



South Coast Air Quality Management District

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August 19, 2020

Sent by E-mail

Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force
900 South Freemont Avenue
Alhambra, CA 91803

Dear Ms. Clark:

Thank you for your recent correspondence to Wayne Nastri, the Executive Officer of the South Coast Air Quality Management District (South Coast AQMD), regarding the Sunshine Canyon Landfill (SCL). Mr. Nastri has asked me to respond to your letter on his behalf. I am the Deputy Executive Officer for Compliance & Enforcement, and I oversee the South Coast AQMD division that responds to public complaints at the landfill. My team and I appreciate the concerns raised by the Solid Waste Management Committee/Integrated Waste Management Task Force, and we are sensitive to the continuing challenges faced by residents who live in close proximity to the landfill. We also believe in the importance of working closely with local governments and community groups to reduce residents' exposure to source-specific and cumulative air pollution impacts.

With respect to your inquiry, South Coast AQMD continues to be vigilant at SCL and to do everything within our power to protect the health and safety of the surrounding community. Following the April 2020 emergency waiver by the Local Enforcement Agency to increase hours and tonnage at SCL during the pandemic, our inspectors responded to all 98 complaints that we received during the month of May. Those efforts resulted in our issuance of two Notices of Violation (NOVs) for Public Nuisance in May 2020. The months that followed showed a noticeable decline in complaints, but our investigatory efforts nonetheless resulted in the issuance of a third public nuisance NOV to SCL in June and a fourth NOV in August.

In addition, one of the distinguishing characteristics of South Coast AQMD's enforcement program is that *we respond to every complaint*. After hours and on weekends, our policy is to dispatch an inspector, if one is available, to conduct an onsite investigation only after three or more odor complaints have been received within one hour. This "three complaints in one hour" policy is standard for all facilities within our jurisdiction. In other words, there is no other facility in the South Coast Air Basin – including any other landfill – for which a South Coast AQMD inspector is currently being dispatched after hours or on weekends based on a single odor complaint. In the past, when resources permitted, we sent inspectors to SCL and other facilities based on fewer than three complaints outside of business hours; however, the current economic climate requires us to be extremely careful and judicious with our resources. Moreover, in order to establish a public nuisance violation, odors must generally be substantiated with at least six separate households in a community. This threshold reflects the statutory

definition of public nuisance, which requires an effect on a "considerable number of persons or to the public." California Health & Safety Code § 41700. In light of both this threshold for enforcement action and South Coast AQMD's current resource constraints, after-hours and weekend complaints that do not rise to the level of "three complaints in one hour" will therefore continue to be investigated on the next business day, consistent with our standard policy.

Finally, regarding concerns about exposure to COVID-19 from waste received at SCL, South Coast AQMD is not aware of any scientific link between landfills and transmission of the coronavirus. However, this is not our agency's area of expertise, and we therefore defer those types of inquiries to the Los Angeles County Department of Public Health.

Please do not hesitate to call me directly at (909) 396-3023 if I can be of any further assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terrence Mann", with a stylized flourish at the end.

Terrence Mann
Deputy Executive Officer
Compliance & Enforcement

cc: Wayne Nastri
Jill Whynot
Nicholas Sanchez
Victor Yip
Jack Cheng