

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

Minutes of April 21, 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
Mary Ann Lutz, League of California Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Gail Farber, rep. by Pat Proano, 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
Greig Smith, rep. by Nicole Bernson, City of Los Angeles
Dr. Barry Wallerstein, rep. by Jay Chen, South Coast Air Quality Management District
Enrique Zaldivar, rep. by Reina Pereira, 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
Sam Perdomo, Business/Commerce Representative
Eugene Sun, League of California Cities-Los Angeles Division

OTHERS PRESENT:

Becky Bendikson, Sunshine Canyon Landfill CAC
Bill Hernandez, Waste Resources
Vanessa Hevener, City of Arcadia
Wayde Hunter, NVC/GHNNC
Armine Kesablian, County of Los Angeles Department of Public Works
Jennifer Lao, HDR
Jacqueline Maddox, Clements Environmentals
Corey Mayne, County of Los Angeles Department of Public Works
Primitivo Nunez, CalRecycle
Coby Skye, County of Los Angeles Department of Public Works
Jennifer Wallin, CalRecycle

I. CALL TO ORDER

Meeting called to order at 1:03 p.m.

II. APPROVAL OF MINUTES OF MARCH 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)

Mr. Coby Skye reported the subcommittee received an update on Phases 3 and 4 of their contracts from David McKenzie of Alternative Resources, Inc. They've been busy with public outreach activities, the demonstration projects, and Phase 4 commercial projects including identifying funding availabilities, developing requests for interest for new technologies, and developing a detailed economic model to be used to facilitate the Phase 4 projects and evaluate other mechanisms to support conversion technologies projects. The County of Los Angeles Department of Public Works (Public Works) is preparing a memo to the Board of Supervisors with the 6 month update on the conversion technology projects. A copy of the memo will be provided to Task Force and Subcommittee.

A letter was sent by environmental organizations requesting Secretary John Laird of the Natural Resources Agency to rescind a letter issued to Plasco regarding their Salinas Valley gasification project. The letter was provided by CalRecycle designating the Plasco project as a gasification facility as defined by State law. This determination would mean Plasco would not be considered a disposal facility equivalent to a landfill, and the energy provided would be considered renewable. The letter is vital for the project's development. There was also discussion of a threatening e-mail sent by Kipp Lipper, Chief of State to Senate President pro Tem Darrel Steinberg, to State agencies relating to the issue. Direction is being sought from Public Works' County Counsel to see if they can respond to the e-mail. The Subcommittee requested the Task Force send a letter to Secretary Laird to stand by CalRecycle's determination. Ms. Betsey Landis made a motion for the Task Force to send the letter seconded by Mr. Mike Mohajer. The motion passed unanimously.

Mr. Skye also reported on an update from the City of Los Angeles. They are moving forward with their recommendation for a commercial project and hope to have it approved in the next few weeks. More information will follow.

IV. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis provided a summary of the subcommittee's discussion on the Sunshine Canyon City/County Landfill (SCL) and the various enforcement actions currently undertaken by several agencies to mitigate odors at the landfill. Two operations and maintenance plans to control odor, Odor Mitigation Plan and Odor Plan of Action, are currently being reviewed and commented on. They would need to be approved by the County and other agencies. Mr. Pat Proano of Public Works reported to the subcommittee that he was following the issues closely. He stated the issues were elevated to the highest level of Republic Services. As a result, Republic Services brought in new staff to manage the landfill, including a new gas manager and environmental compliance officer, and the change has been making a difference. The subcommittee reported revegetation efforts at the landfill were also discussed.

V. LEGISLATIVE UPDATE

Mr. Coby Skye reported there were five bills that were gutted and amended since the last meeting and specifically commented on AB 1016 and SB 915, which the Task Force was going to oppose prior to the amendments. He also reported on following legislative bills ([see attachment](#)):

1. AB 34 (Williams)

This bill would require CalRecycle to develop, by July 1, 2012, a guidance document to assist enforcement agencies in the adoption of site-specific objective odor performance thresholds for compost facilities. The bill would authorize a compost facility operator to apply to an enforcement agency to adopt performance thresholds. The bill would also prohibit an enforcement agency from verifying that an odor complaint originates from a compost facility for which the enforcement agency has adopted performance standards, unless the odor violates certain performance threshold standards.

Staff recommended opposing this bill. Ms. Betsey Landis made a motion to oppose seconded by Mr. Mike Mohajer. The motion passed with one abstention from Mr. Ron Saldana.

2. AB 638 (Skinner)

This bill would require specified agencies, on or before January 1, 2013, to develop a strategy for petroleum fuel use reduction and alternative fuel use in specified vehicles, and identify regulatory and statutory barriers to attaining the petroleum fuel consumption targets.

Staff recommended Task Force watch this bill.

3. AB 960 (Lowenthal)

This bill would require that the recycler conform their export practices as a condition of receiving the recovery and recycling payments. The bill would revise the requirements imposed on E-waste exportation. The bill would repeal the existing exemption for exportation of component parts that are reused or recycled and would instead require CalRecycle to adopt regulations regarding exemptions.

Staff recommended supporting this bill. Ms. Landis made a motion to send a letter of support seconded by Ms. Margaret Clark. The amended motion passed unanimously.

4. AB 1149 (Gordon and Wieckowski)

This bill would extend the sunset date for the Plastic Market Development Program to continue investment until January 1, 2017.

Staff recommended supporting this bill. Ms. Nicole Bernson made a motion to support but with a stipulation against borrowing from the fund by the Legislature. Ms. Mary Ann Lutz seconded. The motion passed unanimously.

5. AB 1178 (Ma)

This bill would prohibit a city, county, or local agency from restricting the importation of solid waste into that city or county based on the place of origin. This bill would essentially nullify existing wasteshed restrictions at landfills and prohibit such restrictions in the future. The bill would additionally authorize a "local agency" to assess special fees on the importation of waste from outside of the county to publicly owned or privately owned facilities.

Staff recommended opposing the bill. Mr. Mohajer made a motion to oppose seconded by Ms. Bernson. After a discussion on the pros and cons of the bill for local government and industry, the motion passed with abstentions from Chuck Boehmke, Pat Proano, Ron Saldana, and Margaret Clark and one opposing vote from Ms. Landis.

6. AB 1189 (Mendoza)

This bill would, among other things, require a producer or the household battery stewardship organization created to submit a household battery stewardship plan to CalRecycle, by January 1, 2012. By April 1, 2013 governmental entities that operate a location at which residents may drop off materials for recycling would be required to provide for the collection of used household batteries. By April 1, 2013 governmental entities that operate a curbside collection program that includes used household batteries would be required to sort those batteries from other collected materials.

Staff recommended opposing unless amended. Ms. Lutz made a motion to oppose unless amended seconded by Mr. Mohajer. After a brief discussion, the motion passed unanimously.

During the discussion, Ms. Lutz reported the San Gabriel Valley COG received a grant from CalRecycle to work with California stewardship group to put together locations of business that will take back and recycle batteries. A press release and ribbon cutting was held today, April 21, in Monrovia at the first location to sign up. After only two weeks and without advertisement, the company was able to send out a box of batteries for recycling. All types of batteries are accepted through this program.

7. AB 1303 (Williams)

This bill would extend the “Public Goods Charge” and associated programs funded by this charge, including the Public Interest Energy Research program, until January 1, 2020.

Staff recommended supporting this bill. Mr. Mohajer made a motion to support if amended and oppose unless amended. After a brief discussion, the motion was seconded by Mr. Proano and passed unanimously.

8. AB 508 (Swanson) – presented by Mr. Mike Mohajer

This bill would add employees of solid waste handling and recycling contractors and subcontractors to the existing law which requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain, for a period of at least 90 days, certain employees who were employed by the previous contractor or subcontractor.

Mr. Mohajer wanted to ensure industry and local government were aware of the bill and its future implications. After a brief discussion, Ms. Bernson

made a motion to watch the bill seconded by Ms. Lutz. Ms. Clark made substitute motion to oppose the bill. The substitute motion failed, and the original motion to watch passed unanimously.

9. AB 712 (Williams) – presented by Mr. Mohajer

This bill would prohibit CalRecycle from making any payments, grants, or loans to a jurisdiction, if that jurisdiction has adopted or is enforcing a land-use restriction that prevents the siting or operation of a certified recycling center at a supermarket site.

Mr. Mohajer made a motion to oppose this bill seconded by Ms. Clark. The motion passed unanimously.

VI. WASTE MANAGEMENT MATERIAL RECOVERY FACILITY, TRANSFER STATION, AND HOUSEHOLD HAZARDOUS WASTE FACILITY DRAFT EIR-CITY OF AZUSA - DEIR

Mr. Martins Aiyetiwa gave the [attached presentation](#) on the City of Azusa Waste Management Material Recovery Facility, Transfer Station, and Household Hazardous Waste Facility Draft Environmental Impact Report. Mr. Aiyetiwa stated that if the Task Force had any comments staff would compile them and submit them by the due date of May 9, 2011. Public Works has some comments and will be submitting them. Mr. Mohajer stated that he will also submit comments as a private citizen.

VII. PROPOSED REGULATIONS FOR THE ARCHITECTURAL PAINT RECOVERY PROGRAM

Ms. Armine Kesablyan gave the [attached update](#) on the Proposed Regulations for the Architectural Paint Recovery Program. She stated that recommendations on behalf of the Task Force, County of Los Angeles Department of Public Works, Los Angeles County Sanitation Districts, and the City of Los Angeles were mailed to CalRecycle to be considered in preparation of the proposed regulations. The Proposed Regulations for the Architectural Paint Recovery Program were approved by CalRecycle at their April 12, 2011, monthly meeting, and Cal Recycle anticipates starting the Formal Rulemaking process in June 2011.

Ms. Mary Ann Lutz asked if there was a limit to the fee amount CalRecycle would be able to charge for the administration of the program and since it is not specified, Ms. Betsey Landis advised staff to address putting a ceiling for this fee during the 45 day review period once the Formal Rulemaking process begins. Mr. Mohajer also stated he would follow up with CalRecycle since they didn't address all of the recommendations submitted by the agencies.

VIII. PRESENTATION OF THE 2009 ANNUAL REPORT

Mr. Nik Reppuhn presented the 2009 Annual Report ([see attached](#)). Due to the voluminous questions and time restraint, the presentation could not be completed and was tabled until the next meeting.

IX. REPORT FROM CALRECYCLE

Ms. Jennifer Wallin reported the following:

- Mr. Jacobson Plastics received the RMDZ loan for \$29,000 to be used to refinance and existing loan.
- AB 32 is temporarily on hold to forward to the Air Resource Board to start the Formal Rule Making Process. She stated she isn't sure for how long, but Mr. Howard Levenson may be able to give an update at the May 26 meeting.
- CalRecycle's 2010 annual report will be released to jurisdictions in June.

X. NEXT MEETING DATE

The next meeting is scheduled for Thursday, May 26, 2011, in Conference Room B.

XI. OPEN DISCUSSION

The meeting adjourned at 3:18 p.m.

TS

P:\epub\ENGLAN\TASK FORCE\Minutes\2011 Minutes\TF Minutes April 2011--Draft_1.doc