 and H&S Code
12 Section 41700 since November of 2008.
- 13 3. From November 13, 2008 through October 25, 2011, 35 odor public nuisance Notices of
14 Violation (NOVs) have been issued against the Facility.
- 15 4. The Facility has implemented numerous odor control measures as a result of over 2,100
16 odor complaints having been received by the District between January 2009 to October
17 2011, an order of magnitude greater than all public complaints received from all other
18 active landfills in the District. In addition, the District has received over 250 odor
19 complaints in 2011 alone - about one fifth of all public complaints received by the District
20 from all sources within the District. The District has issued 22 odor public nuisance
21 NOVs against the Facility from January through October 2011.
- 22 5. Despite receiving all of the above public nuisance NOVs, Respondent continues to
23 operate in violation of state law and District Rules and Regulations.
- 24 6. Respondent has been unable to conduct operations at the landfill without being in
25 violation of District Rule 402 and H&S Code Section 41700. The amendment of the
26 Order set forth hereinafter is likely to result in lawful operations by Respondent with
27 respect to complying with SCAQMD rules and regulations and state law.

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REQUEST FOR MODIFICATION

7. Petitioner requests that the Order be modified, to include the following Condition:

Gas Collection Systems:

- a. Respondent shall present a plan to the District (Attn: Edwin Pupka) by December 9, 2011, that details the expedited installation of vertical wells and horizontal collectors. The Respondent shall begin implementation of the plan by December 16, 2011, and shall comply with the requirements of other governmental agencies. The plan shall, at a minimum, include the following:
- i. Beginning on December 16, 2011, install 7 to 10 vertical wells per week, in the existing fill area until the maximum number in District Permit to Operate no. F63135 are reached, or the gas collection capability and efficiency evaluation required to be completed by January 15, 2012 has concluded and the District has approved in writing that a lower number and length are appropriate. Beginning on December 16, 2011, 2,000 to 3,000 feet of horizontal collectors per week shall be installed in the new fill area once the appropriate lift height is reached for every other lift of the waste disposal cells, and the maximum vertical spacing between the collectors shall not exceed 40 feet.
 - ii. Prioritize installation of wells and collectors in areas which violate state minimum standards, as prescribed by Cal. Code Regs., tit., 17 §20921, and in the County portion of the landfill and progress to other areas as needed, such prioritization to be included in the plan being submitted to the District by December 9, 2011 and is subject to approval by the District.
 - iii. Use odor controls during installation of wells and collectors. Odor control strategies shall include at a minimum, requirements that all construction spoils, as defined in District Permit to Operate no.

1 F63135, shall be completely covered to prevent odors and emissions,
2 except whenever loading/unloading is actively occurring. The cover
3 shall consist of foam or heavy-duty plastic sheeting approved by the
4 District.

5 b. Respondent shall hire a consultant, at its own expense and with the District's approval
6 (Attn: Edwin Pupka), no later than December 9, 2011, to evaluate the immediate and
7 future needs of the landfill's gas collection and disposal systems to accommodate the
8 capture and disposal of all gas expected to be generated at the landfill. The consultant
9 shall also evaluate whether the landfill has sufficient and/or appropriate extraction,
10 collection, zones of influence, vacuum, configuration, materials, and connections of
11 the gas collection system, and if not, recommend specific measures to compensate
12 such deficiencies. The evaluation shall be completed and its report submitted to the
13 District (Attn: Edwin Pupka) by January 15, 2012.

14 c. Respondent shall file with the District all necessary permit applications for
15 installation of the gas collection system resulting from the addition of new horizontal
16 collectors and wells in the new refuse disposal cells located along the County/City
17 line and modifications to the header lines and installation of vertical wells in the
18 existing fill area, no later than December 9, 2011. The applications shall include
19 engineering studies that demonstrate the effectiveness of a single looped header line
20 design or an alternative, more effective landfill gas collection header design, and the
21 feasibility, cost, and timeline involving the option of re-routing of the gas collection
22 system to create both interior and perimeter systems consisting of higher British
23 Thermal Unit ("BTU") gas to be used for power production and lower BTU gas for
24 combustion in each of the flares and analysis of any other alternative that the
25 respondent can demonstrate as being a more effective landfill gas collection header
26 design.

27 d. Respondent shall provide the District (Attn: Edwin Pupka) with an approvable
28 Damage Prevention Work Plan by December 9, 2011. The Plan must be approved by

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the District. The Damage Prevention Work Plan shall include details to demonstrate how Respondent will prevent damage to the gas collection piping and well heads by vehicles, trucks and heavy equipment movement at the landfill during all phases of landfill operations and the performance of all work required to install the new landfill gas collection system enhancements.

e. Respondent shall implement the Damage Prevention Work Plan immediately or as directed by the District, subject to all applicable regulations. The gas collection system Damage Prevention Work Plan shall include, but not be limited to, the following:

i. Standard Operating Procedures that will be utilized by all appropriate site employees and contract workers to prevent and immediately respond to events resulting from the damage to the landfill gas collection piping and well heads caused by vehicles, trucks and heavy equipment movement on the landfill. These Standard Operating Procedures shall, at a minimum, include the following:

- a) Detailed procedures for prevention of damage to the underground and aboveground gas collection piping and well heads.
- b) Detailed procedures for immediately responding to and repairing such damage.
- c) Creation of a District approved log to document the date, time and location of the damage, repairs necessary to repair the damage, and steps implemented to prevent future similar damage. The log documenting these events shall be electronically submitted to the District (Attn: Edwin Pupka) concurrent with the submittal of the Respondent's Weekly Updates required in the current Odor Plan of Action submitted to the District on June 24, 2011.

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1 d) Procedures and a schedule for the expeditious training,
2 distribution, implementation, enforcement and maintenance of
3 these Standard Operating Procedures for all appropriate site
4 employees and contract workers and timelines for training of any
5 new employees or contractors.

6 e) Use of one or more spotters to direct vehicles, trucks and heavy
7 equipment movement at the landfill in each work area where well
8 heads and/or collection piping are present or gas collection
9 system construction is occurring. Operation of any landfill
10 equipment or vehicles in such areas without the assistance of a
11 spotter shall be prohibited.

12 f) Use of visible warning signs to clearly mark the areas where well
13 heads and/or collection piping are present.

14 f. Respondent shall, by December 9, 2011, establish and submit to the District (Attn.:
15 Edwin Pupka) written procedures, to be approved by the District, that will minimize
16 odors and emissions during installation and trenching of vertical wells and horizontal
17 collectors. Respondent shall implement the procedures as written or as directed by
18 District, subject to all applicable regulation. These procedures shall include, but are
19 not limited to the following:

20 i. Designing and constructing crush-resistant horizontal collectors and
21 the joining of the header from both ends to mitigate the effects of
22 horizontal collector failure due to landfill settling and shifting, water
23 intrusion, etc.

24 ii. Maintaining an adequate vacuum in the trench/horizontal
25 collector/piping while trenching to collect and minimize odors and
26 emissions associated with the trenching activities.

27 iii. Properly baling the vertical well before commissioning it to service.
28 Completing weekly (or more frequent) monitoring for the first 2

1 months of operation of a new or replacement well to confirm that the
2 well is performing in accordance with design standards. Performing
3 maintenance every 4 to 6 months to maintain maximum efficiency of
4 vertical wells.

5 iv. Perform a video camera inspection of the vertical well(s)/horizontal
6 collector(s) if the well(s)/horizontal collectors are not performing to
7 design standards.

8 v. Spray odor suppressants and/or foam on the refuse/debris being
9 excavated out of the landfill while installing horizontal collectors or
10 drilling vertical wells.

11 vi. As soon as possible, but no later than 60 minutes within generation,
12 dispose the excavated refuse and debris resulting from the drilling of
13 vertical well(s) or horizontal collector(s) at the active working face of
14 the landfill, pursuant to District Permit to Operate no. F63135.

15 vii. In lieu of items (v.) and (vi.) above, a tent covering the area being
16 excavated and vented to an air pollution control device, as approved
17 in writing by the District, can also be used during trenching and
18 installation of horizontal collectors. In the event the District
19 determines that odors are not controlled by items (v.) and (vi.) above,
20 the use of an odor control tent shall be required.

21 viii. No drilling, excavation, trenching or other well/collector installation
22 activities that expose refuse or can generate landfill gas emissions
23 during the time when adverse wind conditions (as defined in Section
24 g.iii. below) are present and until after 10 a.m. for days when adverse
25 wind conditions have been present earlier on that day.

26 g. Respondent shall amend and expand the current Odor Plan of Action submitted to the
27 District on June 24, 2011 to include specific odor mitigation measures. Respondent
28 shall provide the District (Attn: Edwin Pupka), the Sunshine Canyon Landfill Local

1 Enforcement Agency (Attn: Cindy Chen), the County Department of Public Works
2 (Attn: Emiko Thompson), and the City Department of City Planning (Attn: Ly Lam)
3 the expanded Odor Plan of Action for review by January 6, 2012, which shall be
4 implemented upon approval by the District. Respondent will no longer be required to
5 submit an Odor Plan of Action to the District and the County Department of Public
6 Works, the two plans are now consolidated into the expanded Odor Plan of Action.
7 The amended and expanded Odor Plan of Action shall include specific odor
8 minimization strategies and techniques for all phases of landfill operations, including
9 but not limited to the activities associated with installation of gas collection systems,
10 daily receipt and disposal of refuse and operations of the working face, based on
11 adverse wind and other adverse meteorological or physical conditions. The amended
12 and expanded Odor Plan of Action shall also be revised to include procedures,
13 protocols, investigation techniques, odor identification and odor source resolution
14 strategies during odor detection during both community odor complaint investigations
15 and 24 hour community surveillance activities. The Odor Plan of Action shall be
16 amended to include the duties and responsibilities of the Environmental Observer as
17 specified in Section 10 below. The following shall also apply to the expanded Odor
18 Plan of Action:

- 19 i. Within 10 days after issuance of this Order, Respondent shall extend
20 its perimeter misting system from the scale house to the landfill
21 entrance gate at San Fernando Road. The landfill entrance gate at
22 San Fernando Road shall be opened at 5:00 a.m. on weekdays, and at
23 6:00 a.m. on Saturdays, to allow the onsite queuing of vehicles
24 between the entrance gate and the landfill scale house to avert
25 parking of waste trucks in the neighborhood and on San Fernando
26 Road, to minimize any potential traffic safety and odor problems.
27 The Respondent shall operate the extended perimeter misting system
28 at all times during this vehicle cuing period. Respondent shall

1 terminate the vehicle cuing period between the entrance gate and the
2 landfill scale house within 48 hours of receiving notification from the
3 District as a result of the District receiving any verified odor
4 complaints.

5 ii. By January 6, 2012, Respondent shall amend its Odoriferous Load
6 Management procedures to include and implement the following:

7 a) Additional details describing the processes for screening
8 odoriferous loads prior to delivery and at the scale house,
9 including clear procedures, criterion utilized for accepting or
10 rejecting loads, and the numbers of personnel designated.

11 b) Descriptions of the frequency and nature of any occurrences over
12 the last two years in which Respondent rejected any odoriferous
13 loads, covered such loads with soil, and/or contacted any waste
14 generators for mitigation.

15 c) Plans to enhance the existing practices for controlling odors at
16 the working face such as covering odoriferous loads with soil
17 rather than with municipal solid waste, as prescribed by Cal.
18 Code Regs., tit., 27 §20680.

19 iii. Assuming there is no measurable precipitation, adverse wind
20 conditions are defined as either: (i) Wind speed measured at the
21 existing monitor at the Southern Berm from all directions as less than
22 2 mph; or (ii) Wind speed measured at the same monitor coming
23 from the north/northeast direction from between 320 degrees and 15
24 degrees at less than 15 mph. Wind speed is based on measured winds
25 from three continuous one-hour averaging periods commencing at 3
26 a.m.

27 iv. The odor minimization strategies and techniques shall detail specific
28 steps and actions the landfill operators will take, during adverse wind

1 and weather conditions or when such conditions are predicted, in
2 order to prevent odor nuisance in the community. The strategies and
3 techniques shall also include the criteria and procedure by which
4 adverse wind conditions are predicted and/or announced.

5 h. Respondent shall re-label all the gas wells, sampling ports, header valves, and header
6 line connections and accurately mark these devices on the grid maps in Micro-
7 station/CAD drawings to assist in the quick identification and resolution of any
8 problematic areas or hotspots at the landfill.

9 8. Petitioner requests that the Order be modified, to include the following Condition:

10 **Landfill Emissions Monitoring:**

11 a. Respondent shall, beginning on December 9, 2011, perform landfill surface emission
12 integrated sampling, instantaneous landfill surface emission monitoring, and landfill
13 surface maintenance and emission monitoring of slopes less than 30 degrees. Slope
14 monitoring shall be conducted at least every 30 days during dry weather conditions
15 and at least every 60 days during wet weather conditions. Integrated and
16 instantaneous landfill surface emission monitoring shall be performed concurrently, at
17 a minimum, at least every 30 days to determine and assure continued compliance with
18 the 25 ppm Toxic Organic Compounds ("TOC") and Toxic Air Contaminants
19 ("TAC") limits and the 500 ppm TOC limits respectively, as required by District Rule
20 1150.1. Respondent shall re-grade slopes less than 30 degrees every 6 months in
21 areas where visible fissures and erosion is present. Respondent shall take corrective
22 action(s) to repair any areas of the landfill exceeding the District Rule 1150.1(e)(2)
23 and (e)(3) limits. Respondent shall take all necessary corrective action(s) to repair
24 any areas of the landfill exceeding the surface emission limits as specified in District
25 Rule 1150.1(d)(11) or (d)(12) when notified by the District through a Notice to
26 Comply or Notice of Violation, or discovered by the Respondent pursuant to District
27 Rule 1150.1(e)(2) and (e)(3) requirements. For integrated or instantaneous surface
28 measurements exceeding the limits of District Rule 1150.1, sections (d)(11), (d)(12),

1 (e)(2), and (e)(3), the Respondent shall take the actions specified in either District
2 Rule 1150.1, section (e)(2) or (e)(3), as necessary to remedy the exceedance(s).
3 However, the time to correct the exceedance(s) shall be minimized such that
4 repairs/adjustments shall be performed and the exceedances re-sampled within 72
5 hours of discovery of the exceedance(s). If the exceedance continues, further
6 repairs/adjustment and re-sampling shall recur within another 72 hours. If after this
7 second 72 hour period, the exceedance(s) continues, a new or replacement well shall
8 be installed within 30 days. The new and replacement wells shall be in addition to the
9 wells required in Section 7.a.i above. For all exceedances beyond the provisions of
10 District Rule 1150.1(e)(2) and (e)(3), the Respondent shall notify the District within
11 24 hours or on Respondent's next business day following detection of the exceedance.
12 Notifications to the District shall be made to 1.800.CUT.SMOG and reported as a
13 breakdown. A District approved log shall be maintained by Respondent documenting
14 the date, time and location of the exceedance, the readings associated with the
15 exceedance, the corrective action taken to correct the exceedance, and the final
16 reading once corrective actions have been completed. All landfill monitoring shall be
17 conducted in accordance with the provisions of District Rule 1150.1.

18 Landfill Surface Maintenance and Emission Monitoring of Slopes Thirty (30) Degrees or
19 Greater:

20 b. Respondent shall, by January 6, 2012, provide to the District (Attn: Edwin Pupka), a
21 topographic map drawn to scale identifying current topographical features of the
22 entire landfill area with contour lines. The topographic map shall clearly identify:

- 23 i. Location of all grids in the non-native portions of the landfill,
24 including locations on both active and inactive City and County
25 portions of the landfill.
- 26 ii. For each grid, clearly identify those grids on non-native portions of
27 the landfill currently exempt from landfill surface emission

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1 monitoring pursuant to the Respondent's District approved District
2 Rule 1150.1 Compliance Plan.

- 3 iii. The landfill gas collection system, clearly marked and identified.
4 iv. All gas collection wells and all valves in the landfill gas collection
5 system clearly marked and labeled.
6 v. All condensate lines, clearly marked and labeled.
7 vi. All grids on non-native portions of the landfill containing slopes of
8 greater than thirty (30) degrees grade, clearly marked and identified.
9 vii. The current active working face.
10 viii. The current main haul road.
11 ix. Locations on non-native portions of the landfill where there are large
12 clumps of dense perennial vegetation.
13 x. For each grid containing slopes greater than thirty (30) degrees,
14 submit aerial photographs of that portion of the grid where the slope
15 is greater than thirty (30) degrees.

16 The topographical map shall be updated no less than once every year to reflect the most
17 current grids, gas collection system, grids with slopes of greater than thirty (30) degrees,
18 active working face, main haul road, and areas of dense perennial vegetation. The
19 updated topographical map shall be submitted to the District (Attn: Edwin Pupka) no later
20 than February 1st of each year.

21 c. By January 20, 2012, Respondent shall provide to the District (Attn: Edwin Pupka) a
22 plan to conduct semi-annual (twice-yearly) instantaneous and semi-annual integrated
23 landfill surface emission monitoring of all slopes greater than thirty (30) degrees that
24 are not currently being monitored that:

- 25 i. Are in non-native areas of the landfill.
26 ii. Or where refuse will be buried underneath.

27 This Plan shall exclude from surface emission monitoring those slopes in immediate
28 proximity to the active working face and the main haul road. The Plan shall include a

1 schedule by which integrated and instantaneous monitoring shall be performed.
2 Integrated and instantaneous landfill surface emission monitoring shall be performed
3 pursuant to District Rule 1150.1, Attachment A procedures. Deviation from these
4 specified procedures requires prior written District consent including but not limited to
5 exclusion of the area on the slopes deemed to be unsafe for surface emission monitoring
6 purposes. Integrated and instantaneous landfill surface monitoring of all slopes shall
7 commence no later than January 6, 2012. Pursuant to District Rule 1150.1 requirements,
8 quarterly instantaneous and integrated landfill surface emission monitoring shall continue
9 uninterrupted for the remaining portions of the landfill.

10 d. By January 20, 2012, Respondent shall provide to the District (Attn: Edwin Pupka) a
11 plan for the ongoing inspection and maintenance of all slopes determined to be
12 greater than thirty (30) degrees that are not currently being monitored for landfill
13 surface emissions, are in non-active areas of the landfill, or where refuse was buried
14 or will be buried underneath. The purpose of the Plan elements shall include, but not
15 limited to:

- 16 i. Visual monitoring of the integrity of landfill surfaces on those slopes
17 of greater than thirty (30) degrees.
- 18 ii. Establishing and implementing procedures for the timely repairs to
19 those damaged landfill slope surface areas.
- 20 iii. Establishing and implementing procedures to inspect and maintain
21 the landfill slope surfaces so that they are free from invasive
22 vegetation allowing for a 'walkable' surface and provide for the clear
23 visibility of landfill slope surface integrity.
- 24 iv. Developing and implementing Standard Operating Procedures for:
 - 25 a) Conducting no less than quarterly inspections of these slopes to
26 identify those areas on the landfill surface where cracks, fissures,
27 slippage and the presence or indication of the presence of
28 leachate.

- b) Timely repairing damages to landfill slope surfaces.
- c) Conducting no less than quarterly inspections of these slopes to identify those areas on the landfill surface where invasive/intrusive vegetation/brush is obscuring the view of the landfill slope surface.
- d) Regular scheduled routine vegetation/brush clearing.
- e) Documenting inspections, identification, and repairs of vegetation clearing of landfill slope surfaces.

9. Petitioner requests that the Order be modified, to include the following Condition:

Physical Modeling Study:

- a. By January 6, 2012, Respondent shall provide to the District (Attn: Edwin Pupka) for review and approval, a proposal for a Physical Modeling Study, the goal of which shall be to determine the odor and emission transport of odors from the landfill to identify effective techniques that may be used to remedy potential odor impacts on the nearby community. The proposal shall include the identification and qualifications of the primary personnel and/or firms proposed to conduct the study, as well as the specific techniques and location(s) where the study will be conducted.
- b. The proposal shall include a timeline for completion of the study and submittal of the final report to the District no later than 150 days after District approval of the study proposal.
- c. Respondent shall, at their expense, contract to have the Physical Modeling Study completed based on the landfill's current topography and configuration and the projected closure of the landfill in 2037, upon approval by the District.
 - i. The study shall include, but not be limited to, indentifying transport trajectories and quantifying odor gas concentrations within the community. Either a water tank, a wind tunnel or other model, as approved by the District, shall be used for the purpose of completing this study. The physical modeling method selected shall produce, in

1 the form of an optical disc storage media format or DVD, a clear,
2 documented, visible and viewable record of transport patterns, three
3 dimensional flow vectors and concentration distributions in the
4 vicinity of the landfill and the nearby community and a written report
5 documenting the study and findings. Given the lack of available
6 measurements, particularly upper air measurements for numerical
7 model validation, the physical modeling results shall be utilized to
8 cross check the ongoing numerical modeling.

9 ii. The results of the study shall be used to evaluate the efficacy of odor
10 control measures, including but not limited to wind barriers and wind
11 cutter fans, for purposes of minimizing odors in the community.
12 Proposed control measures shall be evaluated in both physical and
13 numerical modeling platforms. Upon completion of the study, all
14 requested deliverables shall be delivered to the District (Attn: Edwin
15 Pupka).

16 d. Any further extension of the deadline for completion of the study requires approval
17 by the Hearing Board.

18 10. Petitioner requests that the Order be modified, to include the following Condition:

19 **Environmental Observer:**

20 a. Respondent shall, at their expense, contract for the services of one or more
21 independent Environmental Observer(s). The Respondent shall submit to the District
22 (Attn: Edwin Pupka) the names and qualifications of prospective Environmental
23 Observers for approval by December 9, 2011. Neither the Environmental
24 Observer(s), their employees, nor any related entity, shall have a financial interest in
25 the Respondent or in any company related to the Respondent, nor shall the
26 Environmental Observer(s), their employer, or any related entity or person be in
27 partnership with any entity or person who has a financial interest in Respondent.

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1 b. Respondent shall assign a minimum of one Environmental Observer on duty 24 hours
2 per day/seven days a week at the landfill for purposes of providing on-site monitoring
3 for compliance. Respondent shall authorize the Environmental Observer to address,
4 respond to, investigate, and take corrective action(s) to remediate the source of the
5 odors and document odor issues reported by the community.

6 c. Respondent's Environmental Observer, at a minimum, shall:

7 i. Have had formal training in Environmental Science or Industrial
8 Hygiene and have technical knowledge and understanding of landfill
9 operations and gas collection systems.

10 ii. Be capable of correctly implementing and accurately documenting
11 the District approved community odor surveillance protocol as
12 specified in the amended and expanded Odor Plan of Action, as
13 specified in Section 7.g. above.

14 iii. Be fully empowered to expend company resources without delay to
15 take the necessary corrective action(s) to remediate the source of the
16 odors.

17 iv. Be trained in odor control methodologies, regulations and community
18 relations by national and/or local training providers or experts in this
19 field.

20 d. Respondent's Environmental Observer shall, at a minimum, implement the following:

21 i. Perform odor surveillance in the nearby communities on a daily
22 basis, and conduct a thorough investigation when landfill related
23 odors are detected or an odor complaint is received by the
24 Respondent and/or upon notification to the District of receipt of a
25 complaint.

26 1) The investigation shall include comparing the wind direction
27 from the landfill's meteorological stations and the location of
28 the odor detection, determination of odor characteristics

1 (type, intensity, etc.), location of the odor source(s), and
2 identification of corrective measures taken to remediate the
3 odor and the time taken to effect such corrective action(s).

4 2) The Environmental Observer(s) shall at all times have
5 available for immediate use a "Vac-U-Tube" or equivalent
6 Tedlar® Bag sampler for the collection of an air sample
7 when odors are detected. All samples shall be taken at chest
8 height, and the Environmental Observer(s) shall document
9 the chain of custody of the sample from the collection
10 through submission of the sample for laboratory analysis.
11 The collected sample must be analyzed by a laboratory
12 within 24 hours for sulfur compounds and within 5 days for
13 TO-15 compounds. Sulfur compound analysis must have a
14 minimum detection limit (MDL) of 1 ppb for all compounds
15 and the MDL for all TO-15 compounds must be 0.10 ppb or
16 better.

17 3) Respondent shall record, compile, and maintain a log book of
18 the odor surveillance and odor complaint investigations;
19 when air samples are taken (including the date, time, and
20 location where the sample was taken) and the laboratory
21 analysis results; and mitigation actions, which shall provide a
22 monthly report to the District (Attn.: Edwin Pupka).

23 4) Maintain surveillance odor complaint investigation log
24 entries documenting any odors detected at specified locations
25 in the community.

26 ii. Establish a 24 hour dedicated odor complaint telephone line, at
27 Respondent's expense, within one week of hiring the Environmental

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1 Observer(s) that is routed directly to the Environmental Observer(s)
2 and to the District's 1.800.CUT.SMOG complaint line.

- 3 iii. Take any corrective measures deemed necessary and reasonable to
4 immediately mitigate the odor problems detected or reported in the
5 nearby communities. The measures taken and effectiveness of such
6 measures shall be recorded in the odor surveillance log book.

7 11. Petitioner requests that the Order be modified, to include the following Condition:

8 **Flare Replacement:**

- 9 a. By December 9, 2012, Respondent shall provide all necessary technical information
10 to the District and the other regulatory agencies regarding the temporary flare to be
11 installed at the landfill until such time that the new Flare 9 is permitted and
12 operational.
- 13 b. Respondent shall work closely with the other regulatory agencies to quickly obtain all
14 the necessary approvals to install the temporary flare. Installation of the temporary
15 flare shall be completed as soon as possible, but no later than December 19, 2011.
- 16 c. Respondent shall immediately begin operation of the temporary flare upon
17 completion of installation, and concurrently operate the existing Flare 8 at a minimum
18 of 3,000 scfm.
- 19 d. Respondent shall conduct a source test at the temporary flare within 30 days of its
20 initial operation. The source test shall be conducted by a District-approved
21 independent source-testing firm to determine the emissions of all the criteria
22 pollutants and the flare's ability to meet the applicable requirements of District Rule
23 1150.1 and federal standards¹. A test protocol shall be submitted to the District for
24 approval by December 9, 2011, and the complete test report shall be submitted to the
25 District within 30 days after completion of the test.

26
27 ¹ See 40 Code of Federal Regulations (CFR) Part 60, Subpart WWW, Standards of Performance for
28 Municipal Solid Waste Landfills and 40 CFR Part 63, Subpart AAAA, National Emission Standards for
Hazardous Air Pollutants: Municipal Solid Waste Landfills.

1 e. Respondent shall work closely with the District and other agencies to quickly obtain
2 all the necessary permits and/or approvals for the new Flare 9. Installation of Flare 9
3 shall be completed as soon as possible, but no later than June 22, 2012.

4 f. Respondent shall immediately begin operation of Flare 9 upon completion of
5 installation, and at such time Respondent shall permanently shut down the temporary
6 flare. Operation of Flare 9 and shutdown of the temporary flare shall occur no later
7 than June 29, 2012. Beginning on June 30, 2012, Respondent shall operate all flares
8 at the landfill at a combined minimum capacity of at least 12,000 scfm.

9 12. Petitioner also requests that the Order be modified, to include the following Condition:

10 **Ambient Monitoring:**

11 Beginning on December 9, 2011, and continuing for the next 12 consecutive months, the
12 Respondent shall conduct air toxics monitoring for volatile organic compounds ("VOCs")
13 and carbonyls at both current air monitoring locations (Van Gogh Elementary School and
14 the landfill site). Twenty-four hour samples are to be collected on a one-in-six day basis
15 on the U.S. Environmental Protection Agency sampling schedule. Sampling and analysis
16 methods as well as minimum detection limits shall be consistent with the District's
17 Multiple Air Toxics Study ("MATES") III protocols. This condition is in addition to the
18 requirements of District Rule 1150.1(e)(6) and the four random tests per year required by
19 the County/City of Los Angeles and any other particulate sampling being conducted or
20 required by the County/City of Los Angeles. Protocols for the monitoring of air toxics,
21 sampler placement, and equipment specifications including calibration and equipment
22 backup provisions, and QA/QC procedures shall be submitted to the District for review
23 and approval.

24 Dated: October 26, 2011

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
OFFICE OF THE DISTRICT PROSECUTOR
Nancy S. Feldman, District Prosecutor
Nicholas A. Sanchez, Senior Deputy District Prosecutor

27 By: 

28 Nicholas A. Sanchez
Attorney for Petitioner