

North Valley Coalition of Concerned Citizens Inc (NVC) Response to AQMD's

June 1, 2023 letter to Los Angeles Solid Waste Management Committee/Integrated Waste Management Task Force

These comments are in response to the Staff to the Task Force's request to comment per email dated June 27, 2023.

We would first like to address the letter's preamble to the list of mitigations measures for Sunshine Canyon Landfill. It should be noted that Mr. Sanchez states that the agreement was for measures to address "*the spike in public nuisance events,*" and he includes two of his response letters while failing to include the original two NVC letters that generated those responses and also failing to note that there was actually an additional two letters sent prior to January 1, 2023, pleading for an Odor Abatement Hearing for the ongoing odor problems, for a landfill that is worse than all of the other landfills combined within the AQMD's jurisdiction. He also states that; "*The recent implementation of the odor mitigation measures appears to have paused ongoing issuances of public nuisance violations,*" failing to note that the greater impact may have been due to atmospheric conditions as shown by the AQMD's own well documented odor reports that show that the most odorous impacts to the community are September through April, with May through August being the least offensive.

As far as the list of mitigations provided, the NVC finds that all of the proposed improvements are acceptable, with the following exceptions:

- 1. Intermediate Cover Improvements** "*With the concurrence and support of the LEA, SCL will make requests to the City and County to bring in more soil beyond local agency (e.g., CUP) limits to improve areas of intermediate cover in grids found to have excess surface emissions*". The CUP limits of 12,100 tons per day were intended to protect the public. County Public Works has already determined that it also included the importation of soil. BFI/Republic has repeatedly ignored their instructions to cease and desist constant overages by saying that they don't agree and that they have no control over when and how much soil arrives on any given day. County Regional Planning has also issued a NOV for the same infractions. There are scales, and incoming tonnage is known, and it is merely a matter of turning away, trash and/or soil that arrives after the 12,100 tons are reached. There is nothing that says that they are obligated to accept anything beyond

the amount specified in the CUP, so that this stated need to now require additional soil in grids with excess surface emissions is just another ploy to circumvent the 12,100 tons/day. Tonnage restrictions should be enforced as the impacts from dust and traffic greatly impact the residents in the area. It was recorded in the Minutes of a SCL-CAC Meeting on May 11, 2023, that: *““a resident said trucks spewing dirt become a dust storm on the road.” He said dirt is brought in “as early as six a.m.” Another resident said, “I have never seen this many trucks come into the dump before. Resident Adrienne “counted 42 trucks” going to the landfill on a recent day.””*

- 2. Working Face Adjustments** *“Reduce traffic lanes into the working face, subject to safety considerations, to further reduce the working face size during morning disposal operations”*. Is this mitigation permanent and what will the size be?

In conclusion, this document and the AQMD agreement does not address nor offer any mitigations for the real reason that much of what occurred was a failure on BFI/Republic’s part, to have robust wet weather policies and procedures in place, all of which would have prevented much of the problems if the following issues had been addressed. For instance: 1. They did not shut down during the rain events, even though they and the community knew that atmospheric rivers were approaching. Further, they retained a company to provide weather reports to assist them in operations which they ignored. 2. lacked civil engineering expertise either on-hand or to regularly monitor such things as side-slope construction. 3. Failed to notify the RWQCB within 24 hours (not the first time) of contaminating Bull Creek and the Waters of the State (NPDES). 4. Management has claimed at SCL-CAC meetings that during these wet weather events that they could not shut down, nor divert trash to other landfills, a spurious claim since they have done both in the past.

Thank you for the opportunity to comment.

Sincerely,

Wayde Hunter

President, NVC