

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

Minutes of March 17, 2011

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

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities-Los Angeles Division  
Betsey Landis, Environmental Organization Representative  
Mike Mohajer, General Public Representative  
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)  
Eugene Sun, League of California Cities-Los Angeles Division

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, rep. 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  
Gerry Miller, rep. by Charles Modica, City of Los Angeles  
Enrique Zaldivar, rep. by Karen Coca, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Carl Clark, Institute of Scrap Recycling Industries, Inc.  
Michael Conway, City of Long Beach  
David Kim, City of Los Angeles  
Mary Ann Lutz, League of California Cities-Los Angeles Division  
Sam Perdomo, Business/Commerce Representative  
Greig Smith, City of Los Angeles  
Dr. Barry Wallerstein, South Coast Air Quality Management District

OTHERS PRESENT:

Jennifer Lao, HDR  
Linda Lee, County of Los Angeles Department of Public Works  
Jacqueline Maddox, Clements Environmentals  
Tobie Mitchell, County of Los Angeles Department of Public Works  
Primitivo Nunez, CalRecycle  
Coby Skye, County of Los Angeles Department of Public Works  
Matt Suska, County of Los Angeles Department of Public Works  
Jennifer Wallin, CalRecycle  
Lena Wiegand, CalRecycle

**I. CALL TO ORDER**

Meeting called to order at 1:07 p.m.

**II. APPROVAL OF MINUTES OF FEBRUARY 17, 2011**

A motion was made to approve the minutes with minor corrections. The motion passed unanimously.

**III. REPORT FROM THE ALTERNATIVE TECHNOLOGY ADVISORY SUBCOMMITTEE (ATAS)**

Ms. Mitchell provided a summary from the Alternative Technology Advisory Subcommittee (ATAS). At their meeting on March 17, 2011, the ATAS heard updates from the technical and public outreach consulting teams on the progress of Phases III and IV of the conversion technology project. Staff is in the process of developing a six-month progress report to the Los Angeles County Board of Supervisors. Also at this meeting, the ATAS heard a presentation from Mark de Bie and Ken Decio of Cal Recycle regarding the recently released Anaerobic Digestion Programmatic Environmental Impact Report.

**IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE**

Ms. Betsey Landis provided a summary of the subcommittee's discussion on Sunshine Canyon City/County Landfill (SCL). Ms. Landis stated Mr. Wayne Tsuda of the SCL Local Enforcement Agency (SCL LEA) issued a request to Republic Services for information regarding 54 inoperative gas collection wells and why the matter was not reported the regulatory agencies. Ms. Landis mentioned the SCL LEA would be meeting with Republic Services in the afternoon. Mr. Gerry Villalobos would be attending with a list of concerns and recommended actions by the subcommittees.

The subcommittee also expressed concerns regarding the delay in the hiring of a joint City/County independent mitigation monitor. Ms. Landis made a motion for the Task Force to send a letter to the County of Los Angeles Department of Regional Planning requesting a status on the independent monitor pursuant to Regional Planning's April 6, 2010, letter. Mr. Mike Mohajer seconded the motion. The motion passed unanimously.

**V. LEGISLATIVE UPDATE**

Mr. Coby Skye reported on following legislative bills ([see attachment](#)):

1. AB 583 (Knight)

This bill would transfer the duties, powers, and authority of DTSC under the Electronic Waste Recycling act to CalRecycle and would require affiliated DTSC employees to be transferred to CalRecycle. The bill would delete the provision authorizing the enforcement of the act under the hazardous waste control laws and would make conforming changes with regard to the transfer of this authority.

Staff is not recommending a position on this bill at this time.

2. AB 789 (Chesbro)

This bill seems to be a replacement of AB 525 and would require CalRecycle to set aside 16 percent of grant funding for local government public works projects that use waste tires. The bill would make the grant program inoperative on June 30, 2015.

Staff recommends Task Force support if amended. Mr. Mike Mohajer made a motion to support if amended so the funds are evenly distribution based on per capita. If the bill isn't amended, the Task Force will oppose. Ms. Karen Coca seconded the motion. The motion passed unanimously.

3. AB 818 (Blumenfield)

This bill would enact the Renters' Right to Recycle Act, to require an owner of a multifamily dwelling, defined as consisting of 5 or more living units, to arrange for recycling services that are appropriate and available for the multifamily dwelling.

Staff recommended sending a letter of concern, since the bill would increase recyclables collected but would not expand the market for those materials. Mr. Mohajer made a motion to send a letter concern to the senator. Ms. Betsey Landis seconded the motion. After a brief discussion, the motion was amended to send a letter opposing the bill. The amended motion passed unanimously.

4. AB 900 (Swanson)

This bill would require that, on and after January 1, 2012, recycling and composting bins be located on the campus of each public elementary and secondary school in CA. The bill would provide that a school district is responsible for providing the bins. The bill would further provide that each

school district shall determine the number of bins on the basis of both the pupil population and the surface area of that campus.

Staff recommended sending a letter of concern. After a brief discussion, the Task Force agreed to watch the bill, and no action was taken.

5. AB 1016 (Achadjian)

This bill would provide a nuisance exemption to landfill activities, operations, and facilities and would require the seller of any residential dwelling in close proximity to a landfill activity, operation, or facility to give written notice to the purchaser before transfer of title that the property is subject to the provisions described above. The bill would require the purchaser to sign the required disclosure.

Staff recommended opposing the bill unless amended to only apply to landfills where there is no adjacent property. Ms. Landis made a motion to send a letter of opposition. After an in-depth discussion, Mr. Mohajer seconded the motion. The motion passed unanimously.

6. AB 1303 (Williams)

This bill would extend the Public Interest Research Development and Demonstration Fund program until January 1, 2020.

Staff recommended the position of support and amend to broaden the ability to utilize funds for additional conversion technologies. Mr. Mohajer made the motion to support and amend. Ms. Ms. Landis seconded the motion. The motion passed with two abstentions.

Ms. Margaret Clark suggested watching the bill if there was a lack of detailed information. Ms. Cindy Chen interjected there was a lot of collection fees and they should look into it more to be sure of where the funding is going. After additional discussion, Ms. Clark made a motion to reconsider the support and amend motion and revise the motion to watch. Mr. Mohajer seconded the motion. Ms. Clark's motion passed unanimously. Staff was requested to provide additional information regarding the bill at next month's meeting.

7. SB 41 (Yee)

This bill would authorize a physician or pharmacist to furnish 30 or fewer sharps to a person 18 years of age or older without a prescription or permit and specify that they shall provide consumers with one or more of the

following disposal options: (1) Onsite, safe, sharps collection and disposal, (2) Furnish, or make available, mail-back sharps disposal containers, and (3) Furnish, or make available, a personal medical sharps disposal container that meets applicable standards for disposal of medical sharps waste.

Staff recommended sending a letter of support if amended to ensure containers are managed at the pharmacy, rather than at a publicly financed HHW program. Mr. Mohajer suggested stating support if amended and oppose if not amended. A discussion ensued, and Mr. Ron Saldana made a motion to send a letter asking to amend the bill to include a take back portion. After further discussion, Mr. Saldana amended the motion to send a letter stating the Task Force would support the bill if amended and oppose the bill if it is not amended. Mr. Mohajer seconded the motion. The motion passed unanimously.

8. SB 515 (Corbett)

The bill would require, by Sept 30, 2012, battery manufacturers to submit a household battery stewardship plan to CalRecycle.

Staff recommended supporting this bill. Mr. Mohajer made a motion to support. After a discussion, the motion was seconded by Mr. Saldana. The motion passed unanimously.

9. SB 568 (Lowenthal)

This bill would prohibit a food vendor, on and after January 1, 2013, from dispensing prepared food to a customer in a polystyrene foam food container.

Staff recommended supporting this bill. Ms. Landis made motion to support. The motion was seconded by Mr. Ruiz. The motion passed unanimously.

10. SB 771 (Kehoe)

This bill would include as eligible electricity generating systems continuous clean renewable energy resources that utilize waste gases from landfills, digesters, or wastewater treatment facilities to generate electricity and allow fuel cells and continuous clean renewable energy resources to size the facilities to fully capture the energy potential of the source of waste gas, not just to offset part or all of the customers' load.

Staff recommended supporting and amending to broaden the types of facilities that would be eligible for the incentive. Ms. Landis made a motion to support if amended. Mr. Eugene Sun seconded. The motion passed unanimously.

11. SB 833 (Vargas)

This bill would prohibit an enforcement agency from issuing a SWFP, on or after January 1, 2012, if that permit would allow the disposal of solid waste within 500 feet of a river that supplies any aquifer that provides drinking water for more than 50,000 persons, or within 1,000 feet of a site considered to be sacred and of spiritual importance to a federally recognized Indian tribe.

Staff recommended sending a letter of concern. Mr. Charles Boehmke made a motion to sending a letter to oppose the bill. Mr. Mohajer seconded the motion. The bill passed unanimously.

12. SB 915 (Calderon)

This bill would declare the intent of the Legislature to enact subsequent legislation to require a reduction in plastic bag use, establish a mandatory level of recycled content in plastic bags according to a specified schedule, increase funding for recycling education, establish incentives for consumers to return or recycle plastic bags, suspend local plastic bag ordinances, and prohibit local governments from taking certain actions regarding plastic bags.

Staff recommended opposing this bill. Ms. Coca made a motion to sending a letter to oppose the bill. Mr. Mohajer seconded the motion. The bill passed unanimously.

**VI. UPDATES ON AB 1343 PAINT STEWARDSHIP PROGRAMS/REGULATIONS AND AB 2398 CARPET STEWARDSHIP PROGRAMS/REGULATIONS**

Mr. Matt Suska provided an update on the latest developments regarding the recently enacted Statewide Paint and Carpet product Stewardship programs.

Mr. Suska reported that CalRecycle hosted an Informal Carpet Stewardship stakeholder rulemaking workshop on February 22. They solicited comments on the informal draft of the regulations, and the Task Force sent a comment letter on February 25. During their March 15 monthly meeting, CalRecycle approved the formal notice for the carpet regulations, and as a result CalRecycle staff will be submitting the regulations package to the Office of Administrative Law (OAL) to

begin the formal rulemaking process. The earliest OAL can announce the formal 45-day comment period for these regulations is April 1, 2011. Staff is actively monitoring these developments and will be reviewing the regulations.

Development of the Paint Stewardship regulations has also been moving forward. An Informal Paint Stewardship stakeholder rulemaking workshop was held March 10 by CalRecycle. They plan to present a "status update" on the comments received thus far at the April 19 CalRecycle Monthly meeting. The Task Force's joint County of L.A., City of L.A., and County Sanitation Districts letter regarding recommendations on what submitted paint stewardship plans should include is awaiting final approval and should be submitted in advance of CalRecycle's April Meeting. CalRecycle staff will then need to approve the formal notice for the Paint Stewardship regulations and then begin preparing the package to initiate the formal rulemaking process. Staff will be actively monitoring these developments.

Both Carpet and Paint Stewardship programs are following parallel development tracks to meet their statutory deadlines of September 30, 2011, for Carpet Stewardship Plan submittal and April 1, 2012, for Paint Stewardship Plan submittal.

In the meantime, on Tuesday, March 8, California held its first legislative hearing on Extended Producer Responsibility. Assembly Committee on Natural Resources Chairman Wesley Chesbro, and Assembly Committee on Environmental Safety and Toxic Materials Chairman Bob Wieckowski, held this joint hearing, which offered many stakeholders the opportunity to voice their perspective and experience regarding EPR to very intent state legislators. The hearing included presentations from a British Columbia stewardship organization CEO; CalRecycle's acting Director Mark Leary; and Carpet and paint producers, stewards, and recyclers. Presenting the Local Government perspective was Santa Clara County HHW manager Mr. Rob D'Arcy, Del Norte County HHW manager Mr. Kevin Hendrick, and the Task Force's own, Mr. Mike Mohajer

Mr. Mike Mohajer made a motion to have staff carefully review the revised regulations, and if the Task Force comments have not been addressed, send another letter restating the Task Force's concerns. Ms. Betsey Landis seconded the motion. The motion passed unanimously.

## **VII. ADC GREEN WASTE MANAGEMENT**

Mr. Charles Boehmke gave the attached [PowerPoint presentation](#) regarding the County Sanitations Districts of Los Angeles County's (Sanitation Districts) assessment on green waste recycling options after Puente Hills Landfill closes.

Mr. Boehmke stated that transitioning from Puente Hills Landfill (Puente Hills) once it is forced to close in 2013 will take much preparation and outreach to their haulers and cities. That goes for both municipal solid waste (MSW) and diverted material such as green waste. But, the Sanitation Districts have found that many of the private MSW and green material handling companies have been planning ahead to when Puente Hills closes. Staff has spent a great deal of time investigating alternative end uses, talking to vendors and facility managers, surveying the large waste companies for their green waste diversion plans and evaluating existing and proposed transfer and processing capacity in the Puente Hills watershed.

Based on staff's evaluation, there is adequate local permitted capacity to accept and divert the approximately 1,000 tons per day of green waste that currently goes to Puente Hills. In fact there is well over 30,000 tons per day excess capacity at local material recovery facilities and transfer stations to receive/process and transfer this material. Most of the green waste end users are located in the surrounding counties of Kern, Riverside, San Bernardino, Ventura, and Kings County including Districts-owned composting facilities such as IERCA and Westlake Farms. IERCA and Westlake Farms are substantial investments made by the Districts to accept both biosolids and green waste from Los Angeles County for composting, but it will cost significantly more than the current green waste charge to transport to these and other end users. There is no available substitute as cost-effective as ADC for managing green waste. But there are options available to the cities and businesses currently using Puente Hills.

The current fee for green waste at Puente Hills is \$22.95 per ton using it as ADC. At their DART MRF the cost is \$38.95 per ton, which includes handling, transporting and the tipping fee at Puente Hills. The cost at private MRFs is \$38 to \$50 and the cost at private landfills is \$38 to \$60 per ton. Once Puente Hills closes, the costs will increase. Staff anticipates the cost will be \$45 to \$50 per ton for segregating green waste. The cost will go up based on end use. There are proposals for some conversion technology projects to manage some of the green waste as well.

The Sanitation Districts are open to adding green waste chipping and grinding and transfer locations if it is needed. They are reaching out to cities and the County who rely on Puente Hills to determine their green waste recycling needs after closure.

Ms. Betsey Landis expressed concerns that the Sanitation Districts were making assumptions that green waste is already composted or would be composted when sent to MRFs or transfer stations. She also pointed out that the transfer facilities and MRFs identified can't store green waste materials too long. She



asked where the material is sent next in the process. Mr. Boehmke responded that they had shredding and transfer operations at their three landfills and the material went directly to farms and was spread out. He also stated his reference to composting meant raw, green waste material that was either shredded or sent as is to vendors. Ms. Landis added that would mean a transfer of weeds and infectious material in the green waste. Mr. Boehmke replied that there is a lot of green waste currently being transferred from theirs and the City of LA facilities by transfer trucks to different processing locations, composting facilities and land operations. Ms. Landis stated that the current processes cause weed spread especially when used as mulch, and a lot of time is spent trying to manage weed problems. It would be much better if it were composted. It's a serious problem for weed management areas and for the State Department of Agriculture when the material is spread out and used as mulch in orchards and may have things that aren't very good in them.

Mr. Mike Mohajer expressed the cities' and counties' main issue with what happens to green waste is the underlying criteria to comply with the waste reduction mandate requirements and increasing cost they need to plan for. The chart shows 18% of green waste going to the Puente Hills Landfill is from the unincorporated area in the San Gabriel Valley. When the landfill closes, these entities will need a new way to get green waste credit, which is not addressed. Also, although there are plenty of transportation options and available transfer facilities for green waste, it doesn't guarantee the green waste will be managed in a way that gives diversion (disposal reduction) credit. The cities and counties have to consider what to do with the loss of current green waste tonnage they receive credit for and how much more it will cost when the landfill closes. Elected officials and policy makers should be made aware. Simply stating there's available capacity for green waste doesn't paint an accurate picture, so the presentation should be expanded to emphasize there are other things to address and entities dependent on the landfill should make plans.

Mr. Boehmke responded that green waste diversion reported is only 5 to 10% of their total diversion. Approximately 40% plus is reliant on haulers with various programs. The Sanitation Districts isn't stepping completely out of the picture. They still have two large MRFs and a large transfer station and are speaking to cities about their needs. Mr. Mohajer's concern is that their facilities won't be able to give the full credit currently received. Mr. Boehmke indicated that the Districts are addressing the possibility of assisting with this issue when the need arises.

Mr. Ron Saldana commented that there are a lot of growers asking for material that isn't mulched because their water bill is reduced by spreading the chopped material. When the Sanitation District only focuses on the end use, the control

over cost is lost. It will be too difficult for a hauler to determine where it to take the green material and the costs.

Mr. Boehmke responded that they are fortunate to have the ADC program because they are able to process a substantial amount of green waste. The program is for as long as a landfill is in existence. They have made large investments in West Lake Farms and the Inland Empire facilities and ensured capacity was provided for green waste material from L.A. County. They can't do more than private composting facilities that have to go out to Bakersfield and Victorville. Their facilities have to be out too far.

Ms. Karen Coca added that there are two issues – economic and environmental. Economically, when Puente Hills Landfill closes, costs are going to escalate for trash and green waste. Environmentally, since the material will now be trucked over 100 miles and then composted, it will no doubt substantiate a much higher rate of air pollution from this shift. She then asked about the potential of having a composting facility, including a temporary facility, at the top of Puente Hills in areas that have been closed. Mr. Boehmke they have asked about putting composting facility at their closed Palos Verdes Landfill, but it's a nonstarter with the communities around the area and the possibility of odors. It's difficult to sell a composting facility to communities, especially since the sites are built very close to the property boundary. However, they aren't shutting the door on chipping and grinding and hauling from Puente Hills, but there are a lot of commitments made with the closure such as it being turned into a park and an access road for Rose Hills Cemetery. There are a lot of limitations and restrictions. With the new composting regulations, it may become impossible to site anything new that isn't enclosed, which will astronomically increase costs.

Mr. Mohajer added that with the closure of Puente Hills landfill, the agencies and haulers will have to pay Waste Management whatever they're asking. Cities need to be informed and start preparing for green waste management when Puente Hills closes. Mr. Saldana added that this is a critical issue that affects everyone because in the past all the costs were dictated by landfills because of the end disposal. Once the Puente Hills Landfill closes, the Sanitation Districts, which was once at the front of the line will go to the back of the line where it have to compete with private companies that have landfills. The waste hauling industry, specifically haulers that don't own landfills are working to bring in alternative technologies and other things that can be done so the solid waste industry remains competitive. If not municipalities will be at the mercy of the few haulers that are left because there isn't much competition. He also stated that industry has always counted on the Sanitation District to stabilize rates but that may be in jeopardy after 2013 with the closure of the Puente Hills Landfill.

### **VIII. CALRECYCLE RELEASES DRAFT PROGRAM (EIR) FOR ANAEROBIC DIGESTER FACILITIES**

Ms. Mitchell provided an update on the draft Programmatic Environmental Impact Report (DPEIR) for anaerobic digestion facilities that was released for public comment by Cal Recycle. The project objectives are to (1) assist Cal Recycle in meeting Strategic Directive 6.1 – reduce organics in the waste stream by 50 percent by 2020, (2) support AB 32 GHG reduction measures relating to solid waste, and (3) assist local government by providing program-level analyses that will identify potential environmental effects of AD facilities and discuss mitigation measures of BMPs that will reduce or eliminate environmental effects. This DPEIR applies to stand alone AD facilities in industrial zoned areas and in-vessel AD facilities located at existing or new permitted solid waste facilities. This DEIR will only focus on facilities that process food, green, and/or mixed solid waste.

Mr. Mike Mohajer commented regarding CalRecycle's Strategic Directive 6.1, diverting 50% of organic material from disposal facilities by 2020. When the former Waste Board decided on the 50% diversion rate their base year was 2008. When calculated from that year, the diversion rate would actually rise to the equivalent to 83%. CalRecycle and the Waste Board adopted this strategy and it is being forced through regulation and not legislation. CalRecycle has been questioned on this issue.

Ms. Jennifer Wallin of CalRecycle noted that SD 6.1 is a goal and mission statement for CalRecycle for what they would like to see happen, but there is no requirement on jurisdictions or businesses that results from it. They are trying to establish tools that would enable this goal to happen.

Ms. Betsey Landis stated that, to be fair, all conversion technologies should be listed under alternatives and let every locality pick which works for them. She also stated that if promulgated, the document would be around for years and not just this point in time, so a statement should be incorporated clarifying the alternatives evaluated are available at this time and what the current preferred method is. Over time the methods will change and the opportunity should be given for localities to use what works best for them in the future.

Mr. Ruiz stated that there isn't an issue with the DPEIR itself, but with the strategic policy because as a result of the policy, other proposals came up such as eliminating the diversion credit for ADC, which would have an impact on diversion.

There was further discussion, but overall, the Task Force considered the DPEIR to be a useful resource to potential project developers and local governments. A motion was made by Mr. Mohajer to send a letter to Cal Recycle with specific

suggestions prior to the April 4, 2011, deadline. Ms. Landis added that the date should be specifically noted in the EIR. The motion was seconded by Ms. Landis. The motion passed unanimously.

**IX. REPORT FROM CALRECYCLE**

Ms. Jennifer Wallin reported that CalRecycle the City/County Block Grants for beverage containers are open now until May 31, 2011, and they encourage everyone to apply. She reiterated there would be a public meeting in Lakewood on March 30 covering the jurisdictional review. The six jurisdictions in Los Angeles County are Lawndale, Rolling Hills, Norwalk, Malibu, San Gabriel, and Bell Gardens, but all are welcome to come to see how the review will go. The addition of Bradbury to the Los Angeles Regional Agency is also on the agenda, and they will be accepting comments on the DPEIR previously discussed. She also stated there will be two Institute of Local Government workshops on the mandatory commercial measure - April 12, 2011, focusing on multi-family and May 2, 2011, focusing on implementing the regulation. There has been a delay in passing the draft regulation on to the Air Resources Board and Office of Administrative Law. Howard Levenson and Brenda Smith will try to attend the May Task Force meeting as a follow up to their earlier presentation.

**X. NEXT MEETING DATE**

The next meeting is scheduled for Thursday, April 21, 2011, in Conference Room B.

**XI. OPEN DISCUSSION**

The meeting adjourned at 3:18 p.m.

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