

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

Minutes for August 20, 2020

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

WEB CONFERENCE

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities
Jeff Farano, Institute of Scrap Recycling Industries
Gideon Kracov, Los Angeles County Disposal Association
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Rafael Prieto, City of Los Angeles
Liz Reilly, California League of Cities-Los Angeles Division
Jim Smith, City of Los Angeles

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Craig Beck, rep by Charles Tripp, Long Beach Department of Energy
Robert Ferrante, rep by Sam Shammass, Sanitation Districts of Los Angeles County
Barbara Ferrer, rep by Shikari Nakagawa-Ota, Los Angeles County Public Health
Wayne Nastri, rep by Jack Cheng, South Coast Air Quality Management District
Mark Pestrella, rep by Carlos Ruiz, Los Angeles County Public Works
Enrique Zaldivar, rep by Reina Pereria, City of Los Angeles Bureau of Sanitation

COMMITTEE MEMBERS NOT PRESENT:

Jack Hadjinian, League of California Cities-Los Angeles Division
David Kim, City of Los Angeles

OTHERS PRESENT:

Gabriel Esparza, Los Angeles County Public Works
Perla Gomez, Los Angeles County Public Works
Gerald Ley, Los Angeles County Public Works
Adrian Perea, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Chris Sheppard, Los Angeles County Public Works
Coby Skye, Los Angeles County Public Works
Kawsar Vazifdar, Los Angeles County Public Works
Jeffrey Zhu, Los Angeles County Public Works

I. CALL TO ORDER

Meeting called to order at 1:12 p.m. by Ms. Clark. Mr. Jim Smith was welcomed as a new member representing the City of Los Angeles Council, District 6.

II. APPROVAL OF THE JULY 16, 2020 MINUTES

A motion to approve the Minutes, as corrected, from July 16, 2020, was made by Ms. Landis, and seconded by Ms. Riley. The motion passed unanimously.

III. REPORT FROM THE PUBLIC EDUCATION AND INFORMATION SUBCOMMITTEE (PEIS)

Mr. Mohajer reported the following eleven articles be considered for the Fall Issue of the Inside Solid Waste Newsletter:

- City of Rancho Palos Verdes Spring Brush Clearing Event Success
- How West Covina and Athens Services Cut the Giant Green Waste Problem Down to Size
- The City of Inglewood Proudly Introduces the Housing Protection Department
- Los Angeles County Green Zone Ordinance
- Become an Urban Gardener
- California Air Resources Board Advanced Clean Trucks Regulation
- Department of Resources Recycling and Recovery COVID-19 Resources
- SB 212 Implementing Regulation Update
- AB 1583 Statewide Commission on Recycling Markets and Curbside Recycling Commission Initiated
- California Department of Resources Recycling Attends Task Force Meeting
- Legislative Table

Mr. Mohajer added that the legislative table will be finalized and updated pending decisions made in Sacramento.

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

Mr. Sheppard reported the ATAS had a [presentation](#) from Samaha Group regarding their Intec technology, a non-combustion gasification process. Mr. Sheppard explained that the technology converts municipal solid waste (MSW) and organic waste into synthesis gas (syngas) and high calorific value pet-coke.

Mr. Sheppard also reported that they received an update from Alternative Resources, Inc. (ARI), who mentioned that Clements Environmental finished drafting a flow chart for the permitting pathways for anaerobic digestion, composting, and gasification, which will be made available on the CT website.

Mr. Shepard provided an update on various upcoming events:

- Waste Conversion Technology Conference is postponed to August 16, 2021 in San Diego, CA.
- Biogas – Driving the Circular Economy has been cancelled.
- SWANA Southern California Chapter Workshop is scheduled virtually on September 10, 2020.
- Waste Expo is scheduled virtually from September 14 – 17, 2020, and it is being offered for free.
- 2020 Net Zero Conference is scheduled virtually on September 15 - 16, 2020.
- RNG technical workshop and trade expo is scheduled from September 30 - October 1, 2020. This workshop is limited to the first 200 people and is being held in Nashville, TN.
- US Biogas Conference is scheduled virtually from October 5 – 6, 2020.
- Annual Southern California Waste Management Forum Conference is scheduled virtually on November 5, 2020.

Ms. Clark requested links to the virtual conferences and asked about the end product for the Intec technology. Mr. Sheppard responded they will be generating electricity and selling it to the grid. Ms. Clark also asked if Samaha Group is using natural gas and voiced her concerns about the state promoting electrification and not renewable natural gas. Mr. Sheppard responded they are not planning to create a transportation fuel or inject into the natural gas pipeline at this time.

Ms. Landis shared that this new technology may be beneficial to provide a baseload supply of backup electricity.

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

Ms. Landis reported on the Sunshine Canyon Landfill (SCL) odor complaints from the South Coast Air Quality Management District (AQMD) for the month of July 2020. During the month of July 2020, 23 complaints were made to the AQMD hotline. Three of those complaints were classified as landfill gas and 18 were listed as No Field Response. This year, there has been a total of 232 complaints.

Ms. Landis also reported that the SCL revised their soil importation request to Public Works, requesting approximately 14 million cubic yards of non-contaminated soil to SCL over the next 18 years. The Subcommittee asked staff to send a follow up letter to the SCL landfill operator, as a follow-up to the Task Force letter dated August 13, 2020, informing the operator that any proposal exceeding the allowable permitted tonnage established in the Finding of Conformance (FOC), will require revision to the FOC.

Ms. Landis gave an update on Chiquita Canyon Landfill (CCL) lawsuit against the County. The court upheld many of the conditions and CCL abandoned their challenges on some of them. The court also remanded some fee conditions back to the Board for additional findings. Mr. Kracov requested that the Task Force be provided a copy of the ruling.

VI. LEGISLATIVE UPDATE

Mr. Gerald Ley gave a report on the state revised legislative calendar and provided the following deadlines:

- August 21, 2020 - Last day for bills to be amended.
- August 31, 2020 – Last day for each house to pass their bills.
- September 30, 2020 - Last day for the Governor to sign or veto bills that were passed by the legislature.

Mr. Ley reported from the [Legislative Table](#) and the following bills were discussed:

AB 793 (Ting and Irwin) – Recycling: Plastic Beverage Containers: Minimum Recycled Content. Mr. Mohajer made a motion to support and Ms. Landis seconded. Motion Passed unanimously.

Ms. Clark asked how they were able to change the bill after the Governor vetoed it last year. Mr. Ley responded the changes to this year's letter included waivers, cost concerns, and financial burden.

AB 1080 (Gonzalez, Calderon, Friedman, and Ting) – Solid Waste: Packaging and Products – Due to concerns, Ms. Clark made a motion to watch the bill and Ms. Landis seconded. Motion passed with three abstentions.

Mr. Kracov shared that the Waste Industry will be opposing this bill unless amended because they do not agree for stewardship organizations to be permitted to conduct curbside pick-ups for additional items.

Ms. Clark asked for an example of what the organizations will be allowed to collect. Mr. Kracov mentioned he is not an expert, but he believes this includes items such as glass and bottles that are partially made of plastic.

Mr. Mohajer added if the stewardship organization would like to collect beverage containers, they shall enter into a Memorandum of Understanding Agreement (MOU) with the waste haulers before starting any collections, which will be overseen by CalRecycle.

Ms. Clark continued to address her concerns about the possibility of adding an additional pick-up or container, which will only confuse residents and may lead to additional fees.

Ms. Riley asked who needed to be in agreement with the MOU. Mr. Kracov responded that the jurisdiction and the stewardship organization. Mr. Mohajer also added that it will include the waste haulers. He explained that depending on the circumstances, the MOU can be between the stewardship, the city, and the waste haulers.

SB 409 (Wilk) – Illegal Dumping. Mr. Kracov made a motion to support and amend and Mr. Smith seconded. Motion passed unanimously.

Ms. Clark asked what was deleted from the bill. Mr. Mohajer responded the part deleted was “This bill will make it a crime to dump or deposit waste matter rocks, concrete, asphalt, dirt on private property with the consent of the owner or an agent of the owner. Permit or license is required”.

Mr. Sheppard clarified that with the new revisions in the bill, the person who is giving the consent to allow illegal dumping will be penalized for allowing it.

VII. “A DIET FOR LANDFILLS: CUTTING DOWN ON FOOD WASTE: A 2019-2020 LOS ANGELES COUNTY GRAND JURY STUDY

Mr. Sheppard gave a [presentation](#) on the Los Angeles County Civil Grand Jury Report, A Diet for Landfills: Cutting Down on Food Waste. He gave a brief overview of the Civil Grand Jury. It is comprised of 23 members, which all are volunteers appointed by Superior Court judges. They are responsible for examining local government, municipalities and special districts to ensure that the County is being governed honestly and using County money efficiently.

Mr. Sheppard added that the Grand Jury has different committees that concentrate on certain topics, such as food waste. The committee investigated how to reduce

food waste being sent to the landfills. Their methodology was to conduct site visits to compost facilities, landfills, and material recovery facilities, as well as to interview key officials for their reports. There were 14 recommendations to reduce the disposal of food waste that went to Board of Supervisors, Chief Executive Office, Public Works, Chief Sustainability Office, Probation Department, Public Health, Environmental Health, Internal Services Department, Parks and Recreations, the 88 cities, and school districts. The recommendations included establishing food waste drop-off centers at weekly farmers markets.

Mr. Mohajer asked how often food waste drop-off containers get emptied. Mr. Sheppard responded that the drop-off center is available for the duration of the farmers market and will be emptied at the end of the day.

Ms. Landis asked if the food waste drop-off centers accept pre-consumer or post-consumer food waste. Mr. Sheppard responded that the centers accept most food scraps from residents, but do not accept food scraps from businesses. Ms. Landis expressed concerns about food waste becoming contaminated after sitting out for a long time before composting. She added that composting food waste incorrectly may result in bacteria such as E. coli.

Mr. Mohajer added that the County Code includes requirements for how long food waste may be stored.

Ms. Clark asked if the California Department of Food and Agriculture is aware of the report. Mr. Sheppard responded that the California Department of Food and Agriculture, the County Agricultural Commissioner, and the Task Force were not listed as part of the agencies that the report was sent to.

Ms. Clark requested that the Task Force send a letter regarding their concerns. Mr. Sheppard responded that the Civil Grand Jury is not soliciting public comments and only accepting responses from the agencies who received the report.

Ms. Landis made a motion for staff to prepare a response to the report and copy the 88 cities in their response. Ms. Reilly seconded the motion. Motion passed unanimously.

VIII. TENTATIVE TERMINATION OF REGIONAL WATER BOARD ORDER NO. 91- 93

Mr. Esparza provided information on the Los Angeles Regional Water Quality Control Board's (Regional Board) Tentative Termination of General Waste Discharge Requirements (WDRs) for discharge of non-hazardous contaminated

soils to Class III Landfills, Order No. 91-93 (1991 Order). He reported that on July 30, 2020, the Regional Board disseminated a letter providing their intention for tentative termination of the 1991 Order and their findings leading to the proposed termination.

Mr. Esparza gave a brief background on the Order. On July 22, 1991, the Regional Board adopted the General Waste Discharge Requirements for Discharge of Non-Hazardous Contaminated Soil Order 91-93, 1991 Order. Subsequently, on March 3, 2011, the Regional Board adopted Amendments to WDRs for Disposal and Onsite use of non-designated/non-hazardous Contaminated Soils at Municipal Solid Waste Landfills Order No. R4-2011-0052 (2011 Order). The 2011 Order amends existing individual WDRs for the active class 3 landfills in the region and does not directly amend the 1991 Order.

Mr. Esparza added that the Regional Board's findings and rationale for their intention for tentative termination of the 1991 Order are as follows:

- The 2011 Order includes broad requirements on the levels of contamination and related best management practices for the discharge and on-site reuse of contaminated soils at landfills.
- The Regional Board finds that with the adoption of the 2011 Order, coverage under the 1991 Order becomes unnecessary. Since 2015, the Regional Board has not received any applications for enrollment under the 1991 Order.
- The Regional Board finds that the discharges formerly regulated by the 1991 Order will continue to be regulated by other means, such as the 2011 Order and based on this determination, there is no possibility of having significant effect on the environment

The Regional Board has requested comments on the tentative termination be submitted to them by August 21, 2020. The Regional Board will also hold a virtual public hearing on September 10, 2020, to consider the tentative termination order.

IX. LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ZERO EMISSION BUS OPTIONS

Ms. Vazifdar gave a [presentation](#) on a study on zero emission bus options completed by a consultant for the Los Angeles County Metropolitan Transportation Authority (Metro) in 2016.

Ms. Clark asked if Metro is planning on using all hydrogen fuel cell buses instead of electric or renewable natural gas (RNG) buses. Ms. Vazifdar responded that

Metro endorsed a plan to transition to a 100 percent zero emission bus fleet by 2030 and is piloting RNG and electric buses. She added that Metro is currently not using, nor considering, the use of hydrogen fuel cell buses.

Mr. Ruiz asked Ms. Vazifdar to explain Metro's findings as they pertain to solid waste management. Ms. Vazifdar responded that the California Air Resources Board has adopted policies pushing for the electrification of medium- and heavy-duty fleets, including government fleets and solid waste collection fleets. She continued that the study demonstrates that using electric fleets will increase costs for the solid waste industry and will not be as effective as the use of RNG fuels at reducing emissions. She added that existing or planned anaerobic digestion facilities financed on the basis of producing RNG fuel from organic waste will see a reduction in markets and may no longer be financially viable.

Ms. Clark asked why electric vehicles are not as effective at reducing emissions. Ms. Vazifdar explained that the study showed that electric vehicles are not as effective in reducing emissions of particulate matter (PM) and nitrogen oxide (NOx).

Ms. Reilly asked whether electric vehicles and vehicles using RNG would be considered "zero emission". Ms. Vazifdar responded that California Air Resources Board only considers electric vehicles to be "zero emission."

Staff will provide a copy of the presentation and report to the Task Force members.

X. GUIDANCE ON CALRECYCLE'S SB 1383 COMPLIANCE PROCESS

Mr. Sheppard provided an update on CalRecycle's SB 1383 Compliance Process guidance document.

On August 11, 2020, CalRecycle released a three-page guidance document regarding the SB 1383 compliance process. The SB 1383 regulations are currently being finalized by CalRecycle. The regulations are expected to take effect in January 2022. There will be significant penalties for jurisdictions who fail to comply with and enforce all aspects of regulations, including fines of up to \$10,000 per day. The SB 1383 enforcement structure does allow CalRecycle to focus on compliance assistance first, and CalRecycle may exercise discretion when issuing notices of violation and imposing penalties. The COVID-19 pandemic would be considered an "extenuating circumstance" under SB 1383 regulations that may allow jurisdictions to receive extensions for compliance deadlines. However, there are still concerns about jurisdictions being required to demonstrate a "substantial effort" to qualify for a time extension. Per CalRecycle, "substantial effort" is where

a jurisdiction has done everything within authority and ability to comply. "Substantial effort" does not include circumstances where a decision-making body of a jurisdiction has not taken the necessary steps to comply, such as failing to adopt ordinances, hire staff, and fund programs. Many jurisdictions may not be able to complete the actions required to demonstrate "substantial effort" due to the economic impacts and budgetary constraints resulting from COVID-19.

On August 18, 2020, CalRecycle released an SB 1383 progress analysis report and will have a public workshop webinar on August 25, 2020, to present the findings and receive public comments. CalRecycle will also present on the requirements of AB 1826 and whether the 2 cubic yard threshold will come into effect.

Mr. Kracov expressed concerns regarding the SB 1383 compliance timelines and stated that he was interested in staff's report on the SB 1383 progress analysis at the next Task Force meeting.

Mr. Mohajer commented that the report did not consider conversion technologies as an alternative to landfill disposal and did not address how jurisdictions will be able to develop sufficient infrastructure to recycle organic waste.

Mr. Ruiz stated that the compliance guidance does not provide enough flexibility for jurisdictions and does not consider a jurisdiction's "good faith effort" to comply. He added that demonstrating "substantial effort" would be extremely difficult for local jurisdictions, even with time extensions, due to the costs.

XI. UPDATE ON THE TASK FORCE'S 2020 PRIORITIES, GOALS, AND OBJECTIVES

Due to time constraint, the update will be provided at next month's meeting.

XII. CALRECYCLE UPDATE

Ms. Wallin was unavailable to provide an update.

XIII. PUBLIC COMMENT

Mr. Cheng with AQMD discussed AQMD's procedures in response to odor complaints at landfills. In terms of No Field Response, staff does respond to complaints by telephone also and if there are not enough complaints over the weekend, then they try to assign them the following workday. Because of budget restraints, AQMD is now going out to investigate when there are three calls per

complaint instead of one. No other facility in their air district is being called out on a single complaint.

XIV. ADJOURNMENT

The meeting adjourned at 3:40 p.m. The next meeting is scheduled remotely on Thursday, September 17, 2020.