

Los Angeles County Solid Waste Management Committee
Integrated Waste Management Task Force

Minutes of November 19, 2009

County of Los Angeles Department of Public Works
900 South Fremont Avenue
Alhambra, California

COMMITTEE MEMBERS PRESENT:

Betsey Landis, Environmental Organization Representative
Mary Ann Lutz, League of California Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)
Greig Smith, City of Los Angeles
Steve Tye, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, represented by Carlos Ruiz, County of Los Angeles Department of Public Works
Dr. Jonathan Fielding, rep. by Cindy Chen, County of Los Angeles Department of Public Health
Stephen Maguin, rep. by Charles Boehmke, County Sanitation Districts of Los Angeles County
Dr. Barry Wallerstein, represented by Jay Chen, South Coast Air Quality Management District
Enrique Zaldivar, rep. by Karen Coca, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Margaret Clark, League of California Cities-Los Angeles Division
Carl Clark, Institute of Scrap Recycling Industries, Inc.
Michael Conway, City of Long Beach
David Kim, City of Los Angeles
Gerry Miller, City of Los Angeles
Sam Perdomo, Business/Commerce Representative

OTHERS PRESENT:

Oliver Cramer, City of Santa Clarita
Rogelio Gamiño, County of Los Angeles Department of Public Works
Hillary Gordon, Sierra Club Zero Waste Committee
Bernadette Halverson, City of Los Angeles
Wayde Hunter, NVC/GHNNC
Sevak Khatchadorian, County of Los Angeles Department of Public Works
Gregg King, Debris Box
Linda Lee, County of Los Angeles Department of Public Works
Ben Lucha, City of Palmdale
Ava Miknavich, Occidental College
Tobie Mitchell, County of Los Angeles Department of Public Works
Reina Pereira, City of Los Angeles
Steven Perez, LFP Recycling
Josh Rosenbaum, City of Signal Hill
Steven Samaniego, Rincon Environmental
Matt Suska, County of Los Angeles Department of Public Works
Steve Uselton, CIWMB
G. Vospher, GES
Lena Weigard, CIWMB
Peter Zorba, City of Lancaster

I. CALL TO ORDER

Meeting was called to order at 1:05 p.m.

II. APPROVAL OF MINUTES OF SEPTEMBER 17 AND OCTOBER 15, 2009

A motion was made to approve the corrected minutes of September 17 and October 15, 2009. The motion passed unanimously. Mr. Jay Chen was absent at the time the vote was taken.

III. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that the Subcommittee met earlier to consider an amendment to the City of Signal Hill's Nondisposal Facility Element (NDFE). A motion was made to approve the amendment, and to forward a letter, subject to revision and approval by the Subcommittee's chair, to the City of Signal Hill. The motion passed unanimously. Mr. Chen was absent at the time the vote was taken.

IV. CONSIDERATION OF NDFE AMENDMENT TO CITY OF SIGNAL HILL

See item III above.

V. UPDATE ON ELIMINATION OF THE GEOGRAPHIC DISTRIBUTION OF COMPETITIVE GRANT FUNDING BY CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Mr Rogelio Gamiño stated that in 2001, after years of efforts from Southern California local governments, the California Integrated Waste Management Board (CIWMB) adopted a policy requiring that the award of competitive grant funds contain a geographic distribution component based on the State's population. Taking into account their proportion of the total State population, Northern California agencies would receive 40 percent of the funds, while Southern California agencies would receive 60 percent. Since then, many CIWMB programs have been exempted from this requirement and in August 2009, CIWMB staff proposed to eliminate this policy altogether. The Task Force sent letters to Southern California agencies alerting them of the proposed policy elimination and asked them to submit comments to the CIWMB. The Task Force also sent letters to the CIWMB opposing the elimination of this policy. Nevertheless, on November 17, the CIWMB directed staff to eliminate the policy, and address issues such as underserved areas and cycle priorities when bringing scoring criteria forward for consideration and approval.

VI. SAN GABRIEL VALLEY COG'S PROPOSED ORGANIC WASTE MANAGEMENT/GREEN WASTE POLICY PAPER

Ms. Linda Lee provided a report ([see attachment](#)) on the San Gabriel Valley Council of Governments' (SGVCOG) Proposed Green Waste Management Policy Paper (Policy Paper). The Policy Paper describes strategies to manage green waste in preparation for the closure of the Puente Hills Landfill (PHL) in 2013. Jurisdictions in the SGVCOG divert 200,000 tons of green material per year for use as alternative daily cover (ADC). Upon closure of the PHL, jurisdictions will likely lose ADC diversion credits if other landfills have insufficient green waste capacity available and other alternatives for diversion of green waste remain limited.

The Policy Paper contains recommendations to the CIWMB to clarify the definition of green waste/organic material, retain diversion credit for green waste used as ADC, and support expanding markets for composted materials. The paper, however, does not sufficiently discuss the importance and benefits of conversion technologies to jurisdictions in the San Gabriel Valley.

Following a discussion, a motion was made and passed unanimously to send a letter to the SGVCOG with comments on the Policy Paper that include the following staff recommendations: include data from the unincorporated County areas since they generate a large proportion of the green waste in the San Gabriel Valley; emphasize the importance of protecting the ADC diversion credit; and encourage member cities to participate in supporting the development of conversion technologies as an option for green waste management.

VII. PRESENTATION ON UCR REPORT, "EVALUATION OF EMISSIONS FROM THERMAL CONVERSION TECHNOLOGIES PROCESSING MSW AND BIOMASS"

No action. Item postponed until the next meeting.

VIII. REVISIONS TO THE PROPOSED REGULATIONS ON LANDFILLS' LONG-TERM POSTCLOSURE MAINTENANCE, CORRECTIVE ACTION AND FINANCIAL ASSURANCE, AB 2296

Ms. Lee provided an update on the revised proposed regulations on long-term postclosure maintenance, corrective action cost estimates, and financial assurances for landfills and pointed out that the period to submit comments on this revision ends on November 25.

Ms. Lee also stated that the CIWMB addressed the Task Force's comments, dated October 1, 2009, regarding the definition of the term "proactive monitoring program" and clarified the requirements to be included in such a program. A "proactive monitoring program" is part of the criteria a landfill operator has to

meet in order to step down their financial assurance demonstrations. While the definition of a “proactive monitoring program” presented in the third revision is more robust, it could be further expanded to include vegetation and landscape maintenance as part of the program.

Following some discussion, a motion to send a letter to the CIWMB expanding the definition of “proactive monitoring program” to include the maintenance of vegetation and landscaping was passed. Mr. Charles Boehmke opposed.

IX. UPDATE ON CIWMB STRATEGIC DIRECTIVES

Ms. Tobie Mitchell provided an update ([see attachment](#)) on the CIWMB Strategic Directives. She stated that the CIWMB has developed and adopted a group of 12 policies or Strategic Directives to provide overall objectives for the organization. The Strategic Directives (SD) cover a number of broad areas including Waste Management and Climate Change, Producer Responsibility, Landfill Management, and Market Development, among others.

Ms. Mitchell stated that the Task Force sent comments to the CIWMB expressing concern on some of the areas covered in the newest Strategic Directive 2 (SD 2) regarding climate change. The Task Force commented specifically on issues such as mandatory commercial recycling, extended producer responsibility, local community protocols, and alternative energy and Biofuels Derived from Waste Materials. With the exception of a key activity included in SD 2 to assist the City and County of Los Angeles on ongoing bio-energy projects, most of the Task Force’s concerns regarding SD 2 have not been addressed. She also stated that in recent letters to the CIWMB, the Task Force has expressed concerns with the lack of definition for the terms “compostable” and “organics” contained in SD 6. This was acknowledged by CIWMB staff at the CIWMB’s November 17 meeting and they said a written response would be sent to the Task Force.

Mr. Mike Mohajer added that while the CIWMB has replied to previous correspondence on this matter, they did not properly address the issue by providing a clear definition of the terms in question and responding fully to the Task Force questions. A motion was made to send a letter to the CIWMB requesting that they define the terms “organic waste” and “compostable organics” and revise SD 6 to include those definitions. The motion passed unanimously. Mr. Steve Tye was absent at the time the vote was taken.

X. CPSC COMMENTS ON GREEN CHEMISTRY STRAW PROPOSAL

Mr. Matt Suska provided a report on the Department of Toxic Substances Control (DTSC) Green Chemistry Initiative and Straw Proposal for Safer Alternative Regulations ([see attachment](#)). He stated that in 2007, the DTSC launched the Green Chemistry Initiative (Initiative), whose goal is to develop policy recommendations to stimulate the green design of products so that the

manufacturing, use, or disposal of products generates, uses, and releases less hazardous chemicals.

He stated that legislation influencing the Initiative include AB 289 (2006), authorizing DTSC to require manufacturers to submit information about chemicals in California commerce; SB 509 (2008), which establishes a web-based toxics information clearinghouse to provide the public with chemical toxicity and hazard information about consumer products; and AB 1879 (2008), requiring DTSC to develop safer alternative regulations by January 1, 2011.

He indicated that in 2009, DTSC released its Straw Proposal for Safer Alternative Regulations (Straw Proposal), which is a concept document intended as the starting point for drafting regulations to implement AB 1879. The Straw Proposal sets forth DTSC's current direction on identifying and prioritizing chemicals of concern, evaluating safer alternatives through an analysis process, and providing appropriate regulatory response.

Staff recommended the Task Force send a letter to the DTSC commenting on the need to streamline the regulations and follow the Extended Producer Responsibility framework adopted by the CIWMB in 2008. These recommendations mirror comments and concerns expressed by the California Product Stewardship Council. The comment period for the Straw Proposal ended in November but a complete draft of proposed regulations will be released in February 2010, at which point stakeholders will have an opportunity to submit comments. A motion was made to send the letter to the DTSC. The motion passed unanimously. Mr. Tye was absent at the time the vote was taken.

XI. LEGISLATIVE UPDATE

Messrs. Gamiño and Khatchadorian provided updates on the following Legislative Bills ([see attachment](#)):

1. S 1733—introduced by Kerry

Mr. Gamiño stated that this bill creates a "Pollution Reduction and Investment" program aimed at setting up an economy-wide cap-and-trade program for reducing greenhouse gas emissions (GHG). Businesses covered by the cap-and-trade program will be required to hold enough GHG emission allowances to match their emissions. Entities covered by this bill would include large stationary sources emitting GHG in excess of 25,000 tons per year, such as electricity producers, importers and producers of petroleum fuels, producers of hydrochlorocarbon gases, 2 and other large sources. The bill sets the following targets to decrease GHG below 2005 levels: 3 percent by 2012, 20 percent by 2020, 42 percent by 2030, and 83 percent by 2050. Mr. Gamiño noted that the bill is of interest to local jurisdictions because it includes solid waste as a renewable energy

source, opening the door for the development of conversion technologies in the State. Staff was instructed to monitor the bill for any developments.

2. HR 2091—introduced by Moran

Mr. Khatchadorian stated that the bill would expand the definition of single-use carryout bag to mean carryout bags, grocery sacks, dry-cleaning bags, take-out food bags, retail-bags, membership or wholesale bags, and service station bags. The bill would impose a retail tax on single-use carryout bags in the amount \$0.05 beginning January 1, 2010, and establish the Single-Use Carryout Bag Trust Fund where the impending fees will be allocated for retailers, land and water conservation funds, local governments, and payment of the national debt. After January 1, 2015, the retail tax would increase to \$0.25. Staff recommended amending the bill to allocate funds directly to local jurisdictions on a per capita basis, and to ensure the autonomy of State and local governments who wish to implement more robust legislation. Staff was instructed to monitor the bill for any developments.

XII. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE

No action. The Alternative Technology Advisory Subcommittee did not meet.

XIII. REPORT FROM THE PUBLIC EDUCATION AND INFORMATION SUBCOMMITTEE

Mr. Mike Mohajer reported that the Subcommittee met earlier to consider articles from the City of Huntington Park on Water Conservation, and Plastic Bags; the City of Los Angeles Bureau of Sanitation on the use of Twitter and Facebook in promoting the solid waste management program; and the County of Los Angeles Department of Public Works on the Conversion Technology tour conducted in concert with the CIWMB, and the Sunshine Canyon Landfill Free Dump Day.

XIV. REPORT FROM THE CIWMB

Mr. Steve Uselton reported that the CIWMB will be known as the Department of Resources Recovery and Recycling. The staff will continue to work on the programs outlined in the Strategic Directives. Stakeholders, such as the Task Force and local jurisdictions, will be updated of developments on the transition as information becomes available.

Mr. Mohajer suggested that a member of the CIWMB executive staff attend a Task Force meeting to provide an update on how the new department is going to operate.

Mr. Uselton reported that CIWMB staff has been working to identify ways to manage green material after the closing of Puente Hills Landfill. He welcomed the work of the SGVCOG on green waste management and indicated that he and his staff will continue to work with local jurisdictions to address the issue.

Mr. Uselton also reported that the California Department of Forestry and Agriculture (DFA) has designated the Counties of Los Angeles, Orange, Riverside, San Diego, and Imperial as quarantined areas as a precaution against the Asian Citrus Psyllid, an insect that infects and kills citrus trees. The DFA is evaluating options to mitigate any significant risk of moving green material and other regulated materials out of the quarantined counties, but has informed green waste operators to continue business as usual until further notice. In anticipation of a possible quarantine implementation, the DFA is drafting a compliance agreement that would allow green materials out of quarantined areas if certain treatments or shipping precautions are incorporated. He also noted that two items of importance to the Task Force will be discussed at the December CIWMB meeting: the Organics Roadmap, which includes studies on life cycle analyses, and Commercial Recycling Draft Regulations.

XV. UPDATE ON COURT DECISION REGARDING LAWSUIT BROUGHT AGAINST REGIONAL WATER BOARD

No action. Item postponed until the next meeting.

XVI. NEXT MEETING DATE

The next meeting was scheduled for Thursday, December 17, 2009, at 1 p.m.

XVII. OPEN DISCUSSION/PUBLIC COMMENT

The meeting closed in honor of Mr. John McTaggart, who passed away earlier in the month. Mr. McTaggart served as an alternate member of the Task Force and was a member of the County Sanitation Districts Board of Directors. He also served as Mayor and Councilmember for the City of Rancho Palos Verdes. The meeting adjourned at 3:10 p.m.