

# county of ventura

COUNTY EXECUTIVE OFFICE  
MICHAEL POWERS  
County Executive Officer

September 30, 2011

Robert O. Huber  
Mayor  
City of Simi Valley  
2929 Tapo Canyon Road  
Simi Valley, CA 93063-2199

**J. Matthew Carroll**  
Assistant County Executive Officer

**Paul Derse**  
Assistant County Executive Officer/  
Chief Financial Officer

**John K. Nicoli**  
Assistant County Executive Officer/  
Human Resources Director

**Catherine Rodriguez**  
Assistant County Executive Officer/  
Chief of Operations & Strategic Development

Dear Mayor Huber,

We share your concern for protecting the health and safety of the residents of Simi Valley. In response to the specific issues related to the Simi Valley Landfill identified in your letter of September 13, 2011, attached is a memo from William Stratton, our Environmental Health Division Director, addressing these concerns. Environmental Health's review is ongoing and they welcome any new information. We will keep you apprised of any new developments.

If you have any questions, please contact me at 654-2681 or Bill Stratton at 654-2818.

Sincerely,



Michael Powers  
County Executive Officer

C: Supervisor Peter Foy  
City Council  
City Manager  
City Attorney  
Assistant City Manager, Government Affairs  
Director, Department of Toxic Substances Control  
Chris Stephens, RMA Director  
Kim Prillhart, Planning Director  
Mike Villegas, Air Pollution Control District

RESOURCE MANAGEMENT AGENCY  
ENVIRONMENTAL HEALTH DIVISION

MEMORANDUM

DATE: September 21, 2011

TO: Michael Powers, CEO

FROM: <sup>WCS</sup> William C. Stratton, Environmental Health Division Director

SUBJECT: ALLEGED ILLEGAL DISPOSAL OF HAZARDOUS WASTES AT THE  
SIMI VALLEY LANDFILL AND RECYCLING CENTER

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The following information and conclusions are offered in response to the September 13, 2011 letter from the Honorable Robert O. Huber, Mayor of the City of Simi Valley, requesting a report from the County of Ventura concerning the alleged disposal of hazardous waste at the Simi Valley Landfill and Recycling Center (SVLRC).

The facts concerning this issue are that on April 6, 2011 the Los Angeles County District Attorney's Office filed a complaint (Complaint) in Los Angeles Superior Court against SA Recycling, LLC, (SA Recycling), an auto shredding business, for illegally releasing toxic substances from its Terminal Island facility into the atmosphere and transporting hazardous wastes between its Anaheim and Terminal Island facilities.

The Complaint does not allege any illegal disposal of hazardous waste at the SVLRC. In fact, paragraph 18 in the Complaint states that sample results of "the mean concentration of each truckload" of auto shredder waste (ASW) from SA Recycling delivered to the SVLRC "never exceeded regulatory thresholds for any regulated analyte". Further, paragraph 25 of the Complaint does not reference SVLRC and only alleges that the material being illegally hauled refers to the transport of material from the Terminal Island processing facility to the Anaheim processing facility.

To put the historical use of ASW at solid waste disposal facilities in perspective, it's important to note that by letters dated February 21, 1986 and December 19, 1988, the California Department of Toxic Substances Control (DTSC) issued to the predecessor companies of SA Recycling a "conditional authorization" to dispose treated ASW (TASW) at landfills. This conditional authorization was reaffirmed by DTSC in a November 1, 2004 correspondence to Waste Management Inc., owner and operator of the SVLRC. This correspondence furthermore stated that TASW is not a hazardous waste. These findings were again confirmed by DTSC to the SVLRC in letters dated June 25, 2009 and September 25, 2009.

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September 21, 2011  
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State minimum standards pertaining to solid waste disposal facilities in Ventura County are enforced by the Environmental Health Division as the Local Enforcement Agency (EHD/LEA). The EHD/LEA accomplishes this through a regulatory oversight program which includes the issuance of an operating permit and monthly routine inspections.

SA Recycling provides TASW to the SVLRC for use as Alternate Daily Cover (ADC) under authorization from DTSC and the Los Angeles Regional Water Quality Control Board. The use of non-hazardous TASW as ADC is specifically provided for in Title 27, California Code of Regulations (CCR), Section 20690(b)(6). Therefore, based upon the determination by DTSC that the TASW is non-hazardous, the use of TASW as ADC at SVLRC is in conformance with state regulations

Title 27, CCR, Section 20800 addresses dust control. Dust control activity at the SVLRC is conducted in conformance with this requirement. Dust control activities include water spraying on construction and demolition waste prior to grinding, water or treated leachate spray application to unpaved areas, inactive areas are covered with processed green waste or hydro seed as necessary, and vehicle speed is limited on unpaved areas. These measures have been consistently effective in minimizing the creation of dust.

Based upon the foregoing, the receipt and use of TASW at the SVLRC does not constitute the illegal receipt or disposal of hazardous waste as set forth in the California Health and Safety Code, Chapter 6.5, Section 25189.5 (a), and State minimum standards pertaining to solid waste disposal facilities.

If you have any questions, please feel free to call me at 654-2818.

C: Chris Stephens, RMA Director  
Kim Prillhart, Planning Director  
Mike Villegas, Air Pollution Control District