

# NOTICE OF VIOLATION

Please contact the investigating planner **Thomas Dearborn**

**Email:** [tdearborn@planning.lacounty.gov](mailto:tdearborn@planning.lacounty.gov)

**Phone Number:** 213-974-6483 -- Monday through Thursday before 10am

December 11, 2017

CHIQUITA CANYON LLC C/O MIKE DEAN  
29201 HENRY MAYO DRIVE  
CASTAIC CA 91384

**CODE ENFORCEMENT CASE NUMBER: RPZPE2017024630**  
**CONDITIONAL USE PERMIT: 200400042**

Dear Property Owner/Tenant:

An inspection was conducted at **29201 Henry Mayo Drive, Castaic, CA**, and it disclosed the following violation(s):

1. **Conditional Use Permit Violation**

One or more conditions of an approved Conditional Use Permit (CUP) are not being met (Los Angeles County Zoning Code: 22.60.330; 22.60.340)

*20. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor pursuant to Section 22.60.340 of the County Code. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing in accordance with Section 22.56.1780, et seq. of the County Code, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.*

*In addition to, or in lieu of, the provisions just described, the Permittee shall be subject to a penalty for violating any provision of this grant in an amount determined by the Director of Regional Planning, not to exceed \$1,000 per day per violation.*

*The Director has determined the penalty for violating any provision of the CUP is \$1,000.00 per day per violation.*

48. The following types of waste should constitute prohibited waste and shall not be received, processed nor disposed of at the Facility: Automobile Shredder Waste; Biosolid; Sludge, or Sewage Sludge; incinerator ash; radioactive material; hazardous waste, as defined in Title 22, Section 66261.3 of the California Code of Regulations; medical waste, as defined in Section 117690 of the California Health & Safety Code; liquid waste; waste that contains soluble pollutants in concentrations that exceed applicable water quality objectives; and waste that can cause degradation of waters in the State, as determined by the RWQCB. The Permittee shall implement a comprehensive Waste Load Checking Program, approved by the DPH, to preclude



Department of Regional Planning  
Dennis Slavin, Acting Director

320 W Temple Street  
Los Angeles, CA 90012

(213) 974-6453

<http://planning.lacounty.gov>

Case Number:  
RPZPE2017024630

APN:  
3271002039, 3271002036,  
3271005034, 3271002019,  
3271002013, 3271002011

Zone:  
A-2-5

Investigating Planner:  
Thomas Dearborn

Phone Number:  
213-974-6483

Fees Due Now:  
\$0.00

Penalty Compliance Date:  
Date of Receipt of Notice

Compliance Date:  
December 28, 2017

disposal of prohibited waste at the Landfill. The program shall comply with this Condition No. 46, Part IV of the IMP, and any other requirements of the DPH, the State Department of Health Services, the State Department of Toxic Substances Control, and the RWQCB.

*A review of the Third Quarter 2017 Monitoring Report disclosed that more than 25,000.00 tons of automobile shredder waste was accepted during the months of July, August, and September in violation of Condition 48.*

*Chiquita Canyon Landfill must refrain from accepting automobile shredded waste or any other prohibited waste.*

**49. Notices regarding the disposal restrictions of prohibited waste at the Facility and the procedures for dealing with prohibited waste shall be provided to waste haulers and private users on a routine basis. These notices shall be printed in English and in Spanish and shall be posted at prominent locations at the Facility indicating that anyone intentionally or negligently bringing prohibited waste to the Facility may be prosecuted to the fullest extent allowed by law.**

*Such notices were not provided upon request by the inspector and the notices were not posted in English and in Spanish at prominent locations at the site.*

**79B6. Remit fees in accordance with the formulas, procedures and requirements set forth in the February 2011 Report for the Westside Bridge and Major Thoroughfare Construction Fee District, to defray the costs of road improvements identified in the Report, which are necessitated to accommodate the expansion of the Landfill. The fee amount is due and payable prior to the Effective Date and is based upon the fee rate in effect at the time of the Project's Effective Date. The current fee rate is \$23,780 per Factored Development Unit (FDU) and is subject to change. Per the current Westside Bridge and Major Thoroughfare Construction Fee District Report, each gross acre of an industrial site is assessed at three times the applicable FDU rate.**

*Fees were due on the effective date of the permit, July 28, 2017. On September 12, 2017, the Department of Public Works made a demand for payment of the fees required by Condition 79B6 in the amount of \$11,598.093. The required fees have not been submitted as of December 11, 2017.*

**117. For the life of this grant, except as provided in Condition No. 118 of this grant, the Permittee shall pay on a monthly basis to the Department of Public Works a fee for every ton of Solid Waste originating within Los Angeles County but outside the Santa Clarita Valley Area that is processed for beneficial use, composting and/or disposed of at the Facility during the preceding month, according to the following rates:**

Incoming Tonnage (Tons/Day)	Fee
0-1,999	\$1.32 per ton
2,000-3,999	\$2.64 per ton
4,000-5,999	\$3.96 per ton
6,000 and over	\$5.28 per ton

**For the life of this grant, except as provided in Condition No. 118, the Permittee shall pay on a monthly basis to the Department of Public Works a fee of \$6.67 per ton for all Solid Waste and Beneficial Use Materials originating outside of Los Angeles County and within California that is processed for beneficial use, composting and/or disposed of at the Facility during the preceding month.**

**The fee shall be used to fund programs and activities that 1) fund environmental, educational, and quality of life programs in Val Verde, Castaic, and other Unincorporated County areas surrounding the landfill, 2) enhance countywide disposal capacity, mitigate landfill impacts in the Unincorporated County areas, and 3) promote**

*development of Conversion Technology facilities that benefit the County.*

*The fee applicable for every ton of material originating outside the Santa Clarita Valley Area but within Los Angeles County shall be determined using the above tiered-structured table and by dividing the total incoming waste from outside the Santa Clarita Valley by the number of delivery days. For example, if the monthly total is 50,000 tons and number of delivery days is 20, then the average quantity is 2,500 TPD, and the fee is the sum of  $(\$2 \times 1,999) + (\$4 \times 501) = \$6,002 \times$  number of delivery days. The fee shall be adjusted annually in accordance with the CPI.*

*The required fees have not been submitted as of December 11, 2017.*

**Failure of the owner or person in charge of the premises to comply with this order within thirty (30) of the notice shall subject Chiquita Canyon Landfill to a penalty of 1,000 per day per violation pursuant to condition 20. Furthermore, failure to comply with this order within fifteen (15) days after the compliance date of December 28 a noncompliance fee in the amount of \$746.00, unless an appeal from this order is filed within fifteen (15) days after the compliance date. Such appeal must comply with Section 22.60.390(C) of the Los Angeles County Code.**

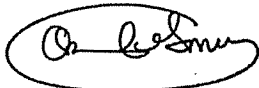
These are not permitted uses in zone A-2-5 and are in violation of the provisions of the Los Angeles County Zoning Ordinance (Title 22) Section(s) listed above.

Please consider this an order to comply with the provisions of CUP 200400042. Failure to correct the violation(s) found at 29201 Henry Mayo Drive, Castaic, CA, also known as assessor parcel numbers 3271002039 3271002036, 3271005034, 3271002019, 3271002013, and 3271002011 may result in the imposition and the collection of further administrative and collection fees totaling approximately \$2,611.00. Continued noncompliance may also cause this matter to be referred to the District Attorney or County Counsel at any time with the request that a criminal or civil complaint be filed if compliance is not achieved. Conviction can result in a penalty of up to six months in jail and/or a \$1,000.00 fine, each day in violation constituting a separate offense.

For any inquiries please contact the investigating planner directly as noted by the contact information listed above. Please note that our offices are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING  
Dennis Slavin  
Acting Director



Oscar Gomez  
Supervising Regional Planner  
Zoning Enforcement North