

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

Minutes for September 17, 2020

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

WEB CONFERENCE

COMMITTEE MEMBERS PRESENT:

Margaret Clark, League of California Cities
Gideon Kracov, Los Angeles County Disposal Association
Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Liz Reilly, California League of Cities-Los Angeles Division
Jim Smith, City of Los Angeles, Los Angeles City Council 6th District

COMMITTEE MEMBERS REPRESENTED BY OTHERS:

Wayne Nastri, rep by Jack Cheng, South Coast Air Quality Management District
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
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:

Jeff Farano, Institute of Scrap Recycling Industries
Jack Hadjinian, League of California Cities-Los Angeles Division
Rafael Prieto, City of Los Angeles

OTHERS PRESENT:

Perla Gomez, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Gerald Ley, Los Angeles County Public Works
Kimberly Nilsson, Solid Waste Solutions
Adrian Perea, Los Angeles County Public Works
Carol Oyola, Los Angeles County Public Works
Chris Sheppard, 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.

II. APPROVAL OF THE AUGUST 20, 2020 MINUTES

Ms. Landis motioned to approve the minutes as corrected. Ms. Riley seconded the motion. The motion passed unanimously.

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

Mr. Sheppard reported the ATAS had a [presentation](#) from Marcus Chee from Nanomass Corporation on their technology related to anaerobic digestion. Their technology can process organic waste and turn it into a dry powder that can be used in anaerobic digesters and, in the presence of enzymes, be digested to generate renewable natural gas. Mr. Sheppard mentioned that the main goal of this technology is to address the storage and transportation challenges surrounding wet heavy food waste by reducing the size of the material, making it easier to transport to digestion facilities.

Mr. Sheppard reported that Traecy Anthony from Alternative Resources, Inc., provided an update. He added that Clemens Environmental performed research on the three potential sites for conversion technology development and they have also been working towards clarifying the environmental permitting process. Mr. Sheppard also reported that Public Works developed flow charts of the various permitting pathways in Los Angeles County (County) which will be uploaded to the Conversion Technology (CT) website after sharing them with the ATAS and receiving feedback. These flow charts are intended to help developers and others interested in pursuing CTs to better understand the permitting pathways for these facilities in the County.

Mr. Sheppard noted the ATAS had an update from Mark McDannel of the County Sanitation Districts on the food waste co-digestion project at the Carson Joint Water Pollution Control Plant. They completed construction of their \$3 million pipeline and they are moving into the next phase. He explained their new technology is taking the gas from their anaerobic digester to the existing on-site CNG fueling station which was previously receiving gas from the SoCal gas pipelines. Mr. Sheppard mentioned the fueling stations will be completely run from gas from the digesters, which is produced by the co-digestion of the food waste from the Puente Hills Materials Recovery Facility (MRF) with the existing biosolids.

Mr. Kracov asked if this was from County Sanitation Districts and what the proposal was. Mr. Sheppard responded that it is from the Sanitation Districts and they are getting ready in October to begin operation of the fueling station at the wastewater treatment plant. Mr. Kracov asked whose trucks would be fueled there. Mr. Sheppard's understanding is that the fueling station is open to any of the haulers that go to refill there. Mr. Shammass clarified that the fueling facility is open to any member of the public not just haulers.

Mr. Shepard also reported on various upcoming events that were rescheduled:

- Technical Workshop and Trade Expo in Nashville, TN has been cancelled.
- US Biogas 2020 Conference is scheduled virtually for October 5, 2020.
- Biocycle Reform 2020 in Raleigh, NC has been cancelled.
- Paper and Plastic Recycling Conference is scheduled virtually from October 20 – 22, 2020.
- VERGE 2020 conference is scheduled virtually for October 27 – 29, 2020
- Annual Southern California Waste Management Forum conference is scheduled virtually for November 5, 2020. Mr. Mohajer mentioned that there is a \$40 registration fee for non-members and \$25 for members.

Ms. Clark requested the links to the events so they may participate. Staff will send Task Force members the CT newsletter which contains all the links.

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

Mr. Mohajer reported on the Sunshine Canyon Landfill (Landfill) odor complaints from the South Coast Air Quality Management District (AQMD) for the month of August 2020. During the month of August 2020, there were 82 complaints made to the AQMD hotline. There was one Notice of Violation (NOV). Mr. Mohajer reported that most of the odor complaints received were during the morning hours and they were trash smell. He mentioned that Republic Services (Republic) stopped receiving trash in the early hours of the day.

Mr. Mohajer also reported that Republic has requested to import up to 10,000 tons of dirt for beneficial use and cover. The Task Force sent a letter requesting information on how the importation coincides with the Finding of Conformance that was issued to the Landfill, as well as a Conditional Use Permit, and the City of Los Angeles Ordinance. Republic had 30 days to respond to the letter, but staff has not received a response. Staff sent out a follow up letter, giving them 10 days to respond or the matter will be referred to the Department of Regional Planning.

Ms. Landis reported on SCL 2nd Quarter Vegetation Report and that the native plants are doing well due to organized weeding by the contractor. Ms. Landis commented on the need to keep up constant weeding of major grasses and had questions regarding a chart in the report that showed all the proposals on how to clean up the weeds and replant. Mr. Mohajer stated that staff can work with Republic on Ms. Landis' comments.

Ms. Landis reported on the proposed Los Angeles County Green Zones Ordinance. She noted her concern that this ordinance will essentially look for places where organic waste can be dumped and spread within cities, ecological areas and parks.

Ms. Landis expressed concern about dumping composted or uncomposted organic waste in any open space. A Draft Environmental Impact Report (EIR) is expected to be released in October 2020. She added there is a need for the State Department of Food and Agriculture to inspect the processing centers, which may also be in open areas, and determine whether the compost is contaminated and cannot be sold.

Mr. Mohajer added that the proposal establishes siting criteria for solid waste facilities including recycling, materials recovery facilities (MRFs), composting facilities and so on, which may or not may be consistent with the siting criteria established in the Countywide Siting Element. Staff will investigate and report back to the FPRS and Task Force.

Mr. Mohajer explained that the County is required to prepare a plan providing countywide organic waste recycling capacity and that document is subject to input from the Task Force, which was disregarded. Mr. Mohajer mentioned that he is questioning the relation between County Regional Planning and the documents they are preparing, the planning documents that the state has mandated to be implemented by CalRecycle that local jurisdictions and the County have to do, and the responsibility of the Task Force.

Ms. Clark asked if this was Los Angeles County ordinance and if staff was acquainted with it. Mr. Mohajer responded that the report states that Public Works staff has reviewed and submitted comments.

Mr. Ruiz clarified some points related to the Green Zone Ordinance. The key objectives are to establish clear standards for recycling and solid waste facilities. He noted that the current County Code is very outdated and in the past there has been some facilities who have fallen through the cracks and have not been subjected to the same standards that most facilities permitted by the County have

to abide by. Mr. Ruiz mentioned that this ordinance is trying to establish clear standards for these facilities. They will be properly located, especially when it comes to proximity to sensitive uses. He added that the Green Zones Program is trying to streamline permitting while establishing an appropriate level of regulation which takes into account the potential environmental impacts. For example, for smaller facilities with a low level of environmental risk, the permit process might be more efficient.

Mr. Ruiz continued that this is not a program for disposing or managing compost. It is more a question of establishing proper standards for those facilities. Staff can provide a presentation on the Green Zone Ordinance during the next Task Force meeting and provide more details on how Regional Planning is proceeding and the Task Force's role.

Ms. Landis and Ms. Clark reiterated their concerns about the spreading of contaminated food waste and that the Department of Food and Agriculture should be involved in this process with hopes that staff can convey their concerns.

V. LEGISLATIVE UPDATE

Mr. Gerald Ley gave a report on the state's revised legislative calendar and Legislative Table. He mentioned that August 31, 2020, was the deadline for bills to pass in each house and that the next step is for the passed bills to move on to the Governor for his consideration by September 30, 2020. There are 26 bills on the [Legislative Table](#) of which 21 are state bills and 5 are federal bills. The following bills passed and were sent to Governor Newsom for his signature:

AB 793 (Ting and Irwin) – Recycling: Plastic Beverage Containers: Minimum Recycled Content. This bill would establish an economic level post-consumer recycled content while supporting economic threshold for recycled market. The Task Force position was to support.

AB 2287 (Eggman and Ting) – Solid Waste. This bill would help clarify specifications of compostable plastics and biodegradable mulch films. The Task Force position was to support.

AB 3163 (Salas) – Energy Bio-Methane Procurement. This bill would expand the definition of bio-methane to include methane that is produced from the non-combustion thermal conversion of eligible biomass feedstock. The Task Force position was to support.

SB 68 (Galgiani) – Hazardous Waste Treated Wood Waste. This bill supports appropriate handling disposal and other management of treated wood waste. The Task Force position was to support.

Quite a few bills did not make it through the session with emphasis on the following bills:

AB 1080/SB 54 (Gonzalez, Calderon, Friedman, and Ting) – Solid Waste Packaging and Products.

AB 1509 (Mullin and Berman) – Solid Waste Lithium-Ion Batteries.

AB 2612 (Maienschein) – Greenhouse Gas Reduction Fund: Recycling: Appropriations.

AB 2959 (Calderon) – Solid Waste: Byproducts from the Processing of Food or Beverages.

SB 667 (Hueso) – Greenhouse Gas Recycling Organic Waste Reduction.

SB 1191 (Dahle) – Organic Waste: Reduction Goals: Local Jurisdictions.

Ms. Landis asked if the bills that did not pass get reintroduced. Mr. Ley responded that they can be reintroduced in the next legislative session.

Ms. Clark asked if they are planning to send a follow up letter asking the Governor to sign the bill for the four that passed. Mr. Ley responded letters were already sent.

VI. ORGANIC WASTE AND ASSEMBLY BILL 1826 EVOLUTION

Ms. Nillson from Solid Waste Solutions, a solid waste consulting and engineering firm that represents several cities in the County, was requested to discuss CalRecycle's change in the trigger level for Assembly Bill 1826 (AB 1826), from four cubic yards to two cubic yards in the commercial sector. She expressed concern with this change. CalRecycle staff determined that they did not meet the 50 percent goal for the reduction of organics. CalRecycle's evaluation was based on a 2018 waste characterization study and the 2019 landfill disposal tonnages. She is not sure why they used the 2019 tonnages since they included huge quantities of disaster debris from the Paradise and Woolsey Fires. She also mentioned she is currently working with the City of Malibu, which has an excess of

350,000 tons of material, and the City of Agoura Hills, with 63,000 tons of excess material.

Ms. Nilsson asked the Task Force if they would consider addressing the concerns to CalRecycle on behalf of the cities she represents, as well as the 88 cities within the County. Most of the County and cities do not have permanent facilities to take their food waste by December 30, 2020, deadline to implement the two cubic-yard requirement. Ms. Nilsson also mentioned that due to the current COVID-19 pandemic, there are businesses that are just starting to open and some are still struggling to open. She anticipates that the haulers are going to want to increase their rates.

Ms. Nilsson stated that local agencies are being required to have a program by the end of the year or develop an implementation plan with CalRecycle. She expressed concern about having to achieve that in just three months because of the need to coordinate with haulers, developing outreach materials, tracking the program, and providing quarterly updates. In addition, CalRecycle continues moving forward with Senate Bill 1383 (SB 1383).

Ms. Clark and Ms. Landis commented that this issue was discussed with CalRecycle during the last Task Force meeting.

Mr. Kracov agreed what CalRecycle is doing is wrong, but they are still moving forward with their implementations and unfeasible deadlines. There is no place to take the mixed green and food waste.

Mr. Mohajer mentioned that pursuant to Assembly Bill 1583 (AB 1583) CalRecycle formed a commission on recycling markets and curbside recycling a few weeks ago to address problems with recycling and to review obstacles to recycling. The commission met and asked stakeholders to submit their recommendations as to what they want the commission to do or to include in their proposal. Mr. Mohajer suggested sending a letter to the commission identifying Task Force concerns and wanting to see more action by the commission, as well as addressing issues related to CTs, good faith efforts, marketing for recyclables, and funding for facilities and infrastructure.

Mr. Mohajer reported receiving an email from CalRecycle approving the two cubic yards signed by their Acting Director. Staff forwarded a copy of the email to the Task Force.

Ms. Landis asked for the name of the commission. Mr. Mohajer responded Commission on Recycling Markets and Curbside Recycling created by AB 1583.

He added state law requires the commission to prepare the preliminary recommendations. The commission will ask stakeholders for their input. The Task Force wants CTs to be considered as one of the alternatives for management. They also want jurisdictions' "good faith" efforts to be considered as part of SB 1383 implementation and for CalRecycle to recognize that if composting is not done and maintained correctly, it will create more greenhouse gas emissions.

Ms. Clark wanted to include the concerns on where the compost will be taken.

Ms. Landis made a motion to send a letter to the commission addressing the Task Force's concerns on CTs, good faith efforts, markets for recycling, funding for needed infrastructure, composting causing more greenhouse gas emissions, and exportation of contaminated organic waste that might contain diseases. The motion was seconded by Ms. Reilly. Motion passed with one abstention.

VII. ANALYSIS OF THE PROGRESS TOWARD THE SENATE BILL 1383 (SB 1383) ORGANIC WASTE REDUCTION GOALS

Mr. Sheppard gave a [presentation](#) on CalRecycle's Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals. Mr. Sheppard gave a quick overview of the implementation timeline on SB 1383. He mentioned the informal rulemaking started back in 2017 and the formal rulemaking in 2019. Calrecycle is still working on finalizing the regulations, which will be resubmitted to the Office of Administrative Law later this month. January 1, 2020, marked the first target of reducing organic waste disposal by 50 percent. The law also required CalRecycle, in coordination with California Air Resources Board, to release a report by July 1, 2020, analyzing the progress that the waste sector, state governments, and local governments are making in meeting the organic waste reduction targets for 2020 and 2025.

Mr. Sheppard also mentioned that even though the regulations have not been finalized yet, they will go into effect on January 1, 2022. Local jurisdictions who are not in compliance will be subject to enforcement action, including Notice of Violations and penalties. Regulations are to be enforced upon residents, businesses, and waste haulers by 2024. By January 2025, the state must meet or exceed its target to divert 75 percent organic waste from landfill disposal and recover 20 percent of edible food currently being disposed for human consumption.

Mr. Sheppard provided four key analysis from the report:

Status of New Organics Recycling Infrastructure Development –

- Finding 1-1: Achieving the SB 1383 disposal reduction goals will require an expansion of organics recycling and recovery Infrastructure. The report stated that approximately 18 million tons of organic waste will need to be processed at compost or chip and grind facilities and, based on the current capacities, only 10 million tons will be able to be processed.
- Finding 1-2: Achieving collection programs are critical for infrastructure development.

Commitment of State Funding and Adjustment of Local Rate Structures for Solid Waste and Recycling Services to Support Infrastructure Expansion

- Finding 2-1: The State has awarded nearly \$140 million in grants to organics recycling and recovery projects. However, CalRecycle has estimated that the regulations will cost nearly \$40 billion and local jurisdictions are expected to pay for the regulations by raising collection rate or imposing taxes and fees.
- Finding 2-2: Expansion of local programs for residential and commercial collection, recycling, and recovery of organic waste will be necessary.

Progress in Reducing Regulatory Barriers to Siting Organics Recycling Facilities and Timing and Effectiveness of Policies to Facilitate Permitting of Organics Recycling Facilities

- Finding 3-1: Regulatory, permitting, and land-use challenges and policies to facilitate permitting of compost facilities. Composting facilities faced a number of challenges since they need to comply with numerous state and local requirements and regulations that are designed to protect air quality, water quality, and public health.
- Finding 3-2: AD facilities experience fewer regulatory, permitting and land-use challenges than composting facilities. AD facilities must comply with all federal, state, and local environmental regulation operators.

Status of Markets for Compost, Biomethane, and other Products Generated by Facilities, Including Cost-Effectiveness of Electrical Interconnection and Common Carrier Pipeline Injection

- Finding 4-1: While markets and demand for compost are currently strong, SB 1383 will substantially increase production, thus driving a need for expanded demand.
- Finding 4-2: Procurement requirements and market mechanisms will fuel energy markets and reduce economic barriers for AD projects.

- Finding 4-3: Commodity prices, National Sword and e-commerce align with the increase in disposal of cardboard.
- Finding 4-4: SB 1383 procurement requirements are necessary to help achieve the organic waste diversion goals by driving markets for compost and biomethane.

Mr. Sheppard concluded that the Task Force provided a comment letter on the report and that CalRecycle hosted a public webinar on August 25, 2020, to receive public comments on the report through September 8, 2020. He added the letter emphasized that the state has not provided sufficient funding for infrastructure development. The regulations have also not been finalized and the deadline for local jurisdictions to comply is less than 15 months away, so there is a need to extend the deadline. Due to COVID-19, local jurisdictions may not be able to fully fund and implement the necessary programs so additional time is needed to comply.

Mr. Ruiz noted that one of the things CalRecycle has pointed out is that the law sets the timelines and that they do not have the authority to change those timelines. What this report failed to do is to acknowledge that it has taken four years for CalRecycle to develop the regulations. This means that CalRecycle has in effect “taken time” away from jurisdictions and now jurisdictions have less than 1.5 years to comply. The report does not acknowledge this, nor does it provide recommendations to extend the timelines.

Mr. Kracov recommended that the Task Force develop new strategies to address the issues to be more effective.

Task Force members continued to discuss the importance of getting the attention of legislators to address issues related to organic waste recycling. Mr. Ruiz mentioned that even to raise fees, the process takes time and there are other things to consider. Mr. Kracov asked if there will be a fourth bin included or will green and food waste be comingled in the same bin since there is no facility currently able to sort at the scale that is needed. Mr. Ruiz responded that his recollection is that there are three different options that the proposed regulations provided for jurisdictions to pick from, but he believes that the choices do not fit neatly with the kind of facilities that are available or are in the works. Therefore, this will be a major challenge. Mr. Sheppard added that the challenge is to find the facilities that are currently sorting the materials.

Mr. Shammass agreed that there are no facilities that can sort at the scale needed. The Sanitation Districts are only taking source separated food waste.

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

Mr. Ruiz gave an update of the Task Force's goals and objectives. He mentioned the understanding at the time that the Task Force adopted the goals and objectives that there will be flexibility regarding implementation of the goals and priorities, including timelines, which have been impacted because of COVID-19. Staff is not requesting any changes overall in the objectives, other than reaffirmation from the Task Force about the flexibility with which to proceed.

Mr. Kracov added that the point of the ad hoc subcommittee was to try to make the Task Force more influential, making certain all time is well spent. He added that with so many priorities that the County has been faced with; for example, COVID-19 and the fires, the County has not had a lot of time to spend on the Task Force. Mr. Kracov requested affirmation that the County staff will still support the Task Force efforts. Mr. Ruiz responded that the County is committed to continue to support the Task Force efforts despite everything that is going on.

Mr. Kracov requested that SB 1383 continue to be added in the agenda for the October and November meetings and that staff report back to the Task Force.

Ms. Reilly suggested that for the October and November meetings, the Task Force focus on strategies, develop a plan, and be ready to act when legislation comes back into session in January 2021.

IX. CALRECYCLE UPDATE

Ms. Wallin provided the following updates:

- Electronic Annual 2019 report is due Monday, October 12, 2020.
- Some of the model tools for SB 1383 have been posted including, model ordinance, model franchise agreement procurement policy, and the edible food recovery agreement.
- The message on the reduction in the 1826 threshold down to two cubic yards went out yesterday, September 16, 2020.

Ms. Wallin also provided updates on the following grants:

- Farm and Ranch Cleanup Grant – Due November 5, 2020.
- Beverage Container Pilot Project - Due January 1, 2022.

X. PUBLIC COMMENT

No public comment.

XI. ADJOURNMENT

The meeting adjourned at 3:02 p.m. The next meeting is tentatively scheduled remotely for Thursday, October 15, 2020, at 1 p.m.