

From: Sahar Moridani
To: MAYOR STAFF
Date: 1/28/04 2:17PM
Subject: MAYOR HAHN URGES STATE BOARD TO PROTECT AREA GROUNDWATER AT SUNSHINE CANYON

FOR IMMEDIATE RELEASE
January 28, 2004

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213/978-0605

MAYOR HAHN URGES STATE BOARD TO PROTECT AREA GROUNDWATER AT SUNSHINE CANYON

Also asks State Board to retain clause allowing permits to be withdrawn

Los Angeles – Mayor Jim Hahn on Monday signed a letter to Arthur Baggett, Jr., Chair of the California State Water Resources Control Board, urging him to reject the proposal by Browning-Ferris Industries to remove the double liner and re-opener provisions in the Water Discharge Requirements for the Sunshine Canyon Landfill. Both provisions were approved by the Los Angeles Regional Water Quality Control Board on December 4, 2003.

The double liner requirement for the Sunshine Canyon Landfill aims to protect area groundwater against contamination because of damage to a single liner caused by household and food products.

Additionally, Mayor Hahn urged the State Board to hold up the “re-opener” clause that would allow the Regional Board to reconsider granting the landfill permits if the Los Angeles County Health Department’s study of illness rates in the area surrounding the landfill concludes that the landfill presents a health risk to the surrounding residents.

“It is my responsibility to ensure the health and safety of the city’s residents and I take that responsibility very seriously,” said Mayor Hahn. “I urge the State Board to reject the petitions that would weaken the protective measures that the surrounding community will depend upon so heavily.”

Please see attached letter.

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January 26, 2004

Mr. Arthur G. Baggett, Jr., Chair
California State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Dear Mr. Baggett:

I urge you to reject the challenge by BFI (Browning-Ferris Industries) to remove the double liner and re-opener provisions in the Water Discharge Requirements (WDRs) for the Sunshine Canyon Landfill. The Los Angeles Regional Water Quality Control Board approved the WDRs on December 4, 2003. While I disagree with the Board in their decision to grant the WDRs to BFI, I believe that these two provisions provide some added protection to the health and safety of the residents near the landfill.

The decision to require the double liner was not made arbitrarily, as BFI might suggest, but after a long and careful discussion by your colleagues on the Regional Water Board that was prompted by the voluminous testimony by residents and elected officials from the surrounding area. Their testimony

illustrated the concerns of the inadequate protection that a single layer would provide to the area groundwater. As noted by Los Angeles City Councilmember Greig Smith in the November meeting, a study conducted by a manufacturer of the polyethylene liners used for landfills, stated that such liners are susceptible to stress cracks from everyday food products, such as margarine, vinegar, and lard. It also noted that several household items such as soap, shampoo, and liquid wax could also cause stress cracks, softening, and embrittlement. In addition, over the years, BFI has exhibited a poor contamination record.

Most recently, the Regional Board ordered a Cleanup and Abatement Order to BFI for the 1,4 dioxane that was discovered in the on-site groundwater monitoring wells in the closed section of the landfill that lies within Los Angeles City limits. It is particularly alarming given that the U.S. Environmental Protection Agency classifies 1,4 dioxane as a probable human carcinogen. Such factors can only lead one to conclude that there needs to be a more than adequate level of protection to the area groundwater than a double liner would provide.

I also urge you to reject BFI's petition to remove the "re-opener" clause in the WDRs. This re-opener clause would allow the Regional Board to reconsider granting the permits if the Los Angeles County Health Department study of illness rates in the area, presents conclusive evidence that the landfill presents a health risk to the surrounding residents. As you may know, one of the most alarming aspects from the hearings were the dozens of residents that came forward to relate their personal incidences with cancer among themselves, their families and neighbors. Although I would have preferred that the Regional Water Board delayed their decision until the County Health Department completed their study, the Board nevertheless made the right decision by ensuring that this very important report would still be given due consideration. The residents of the North Valley deserve such prudence.

As Mayor, I have a responsibility to ensure the health and safety of the City's residents that I do not take lightly. I know that you and your colleagues on the Board take your responsibility just as solemnly. That is why I urge you to reject these petitions that would weaken the protective measures that the surrounding community will so heavily depend on.

Thank you for your consideration of these very important issues.

Very truly yours,

JAMES K. HAHN
Mayor

JKH:vv

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