

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

Minutes of March 15, 2012

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

COMMITTEE MEMBERS PRESENT:

Margaret Clark, California League of Cities-Los Angeles Division
Betsey Landis, Environmental Organization Representative
Mary Ann Lutz, California League of Cities-Los Angeles Division
Eugene Sun, California League of Cities-Los Angeles Division
Mike Mohajer, General Public Representative
Ron Saldana, Los Angeles County Disposal Association (Formerly GLASWMA)
Sam Perdomo, Business/Commerce Representative

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Dr. Jonathan Fielding, rep. by Pete Oda, County of Los Angeles Department of Public Health
Gail Farber, rep. by Carlos Ruiz, County of Los Angeles Department of Public Works
Grace Chan, rep. by Chris Salomon, County Sanitation Districts of Los Angeles County
Enrique Zaldivar, rep. by Karen Coca, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Michael Conway, City of Long Beach
David Kim, City of Los Angeles
Gerry Miller, City of Los Angeles
Carl Clark, rep. by David Thornburg, Institute of Scrap Recycling Industries, Inc.
Mitchell Englander, rep. by Nicole Bernson, City of Los Angeles
Dr. Barry Wallerstein, rep. by Jay Chen, South Coast Air Quality Management District

OTHERS PRESENT:

Jacqueline Maddox, Clements Environments
Corey Mayne, County of Los Angeles Department of Public Works
Tobie Mitchell, County of Los Angeles Department of Public Works
Becky Bendikson, SCL-CAC
Wayde Hunter, NVC/GHNNC
Suk Chong, County of Los Angeles Department of Public Works
Jennifer Wallin, CalRecycle
Coby Skye, County of Los Angeles Department of Public Works

I. CALL TO ORDER

Meeting called to order at 1:10 p.m.

II. APPROVAL OF MINUTES OF FEBRUARY 16, 2012

A motion was made by Ms. Betsey Landis to have the minutes sent back for further review and be presented at the next Task Force meeting in April for approval, Mary Ann Lutz seconded the motion. The motion was passed unanimously.

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

Ms. Tobie Mitchell reported the Subcommittee met earlier and heard a presentation by Mr. Steve Tucker and Mr. George Gitschel regarding their proposed advanced materials recovery and conversion project in Lancaster, CA. Ms. Mitchell also reported that the County prepared and submitted a grant application to the California Energy Commission to fund the proposed Conversion Technology Center. If that grant is awarded, the Conversion Technology Center would be a statewide resource for the public and private sectors that would advance the planning and development of waste-based biofuel projects in the state of California. In addition to the grant submittal, Public Works has been involved in several meetings to discuss potential projects with jurisdictions such as Calabasas, Avalon, Carson, Lancaster, and Santa Clarita.

FACILITY AND PLAN REVIEW SUBCOMMITTEE

Ms. Betsey Landis reported that Mr. Martin Aiyetiwa provided an update on the revision process to the Countywide Siting Element (CSE). Mr. Aiyetiwa discussed the status of the Request for Proposals (RFP) for contracting out work related to the development of the CSE and informed the Subcommittee that the RFP was cancelled by the County for a number of reasons. However, a new RFP is anticipated to be prepared by the end of March, with a Proposer's Conference to be scheduled in early April and the contract awarded in July 2012.

Ms. Landis reported that the Subcommittee discussed activities at Sunshine Canyon landfill and the landfill's vegetation consultant would be attending the Subcommittee meeting next month. She continued by reporting that Republic Services, Inc., (Republic) submitted a request to Public Works to conduct a Focus Study for the Evaluation of Alternative Daily Cover at the Landfill. The purpose of the study would be to explore whether daily soil cover required by

Public Works is the best management practice for controlling odors at the working face, or if an alternative daily cover material may be feasible. However, Public Works sent a letter to Republic on February 27, 2012, restating the County's position that the daily soil cover requirement continues to be effective in minimizing landfill odors.

Ms. Landis also discussed regulatory changes in the way amendments to nondisposal facility elements (NDFE) are processed as a result of the enactment of Assembly Bill 341 (AB 341) in 2011. As described in Public Resources Code 41734.5, once an NDFE is adopted, the city, county, or regional agency shall update all information required to be included in the NDFE, including, but not limited to, new information regarding existing and new, or proposed, nondisposal facilities. The local Task Force shall not be required to review and comment on the updates to the NDFE. Prior to adoption of AB 341, the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) was required to review NDFE amendments and provide comments with respect to regional impacts. Ms. Landis made a motion recommending the Task Force to acknowledge changes to the NDFE process, and following the new regulation, review NDFE amendments at Subcommittee meetings, and if necessary, send a comment letter, while noting the review is not for the purpose of approving or disapproving the amendments. Mr. Mike Mohajer seconded the motion, and the motion was passed unanimously.

Mr. Mike Mohajer would like to have on the record that he was recently asked about a Request for Proposal (RFP) for a landfill feasibility study that the County issued at a public meeting. Mr. Mohajer explained that he did not have information prior to this meeting to properly answer questions. After the meeting, he went to the County website and learned about the RFP to solicit work related to the CSE. Upon inquiry to County Counsel, he was advised that the appropriate response in this case would be to refer the public to the designated RFP contact. Mr. Mohajer requested that for future RFP releases regarding the CSE, a courtesy notice be provided to the Task Force so the Task Force could provide an appropriate response when approached by the public.

DISCUSSION AND CONSIDERATION OF NONDISPOSAL FACILITIES ELEMENT PROCESS UNDER THE NEW STATE LAW (PRC SECTION 41734.5)

Ms. Emiko Thompson discussed the Nondisposal Facilities Element (NDFE) process, which was recently revised by the enactment of Assembly Bill 341 (AB 341) in 2011. As described in Public Resources Code 41734.5, once an NDFE is adopted, the city, county, or regional agency shall update all information required

to be included in the NDFE, including, but not limited to, new information regarding existing and new, or proposed, nondisposal facilities. Copies of the updated information shall also be provided to the local Task Force and shall be appended or otherwise added to the NDFE. The local Task Force shall not be required to review and comment on the updates to the NDFE.

Prior to adoption of AB 341, the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) was required to review NDFE amendments and provide comments with respect to regional impacts. Task Force staff visited the nondisposal sites, reviewed submittal documents, made presentations to the Task Force, and prepared comment letters on behalf of the Task Force.

Ms. Thompson suggested two options for future processing of NDFE amendments: (1) Staff disseminate the amendment information to the Task Force via email, or (2) staff review the amendment information, place it on Facility and Plan Review Subcommittee meeting agenda, and if directed by the Task Force, and send a comment letter to the local jurisdiction. Staff may request the jurisdiction to provide additional information or make a presentation to the Task Force. As previously discussed under the item of Facility and Plan Review Subcommittee, the Subcommittee recommended the Task Force to adopt the second option, and the recommendation was passed unanimously.

IV. NEEDLE EXCHANGE PROGRAM REGARDING SB 41 IMPLEMENTATION – DR ANNA LONG, LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH

Item was postponed until further notice.

V. LEGISLATIVE UPDATE

Mr. Coby Skye gave an update on the [attached legislative table](#). There are 24 new bills that were added to the table.

- AB 1442 – Was discussed in the February Task Force meeting and the Task Force requested additional information. A summary and copy of a letter the California Product Stewardship Council sent in support of AB 1442 was mailed to the Task Force members. This is a bill that relates to processing and the take back of pharmaceutical waste and it will make it easier for hospitals and other facilities to manage their pharmaceuticals rather than send them to a certified medical waste facility they can actually transport them through common carrier which would be less expensive. Mr. Mohajer

added, the State Department of Public Health is the enforcement agency. This was a concern raised by Ms. Cindy Chen at the last Task Force meeting. Mr. Mohajer made a motion to support this bill as amended February 8th. Ms. Mary Ann Lutz seconded the motion and it was passed unanimously. To meet the deadline, Mr. Mohajer will forward an e-mail to the Legislative Director and will follow-up with a formal letter.

- AB 1834 – This bill creates a state-wide reusable bag standard which reduces the likelihood that a reusable bag will easily tear. The standards set forth in AB 1834 mirror those adopted recently by a number of local government ordinances regarding grocery bags, including that of Los Angeles County. These standards would serve to assure the consumers that they are using a bag that will sustain repeated usage and is made of materials that meet safe levels of heavy metals and toxins. Ms. Karen Coca made a motion to support the bill. The motion was seconded by Ms. Landis and was passed unanimously.
- AB 1900 – Mr. Skye informed the Task force about the current prohibition of injecting landfill gas into the natural gas pipeline. This bill will create a minimal standard for cleaning up landfill gas. There is also a provision that will require the Public Utilities Commission (PUC) to contract a minimal of five contracts. Mr. Mohajer made a motion to support if amended and oppose if not amended. Ms. Coca disagreed with the motion. Mr. Mohajer wanted to credit for renewable energy to be only to those sources gas that are generated within the state. Mr. Skye reminded the Task Force that it is relatively early in the legislative process; the Task Force can always refine their position if they are amendments to the bill. After a brief discussion, Mr. Mohajer changed the motion to support the motion if amended, seconded by Ms. Landis and was passed unanimously.
- AB 2257 – This bill is similar to AB 34, the landfill cannot be sited as a nuisance as long as it meets certain conditions. This bill has similar language. Ms. Landis moved to oppose this bill. Ms. Lutz seconded the motion and the motion was passed unanimously.
- AB 2670 - Mr. Skye highlighted this bill. There are a number of provisions on this bill and staff will be reviewing in further detail and will provide a recommendation on the next Task Force meeting. Mr. Mohajer discussed a few items on this bill. One, eliminated any review to the Five-Year Review of the summary plan; it is not applicable to the preparation of the Countywide Integrated Waste Management Plan and the Summary Plan. Items relating to

the Siting Element, remains as is, nothing changes. Mr. Mohajer recommends watching this bill.

- SB 964 – Mr. Skye recommended watching this bill and bringing back for discussion on the next Task Force meeting. This bill creates additional requirements regarding any type of waiver exemptions to streamline the process of the permits. When a regional board issues a permit, they don't go through the same process as CalRecycle does. Ms. Lutz, explained the approval process of the Regional Water Board to the Task Force members. Ms. Landis made a motion to support as of March 8, 2012. Mr. Mohajer seconded the motion and was passed with one abstention from Mr. Chris Salomon.
- SB 965 – Mr. Skye recommends the Task Force to continue to watch this bill. He will review the bill and bring back additional information for the next Task Force meeting per Task Force members' request.
- SB 1127- Mr. Skye recommends an oppose position on this bill. Task Force would like to review the bill and be provided with additional information for the next Task Force meeting.
- SB 1219 – This bill relates to in-store single-use bag recycling programs. This bill was passed at the last minute in 2006. This bill will extend AB 2449 (Levin, 2006) but removes local government preemption to impose fees. Ms. Coca moved to support this bill. Ms. Landis seconded the motion, and was passed unanimously.
- HR 66 – Mr. Skye recommends a support position on this bill. Mr. Mohajer made a motion to support HR 66. Ms. Lutz seconded the motion and the motion was passed with two abstentions from Ms. Betsey Landis and Mr. Pete Oda.
- The Task Force votes to watch bills: AB 1933, AB 2196, AB 2321, AB 2336, AB 2564, AB 2614, SB 1128, SB 1329, SB 1359, and SB 1455.

Mr. Mohajer requested staff to prepare a summary table of bills relating to recycling buyback centers, recycling bins, and illegal disposal for the April Task Force meeting.

VI. ECOLUTION PROPOSED MRF & CT PROJECT IN LANCASTER

Mr. Steve Tucker and Mr. George Gitschel, conducted a PowerPoint presentation regarding Ecolution's proposed waste separation and recovery facility proposed

in the City of Lancaster. Mr. Tucker elaborated on how this project will maximize the recovery of materials from the wastestream and generate fuel sources from the materials that can't be recycled. Mr. Tucker added that Ecolution partnered with the City of Lancaster and they are committed to acquire and provide a 40-acre facility for this project.

Mr. Gitschel gave an overview of the technology this project will use and answered questions from the Task Force members. Mr. Gitschel stated that plant is expected to be in operation within the 18-24 months after a site is selected, and that the projected dumping fee cost per ton is \$55 per ton.

Mr. Mohajer enquired about the purpose of introducing the Ecolution project to the Task Force. Mr. Gitschel stated that this project requires additional waste to operate at max capacity; therefore, they would like the County to help allocate additional sources of waste.

Mr. Mohajer requested a copy of the presentation. They agreed to, but they will need to modify the presentation to exclude patent pending items.

VII. ENDORSEMENT OF PRINCIPALS OF PRODUCT STEWARDSHIP

Mr. Skye made a presentation on Product Stewardship (PS) and Extended Producer Responsibility (EPR) including a background on how the principals have been developed. This is collaboration between the Product Stewardship Institute, Product Policy Institute, and the California Product Stewardship Council (CPSC). Each one had a different definition of PS and EPR. Mr. Skye referred the Task Force to the information sent out on PS and EPR definitions hoping the Task Force had a chance to review. He explained that the intent of the definitions is to have a common definition so that everyone is speaking the same language on a national level. The CPSC was a major drive in moving this document forward. The Task Force joined the CPSC and is an active participant in that body. Staff reviewed the draft of this document and recommendations were made regarding the language especially in regards to "beneficial use." On the second page there is a discussion regarding producers responsibilities principles that included a result focus where it talks about producer-managed systems must follow the resource conservation hierarchy of reduce, reuse, recycle, and added "and beneficially use," as appropriate that we do not exclude conversion technology to the recovery of the reuse, reduce, recycle.

Ms. Coca made a motion to support the Endorsement of Principals of Product Stewardship. Mr. Mohajer seconded the motion and the motion was passed unanimously.

VIII. ARCHITECTURAL PAINT COLLECTION UPDATE

Ms. Natalie Jimenez updated the Task Force on Assembly Bill 1343, where she mentioned that effective July 1, 2012, a paint manufacturer or designated stewardship organization is required to implement a recovery program to reduce the generation of postconsumer paint, promote the reuse of postconsumer architectural paint, and manage the end-of-life of postconsumer architectural paint, in an environmentally sound fashion, including collection, transportation, processing, and disposal.

CalRecycle's responsibilities are to enforce the program, review and approve Stewardship Plans, post list of compliant manufacturers on the website, review annual reports, and provide oversight.

On February 22, 2012, CalRecycle adopted the regulations. Which are now going to the Office of Administrative Law for publishing. Once that happens, the Stewardship Organization has to submit a plan to CalRecycle, implement the plan and they will have 90 days to approve it. Also, there is a review process that will run concurrent with the approval from CalRecycle and there is a 30-day review period. The program is supposed to start July 1, 2012; however, they are estimating the program will start in October 2012.

Ms. Jimenez gave a brief history about the Paint Stewardship Organization. At the moment the organization is developing a Paint Stewardship Plan to turn in to Cal Recycle by April 1. The Plan should outline in detail what their goals are and who their partners will be. They have partnered with California Product Stewardship Council to conduct three webinars to get jurisdictions up to speed and they will also attend the household hazardous waste information exchange meeting on March 21, 2012. The current infrastructure consists of 600 collection sites/facilities. The first step is for jurisdictions to submit a letter of intent. This will allow Paintcare to use current infrastructure for the collection of paint. Retail collection sites are expected to be added on after the first-year. If jurisdictions do not send their letter of intent by April 1, they can still sign up at anytime to the program. The next step is to sign a contract with PaintCare. It is a two-year contract with renewal options.

Currently, the County of Los Angeles collects 2.5 million pounds of paint costing over \$1 million for disposal. City of Los Angeles collects 2.2 million pounds of paint costing over \$1 million for disposal. Currently, government HHW program operators, including Los Angeles County, are in negotiations with PaintCare to ensure an expedited and smooth transition of paint management responsibilities

to PaintCare. For every dollar that the County spends on transportation and disposal the County is also spending about .80 cents in planning, outreach, setup and processing. Therefore, it is important for Los Angeles County to get fair compensation for these costs otherwise it is better to phase out the collection of paint through our local programs. Los Angeles County is collaborating with City staff so that regionally there is a coordinated approach always putting the interest of residents as the highest priority and making the disposal of paint convenient.

Current Household Hazardous Waste infrastructure is utilized by 5 % of households. Nearly 100 million pounds of paint are landfilled. Paint accounts for approximately 40% of total HHW collected.

Looking at the statewide program data and local waste characterization data, in comparison with quantities of HHW collected by local programs the County estimates that, for every pound collected by the local programs, there are 6-10 pounds that are finding their way into the landfills.

Given these facts, PaintCare will be using the current collection amount as the baseline. There is much more to do, in order to collect a higher amount more options need to be made available. Los Angeles County expects PaintCare and CalRecycle to set ambitious goals for the stewardship program given these facts.

Mr. Carlos Ruiz added, as staff discussed the participation in the program with PaintCare, staff looked at these local programs. Staff has stated in the past to the Task Force that, because of limited resources, the local programs are barely making a dent in the problem. Staff took a look at the waste characterization. Based on that characterization HHW continues to be disposed in much larger quantities than the amount local programs are picking up. To set up an infrastructure for PaintCare that relies on the local programs is a good step but right now these programs may be collecting 10-16% of the total volume of HHW. If staff can't reach an agreement that would compensate the cost to the County, it may be better for the County to work with PaintCare in the transition.

Mr. Mohajer, mentioned that on the last teleconference, they were very clear they are not going to pay for the administrative cost. They said they were not going to start asking retailers to take the waste. In other words, we are stuck for the next three years with what we currently have. It is a bad situation; part of it is because of the legislative process that did not let CalRecycle establish a goal. PaintCare said they were going to sue, that's what is delaying the regulation.

Ms. Coca, fears that they are not going to set up these retail outlets and there will only be a few and far between, which will be inconvenient for people to get to and it's not going to satisfy the intent of the Legislative.

I. UPDATE ON THE SANTA MONICA INTERN PROGRAM

Ms. Jimenez made a power point presentation on the Internship Program the County currently has available. The only program in place is the Community Based Enterprise Education Program (C-BEEP). It is administered by the County of Los Angeles' Department of Human Resources. The program's goal is to place university students within County departments as student interns for the completion of specific projects, research or studies ordered by the Board of Supervisors or developed by a County department. C-BEEP internships are unpaid and projects are carefully designed to offer each intern practical and meaningful work experience.

The County may submit a Task Force project to DHR by completing the Internship Opportunity Form. It will then be entered into a C-BEEP database. The prospective intern will need to apply at DHR website and select the Task Force Project. The County will solicit applications, just as you would when applying for a job. The student will then apply through the County website. In order to qualify for the Community-Based Enterprise Education Program (C-BEEP), interns must either be a junior, senior or graduate student currently enrolled at one of the partnering educational institutions listed on the website. The intern will be processed like a new hire. They will also be required to submit a live-scan (inkless electronic fingerprinting).

Mr. Mohajer, added that the idea was to bring in the students from Santa Monica that are willing to work for free. Mr. Mohajer wants staff to make an attempt to bring these students in from Santa Monica and Orange County. He requested staff to address this issue on the next Task Force meeting and to send a letter to the Department of Human Resources from the Task Force and to the Board of Supervisors.

II. NEXT MEETING DATE

The next meeting is scheduled for Thursday, April 19, in Conference Room B.

III. OPEN DISCUSSION

Ms. Jennifer Wallin, CalRecycle, commented on the internship program. She mentioned they currently hire a volunteer which only requires completing a one page application and the school took care of insurance requirements.

The meeting adjourned at 3:05 p.m.

NJ:fr

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