

Overview of Public Health and Environmental Issues for the Proposed Puente Hills Materials Recovery and Rail Loading Facility

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Associated with the proposed expansion of the Puente Hills Landfill, the Los Angeles County Sanitation Districts (Districts) have proposed to construct a solid waste materials recovery and rail loading facility on about 25 acres at the northwestern edge of the existing Puente Hills Landfill. That facility would handle approximately 4,400 tons/day of municipal solid waste and commercial waste. That waste would be sorted to some extent for recovery and when rail-haul landfill capacity becomes available to the County, the waste would be loaded into rail-haul containers for shipment to an out-of-county facility. The proposed facility would be located adjacent to commercial offices and industrial land uses, and according to the Districts, would be designed to be compatible with commercial offices and industrial uses. While activities at the facility are to be within the enclosed structure, there is considerable, justifiable concern about the impact of such a large facility on adjacent and nearby property owners and users. This is especially true since the Districts provide essentially no land buffer between the proposed facility and adjacent properties. Because of the problems associated with such facilities, sufficient land buffers must be provide around the facility to prevent adverse impacts on adjacent properties. While the Districts asserted in the Districts' Environmental Impact Report (EIR) that the proposed facility would not have an adverse impact other than that associated with the truck traffic, there is little reason to believe, based on past activities of the Districts at the Puente Hills Landfill, that the proposed facility would not have significant adverse impact on adjacent property owners and users.

The Planning Commission stated in the Conditional Use Permit Case-Burden of Proof that the proposed facility should not,

- "1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or*
- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or*
- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare."*

These are the standards by which the issuance of a conditional use permit is to be judged. A review of the information provided by the Districts shows that the Planning Commission accepted, without critical, in-depth, detailed review, the Districts' statement that the proposed materials recovery and rail loading facility would not have an adverse impact on property valuation, health, peace, comfort and welfare of persons residing or working in the surrounding area, etc. There can be no doubt that the information provided by the Districts in these areas is not reliable.

Odor Problems

One of the principal concerns for such facilities is odors associated with the handling of the garbage. As every homeowner knows, the odor of household garbage quickly becomes highly offensive. By the time that household garbage is picked up and transported to a materials handling facility such as that proposed by the Districts, it will be highly odorous. Further in discussing the potential operations of the materials recovery and rail loading facility, the Districts indicated in their EIR that the solid wastes can be present in the facility for several days. Those conditions will lead to extreme odor potential, especially because of the very large amounts of solid wastes that are to be handled in the proposed facility.

The Districts asserted in documents submitted to the Los Angeles County Department of Planning, signed by Mr. Carry of the Sanitation Districts and dated December 1992, that the facility would operated in such a way as to

"...eliminate any significant potential for odors."

The Districts claimed,

"9. Fumes:

Odors generated by project:

Processing within an enclosed building and timely transport of materials would eliminate any significant potential for odors."

At another location in the same material, the Districts stated,

"Although no landfill gas would be produced at the proposed materials recovery and rail loading facility, there is a potential for odors. To control the offsite migration of these odors, all operations would be conducted inside an enclosed building, and a heating/ventilation/and air conditioning system (HVAC) would be installed, incorporating filter systems, if necessary, to remove any such odors. (See Section 4.8 Air Quality of the Final EIR.)"

The assurances of the Districts regarding odor control have proven themselves to be of little credibility. It is well-established that the Districts have a severe and frequent odor problem with the current Puente Hills Landfill operations. The senior author of these comments experienced significant offsite odors during his site visit to the area in November 1992 (see testimony to the Sanitation Districts). The Hacienda Heights residents and those who work in the commercial establishments next to the Puente Hills Landfill are frequently subjected to severe, highly obnoxious odors derived from the landfill operations. The Districts' claims that there are no significant odor problems associated with the current operations are not correct. It is justified to question the ability of the Districts to recognize significant adverse impacts to adjacent property owners and users caused by odors that would be caused by the proposed facility. There can be little doubt that if the Districts operate the proposed facility with as much regard for public health and nuisance odor control as it

does the Puente Hills Landfill, those who own and use the properties adjacent to or near the proposed materials recovery and rail loading facility will be severely adversely impacted by that facility.

The fact that the Districts have stated (see above quotation) that they would incorporate filtering systems, "if necessary," to remove any such odors is indicative of an inappropriate regard of the Districts for this problem. There can be no doubt that the odor problems associated with this facility will be severe. Those familiar with such facilities know that there will be need for a very efficient, highly reliable air quality management system in the facility if the odors are to be controlled. The Districts' going into the development of this facility questioning whether there is even need to "filter" the air to remove odors reflects inappropriate attention to this issue by the Districts'. The proper planning of such a facility by the Districts should include up-front recognition of the very significant odor problem that will exist at the proposed facility and the incorporation into the facility measures that will eliminate the odor problem. However, this is not the approach that the Districts used in their planning of the facility. The experience with the Puente Hills Landfill operation odor problems has been for the Districts to first claim that there is no problem, even though there are complaints of severe problems on adjacent properties, and then, after-the-fact, try to retrofit measures that are inadequate for eliminating the problem. The Districts' staff know that the control of highly offensive offsite odors will be very expensive, and therefore have not initiated the needed program to truly control odors at the Puente Hills Landfill. While this approach has reduced the initial costs of solid waste management at the Puente Hills Landfill it has allowed significant adverse impacts on property owners and users.

Noise Problems

Another issue of concern is the noise problems at the proposed facility. While the Districts claim they will control the noise problem associated with the facility, they mention that they would rely, to some extent, on the fact the office buildings that are there now all have closed windows that reduce noise levels to the occupants. It is clearly inappropriate to cause adjacent property owners to modify and/or limit the way they use their land in order to compensate for the offensive nature of the Districts' operations.

Even though the buildings, restaurants, etc. that are there now and could be constructed in the future on adjacent properties, could incorporate some isolation from the Districts' operations, workers, patrons, or others using those lands could be adversely for example in outdoor parking facilities. Those who might otherwise develop or use these commercial facilities were it not for the materials recovery and rail loading facility, would be expected to be deterred from doing so because of the odors, noise, flies and other adverse impacts of the proposed facility.

Animal and Insect Problems

Another potential problem associated with the proposed facility is the fact that flies, rodents, and other vermin will be associated with the solid waste management operations. There can be little

doubt that there will be significant problems on adjacent properties due to insects and other animals associated with the proposed operations.

The Districts have also claimed in the Districts' EIR that they control the seagull problem at the existing Puente Hills Landfill. During his site visit in November 1992, the senior author observed large numbers of seagulls flying above the active areas of solid waste management at the Puente Hills Landfill. This past spring he had the opportunity to visit this area again and noted hundreds of seagull circling the landfill area as well as adjacent properties. In the senior author's review of this matter, based on discussions with others who indicated that this is a common problem, there can be little doubt that there will be significant problems associated with seagulls', attracted to the area by the solid waste disposal operations, flying over adjacent properties. While the Districts claim that they have the seagull problem under control, their claim is not in keeping with the experience at the site.

Hazardous Chemical Problems

There could also be exposure to potentially hazardous chemicals. The large numbers of trucks, each emitting significant amounts of air pollutants, will cause significant deterioration of air quality in the vicinity of the facility. Further, some of the wastes that will be handled in the proposed facility will be hazardous and potentially dangerous to public health. The Districts indicate that load-checking will be done, and if hazardous and radioactive chemicals are found, they will be removed from the solid waste and stored on the facility until transported to an appropriate location.

The Districts have provided unreliable information to the Los Angeles Planning Commission in connection with the monitoring for radioactive materials in the waste that will be handled at the materials recovery and rail loading facility. They indicated that,

"All vehicles entering the site would be screened for radioactive materials by a gamma scintillation counter capable of detecting very low levels of radioactive waste."

To someone not knowledgeable in the topic of radioactive waste management, it would appear that the Districts will be able to detect radioactive materials present in the waste handled at the facility. However, those who are knowledgeable know that screening for gamma-based radioactivity does not screen for all types of radioactivity. Highly hazardous radioactive wastes could readily be present in the solid wastes that are handled at the proposed facility without being detected by the gamma scintillation counting system. This is just another example of the misleading, inadequate, unreliable information that the Districts have provided in their EIR to the Board of Directors, the Los Angeles Planning Commission and to the Los Angeles County Board of Supervisors.

Property Value Depreciation

While the Districts imply that there will be no adverse impacts of the facility on adjacent

property values, clearly such an implication is unreliable. It is common sense to expect that the potential uses of the properties next to the proposed materials recovery and rail loading facility will be severely adversely impacted by that facility. Who would want to construct an office building, restaurant, or other facility next to a facility with large numbers of garbage trucks with their associated significant air quality management problems, that has severe odor problems, flies and other insects and vermin, seagull problems from the adjacent landfill, etc?

Basically, since the Districts have failed to provide detailed information on odor control and other public health and environmental aspects of the proposed facility, the Districts are asking for a blank check to determine what they feel will be necessary to address these problems without providing the public and the review entities with an opportunity to independently review the adequacy of the proposed approach. This skepticism is justified since in their operation of the Puente Hills Landfill the Districts have proven to expend little or no regard for land values, public health, welfare, aesthetic quality, etc. for adjacent and nearby properties. It is clearly inappropriate for the Planning Commission to issue a CUP for the proposed facility, based on the information provided.

Conclusions

In conclusion, there is no doubt that the proposed material recovery and rail loading facility, if constructed by the Districts will

- emit odors, that will impair the use and enjoyment of adjacent properties and that could be a significant public health threat,
- have a significant potential for flies, vectors, and vermin which will adversely affect adjacent properties,
- have significant adverse impact on adjacent property owners and users through large amounts of truck traffic and the associated air quality problems,
- decrease property values of adjacent and nearby properties, and
- be an overall significant detriment to future development of the privately-held lands in the vicinity of the proposed facility.

Recommendations

The Board of Supervisors should not approve the proposed materials handling and rail loading facility because

- the Districts have not provided a reliable EIR on the potential impacts of that facility on adjacent and

nearby property owners

- have an inadequate land buffer between the proposed facilities' operations and adjacent properties
- have not provided the kind of detailed information that is necessary to make an independent judgement regarding whether and how the Districts' will adequately address the significant problems associated with facilities of this type.