

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

Minutes for January 17, 2019

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
Jack Hadjinian, California League of Cities-Los Angeles Division
Gideon Kracov, Los Angeles County Disposal Association
Mike Mohajer, General Public Representative

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Craig Beck, rep by Charles Tripp, Long Beach Public Works Department
Grace Hyde, rep by Sam Shammas, Sanitation Districts of Los Angeles County
Dr. Barbara Ferrer, rep by John Kaddis, County of Los Angeles Department of Public Health
Wayne Nastri, rep by Jason Aspell, South Coast Air Quality Management District
Mark Pestrella, rep by Carlos Ruiz, County of Los Angeles Department of Public Works

COMMITTEE MEMBERS NOT PRESENT:

Robb Cohn, Institute of Scrap Recycling Industries
Mitchell Englander, City of Los Angeles
David Kim, City of Los Angeles
Betsey Landis, Environmental Organization Representative
Rafael Prieto, City of Los Angeles
Enrique Zaldivar, City of Los Angeles Bureau of Sanitation

OTHERS PRESENT:

Armando Aguilar, County of Los Angeles Department of Public Works
Clark Ajwani, County of Los Angeles Department of Public Works
Elijah Carder, County of Los Angeles Department of Public Works
Charles Darensbourg, County of Los Angeles Department of Public Works
Bella Hernandez, County of Los Angeles Department of Public Works
Patrick Holland, County of Los Angeles Department of Public Works
Wayde Hunter, North Valley Coalition
Gerald Ley, County of Los Angeles Department of Public Works
Carol Oyola, County of Los Angeles Department of Public Works
Margarita Quiroz, County of Los Angeles Department of Public Works
Kawsar Vazifdar, County of Los Angeles Department of Public Works

I. CALL TO ORDER

Meeting called to order at 1:17 p.m. by Ms. Clark.

II. WELCOMING NEW COMMITTEE MEMBER

Ms. Clark welcomed new committee member Mr. Kracov, representing the Los Angeles County Disposal Association.

III. APPROVAL OF MINUTES FOR NOVEMBER 15, 2018

A motion was made by Mr. Mohajer and seconded by Mr. Shammass to approve the November 15, 2018 minutes. The motion passed with three abstentions.

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

Ms. Vazifdar reported there was a presentation by Harvest Energy along with their partner Hitachi Zosen Inova (HZI). The presentation discussed HZI's Kompogas technology which processes both dry and wet organic waste through high-solids anaerobic digestion. In November 2018, the first Kompogas plant opened in San Luis Obispo, California. The plant has a capacity of 36,500 tons per year and will produce electricity and compost.

Ms. Vazifdar also mentioned an update from Alternative Resources, Inc. (ARI), who are finalizing the financial analysis of the in-vessel composting project at the Pitches Detention Center. She stated that ARI is developing outreach and educational materials to promote conversion technology development. She also mentioned that ARI is also reviewing the California Environmental Protection Agency Assembly Bill 1045 report that provides recommendations to expedite the development of organics and infrastructural in California. Finally, Ms. Vazifdar reported that the ATAS received an update from Waste Management (WM), who is working on finalizing the permitting process for its Sun Valley Materials Recovery Facility (MRF) and will eventually process and send organic waste to the Anaergia bioenergy facility in Rialto, which had its groundbreaking late last year.

Ms. Clark asked if the Kompogas technology is similar to the technology used by the CR&R anaerobic digestion facility in Perris, California. Ms. Vazifdar responded that they are both high-solids anaerobic digestion technologies.

V. REPORT FROM THE FACILITY AND PLAN REVIEW SUBCOMMITTEE (FPRS)

Mr. Mohajer reported the committee received an update on Sunshine Canyon Landfill (SCL) and Chiquita Canyon Landfill (CCL). As far as for SCL, the number of odor complains have reduced significantly, but did go up for the month of December. In December 14, 2018, South Coast Air Quality Management District (AQMD) issued a Notice of Violation (NOV) to SCL, but the cause of the increase in odor is unknown. Staff will contact Local Enforcement Agency (LEA) and AQMD to request that information. Mr. Mohajer also stated the AQMD hearing board met regarding the abatement noticed issued to SCL last month and they will have another hearing on March 19, 2019. Republic Services' Attorney requested more time for the NOV issued by Department of Regional Planning.

VI. SENATE BILL 1383 FORMAL RULEMAKING AND STANDARDIZED REGULATORY IMPACT ASSESSMENT

Ms. Vazifdar gave a [presentation](#) on the Senate Bill 1383 (SB 1383) formal rulemaking process, including the Formal Proposed Organic Waste Reduction Regulations, Standardized Regulatory Impact Assessment (SRIA), Notice of Preparation (NOP) for the Environmental Impact Report (EIR), and the Economic Benefits. She mentioned that CalRecycle's 45-day comment period on the formal proposed regulations will begin on January 18, 2019 and will end on March 4, 2019 and that staff will prepare a Task Force (TF) comment letter to CalRecycle.

Ms. Vazifdar stated that previous informal versions of the regulations allow for new technologies to apply for consideration as reductions in organic waste disposal if they can demonstrate permanent emission reductions. Ms. Vazifdar reported that the formal regulations established a new emission reduction benchmark of 0.30 metric tons of carbon dioxide equivalent (MTCO_{2e}), which is comparable to the emission reduction from composting organic waste. She stated that the TF previously submitted a comment letter to CalRecycle recommending that the emission reduction should be compared to landfilling instead of the composting. Ms. Vazifdar reported that the formal regulations did not incorporate the TF's recommendation.

Ms. Vazifdar stated that the TF previously submitted comments to CalRecycle recommending that the regulations not require or allow quarantined material to be collected in the organic waste bin. Ms. Vazifdar reported that the formal regulations did not incorporate this comment and also did not incorporate most of the TF's previous comments on the informal regulations.

Ms. Vazifdar stated that staff submitted comments to CalRecycle on the NOP requesting that they consider additional potential impacts. Ms Vazifdar stated that a workshop to discuss comments CalRecycle received on the NOP will be held

on January 22, 2019, and that staff will monitor the workshop and submit additional comments if necessary.

Ms. Clark asked if CalRecycle provided any reasons why the TF comments were not incorporated in the formal regulations. Ms. Vazifdar responded that CalRecycle did not.

Mr. Mohajer added that the TF also previously expressed its concern with the definition of “organic waste” and questioned why the regulations expand the definition beyond the definition of “organic waste” in Assembly Bill 1826. He asked what CalRecycle’s response to those comments were. Ms. Vazifdar stated that CalRecycle did not provide any response, so Mr. Mohajer requested that the comment be included in the next letter.

Ms. Clark asked for clarification on the meaning of the term “quarantined materials.” Mr. Mohajer explained that the County Agricultural Commissioner designates materials that are contaminated and should not be moved between different jurisdictions as “quarantined.” Mr. Ruiz asked how quarantined materials are categorized in the regulations. Ms. Vazifdar responded that quarantined materials received at a waste processing facility will be considered incompatible materials instead of organic waste. However, she stated that it is not clear in the regulations if quarantined materials are still required to be collected separately in the organic waste bin and subsequently disposed instead of being recycled or if they are not required to be collected separately at all. Ms. Clark also asked if the California Department of Food and Agriculture (CDFA) provided input on this issue. Ms. Vazifdar responded that she did not know if the CDFA had submitted comments to CalRecycle, but Mr. Mohajer explained that the TF had previously raised the issue to the CDFA and the County Agricultural Commissioner.

Mr. Mohajer stated that the TF’s previous comment letters mentioned that the transportation of organic waste and recovered organic waste products was an issue that should be considered when analyzing the economic impacts of the regulations and could ultimately increase waste collection costs for residents and businesses.

VII. LEGISLATIVE UPDATE

Mr. Carder gave an update on current legislation and reviewed items on the attached [legislative table](#). He reported that Governor Newsom proposed his initial budget, which would allocate \$25 million to CalRecycle through the Greenhouse Gas Reduction Fund. Mr. Carder also mentioned that staff will continue to monitor the introduction of bills until February 22, 2019, the last day to introduce new bills.

Mr. Carder reported that ten waste management related bills were introduced so far, and staff is recommending to “watch” all bills for now.

- **AB 129** (Bloom) – Waste Management: Plastic Microfiber. This is a spot bill that would declare the intent of the legislature to enact legislation to recognize the emerging threat that microfibers pose to the environment and water quality and would make related findings and declarations.
- **AB 142** (Garcia) – Lead-Acid Batteries. This bill would increase the amount of the manufacturers’ battery fee from \$1 to \$2 and would provide that the fee not expire on March 31, 2022 but would continue indefinitely.
- **AB 161** (Ting) – Solid Waste: Paper Waste: Electronic Proofs of Purchase. This bill would require, on and after January 1, 2022, receipts for purchases of all products and services from a business to be provided in electronic form, unless the consumer requests that the receipt be provided in paper form.
- **AB 176** (Cervantes) – California Alternative Energy and Advanced Transportation Financing Authority. The CAEATFA provides financial assistance in the form of a sales and use tax exclusion for qualifying projects. This bill would extend the authorization from January 1, 2021 to January 1, 2031.
- **AB 187** (Cristina Garcia and Bigelow) – Used Mattress Recovery and Recycling Act: Budget. This bill would require a mattress recycling organization to be more fully operational and fiscally responsible by not maintaining a reserve greater than that year’s funding level. Ms. Clark asked what is being reserved. Mr. Carder responded that the recycling program is maintaining \$13 million, but it is not fully operating.
- **AB 215** (Mathis) – Dumping. This bill would make illegal dumping on private property punishable with a 4th or subsequent conviction a misdemeanor with imprisonment in a county jail for not more than 30 days and by a fine of not less than \$750 nor more than \$3,000. County Counsel is currently reviewing this topic.
- **SB 33** (Skinner) – Solid Waste: Reduction and Recycling. This is a spot bill that states the intent of the Legislature to enact legislation that would address the collapse of foreign recycling markets by reducing solid waste generation, encouraging transition to compostable or recyclable materials, and fostering domestic recycling markets.
- **SB 43** (Allen) – Carbon Taxes. This bill would require the California Air Resources Board, in consultation with the California Department of Tax and

Fee Administration, to submit a report to the Legislature on a study to determine the feasibility and practicality of a system to replace the tax imposed by the Sales and Use Tax Law with a carbon tax on retail products sold or used in the state based on the carbon intensity of the product to encourage the use of less carbon-intensive products. The bill would require ARB to revise the 2017 scoping plan and future updates to reflect the carbon emission reduction benefits that may be realized through the imposition of this carbon tax.

- **SB 54** (Allen and Wiener) – Single-Use Plastic Waste: Reduction. This is a spot bill that states the intent of the legislature to enact legislation that would significantly reduce the amount of single-use plastic waste entering California’s waste stream.
- **SB 68** (Galgiani) – Hazardous Waste: Treated Wood Waste. This bill would require that the current message that wholesalers and retailers of treated wood must post to include an additional Web site that lists approved landfills that accept treated wood waste.

VIII. AB 939 & SB 1383 REGULATIONS’ DATA REPORTING COMPATIBILITY AND IMPACTS ON REGULATORY LOCAL GOVERNMENTS AND OTHER STAKEHOLDERS

Mr. Ley gave a [presentation](#) summarizing the data reporting compatibility of AB 939 and SB 1383 regulations and the impact on local governments and stakeholders. He spoke about the current Disposal Reporting System (DRS), which was established by Assembly Bill 939 (AB 939). This bill focuses on the reporting of disposal tonnage. He talked about the different types of reporting and how the data is submitted to CalRecycle. Mr. Ley also explained new regulations that will be implemented with Assembly Bill 901 (AB 901) and SB 1383. AB 901 will change how organics, recyclable material, and solid waste are reported to CalRecycle through the Recycling Disposal Reporting System (RDRS). SB 1383 will further modify the reporting regulations of AB 901 to include organics. Lastly, Mr. Ley provided a timeline in his presentation regarding important dates related to the implementation of the regulations.

Mr. Ruiz asked if CalRecycle has clarified how the new RDRS will make information available to jurisdictions. Mr. Ley mentioned there has not yet been a clear explanation on this topic; however, it may be addressed with the development of the new RDRS later this year.

IX. CALRECYCLE COMPLIANCE & LAW ENFORCEMENT ACTIONS

Mr. Darensbourg gave a [presentation](#) on CalRecycle Compliance and Law Enforcement Actions. He explained that during the four-year review cycle, CalRecycle considers various factors when evaluating a jurisdiction's "good faith effort" to comply with the implementation of SRRE, HHWE, MCR programs, and AB 939 diversion requirements. Mr. Darensbourg also mentioned that CalRecycle director sent a memo dated January 2017 to notify all the jurisdictions that CalRecycle may initiate a formal public review before the end of the four-year cycle.

Mr. Darensbourg explained that prior to March 2017 there were 36 jurisdictions that had significant SRRE and/or MCR program gaps identified during the 2012-2015 Jurisdiction Review Cycle. He further reported that 16 of the 36 jurisdictions have been referred to the Jurisdiction Compliance Unit (JCU). The JCU conducts their own investigation of each jurisdiction and recommends issuance of a Compliance Order which specifies an oversight period for the jurisdiction to implement an improvement plan approved by CalRecycle. Fines of up to \$10,000 per day may be levied if the provisions of the Compliance Order and schedule are not met by the jurisdiction. Mr. Darensbourg presentation highlighted three local cities (El Segundo, Compton, and Oxnard) that were among the 16 jurisdictions referred to the JCU.

Mr. Mohajer asked if CalRecycle wanted the City of El Segundo to go to each business and verify they were meeting the requirements. Mr. Darensbourg responded that they were required to have a clear methodology. Ms. Wallin added that one option is to require haulers to report to them and another option explored was for the city to get their report from businesses through their business licenses.

X. UPDATE ON CALRECYCLE'S COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN (CIWMP) ENFORCEMENT POLICY PART II & CHINA SWORD POLICY

Mr. Aguilar gave a [presentation](#) on the Countywide Integrated Waste Management Plan Enforcement Policy Part II (CIWMP). He mentioned this policy was last revised in July 2015 and that CalRecycle conducted a workshop to discuss the impacts of China's National Sword Import Policy on AB 939. Mr. Aguilar also gave a brief background information on China's and other countries' import policies, the jurisdictions efforts to reduce contamination, and the lack of an available market for one or more types of recyclable materials. He also mentioned the TF offered recommendations, but they were not considered.

XI. CALRECYCLE UPDATE

Ms. Wallin reported that CalRecycle formal rulemaking is expected to begin by January 18, 2019 and gave information about upcoming grants due dates:

- Tire-Derived Aggregate Grant Program (FY 2018-2019) due on January 31, 2019
- Food Waste Prevention and Rescue Grant Program (FY 2018-2019) due on January 31, 2019
- Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (FY 2018-2019) due on February 7, 2019
- Legacy Disposal Site Abatement Partial Grant Program (FY 2018-2019) due on March 6, 2019

XII. RECOGNITION OF RON SALDANA AND SAM PEDROZA

Ms. Clark and the Task Force gave recognition and thanks to Mr. Saldana and Mr. Pedroza for their contributions to with the TF.

XIII. PUBLIC COMMENT

No public comment.

XIV. ADJOURNMENT

The meeting adjourned at 3:35 p.m. The next meeting date is scheduled for Thursday, February 21, 2019, in Conference Room A.

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