

Facility and Plan Review Subcommittee
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Minutes of October 18, 2012, Meeting

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

SUBCOMMITTEE MEMBERS PRESENT:

Betsey Landis, Environmental Organization Representative
Mike Mohajer, General Public Representative
Carlos Ruiz, County of Los Angeles Department of Public Works
Christopher Salomon, County Sanitation Districts of Los Angeles County

SUBCOMMITTEE MEMBERS NOT PRESENT:

Charles Modica, City of Los Angeles
Gerardo Villalobos, County of Los Angeles Department of Public Health

OTHERS PRESENT:

Joe Bartolata, County of Los Angeles Department of Public Works
Russell Bukoff, County of Los Angeles Department of Public Works
Bahman Hajialiakbar, County of Los Angeles Department of Public Works
Wayde Hunter, North Valley Coalition, Granada Hills North Neighborhood Council
Karlo Manalo, County of Los Angeles Department of Public Works
Coby Skye, County of Los Angeles Department of Public Works
Emiko Thompson, County of Los Angeles Department of Public Works
Julia Weissman, Office of the County Counsel

I. CALL TO ORDER

The meeting was called to order at 11:12 a.m.

II. APPROVAL OF SEPTEMBER 20, 2012, MINUTES

A motion to approve the Minutes of the September 18, 2012, meeting was approved with one abstention by Mr. Christopher Salomon, subject to the following revisions. The sentence "Ms. Emiko Thompson responded that the Los Angeles County Department of Public Works was not aware of the settlement" needs to be inserted after the second sentence in the last paragraph of Section III. The last sentence in the last paragraph on page 5 should read as "Ms. Landis agrees that acidic soils need to be checked, but her experience indicated that plants in this area do not like high-levels of nitrogen." Lastly, the third sentence in the third paragraph on page 6 of the document should read as "Inasmuch as possible, soil from the sedimentation basin will be used in developing planting areas."

III. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Russell Bukoff informed the Subcommittee that in September of this year, the South Coast Air Quality Management District (AQMD) received a total of 244 odor complaints for Sunshine Canyon Landfill. Of these complaints, 69 were landfill gas-related, one was verified to be landfill-trash related, four were related to a combination of trash and landfill gas, 31 were attributed to sulfur-type emissions from the Salton Sea on September 10, 2012, 76 were not verifiable, and 63 were not responded to by inspectors. Compared to the month of August, the number of odor complaints in September increased by 104 complaints; 73 if the complaints attributed to the Salton Sea are excluded. In comparing the number of complaints to September of last year, the number increased by 63. Four Notices of Violation were issued to Republic by the AQMD in August 2012.

Mr. Bukoff also reported that, as suggested by Mr. Wayde Hunter at last month's Subcommittee meeting, Ms. Thompson asked the AQMD if Public Works' staff could distribute AQMD's graph and chart illustrating the historical trend of odor complaints to this Subcommittee. The AQMD responded that their preference is for a representative of the AQMD to be present at the meetings to present the graphs and address any questions. Mr. Bukoff indicated that Public Works' staff will invite a representative from the AQMD to attend next month's Subcommittee meeting.

The Subcommittee was perplexed that the AQMD could not agree to the graphs being distributed since they had been made available to the Sunshine Canyon Landfill Citizen's Advisory Committee. Mr. Carlos Ruiz said that staff would speak to Mr. Jay Chen of the AQMD, and also a member of the Task Force, about providing that information to the Subcommittee.

Final Cover Evaluation Report

Ms. Thompson discussed the Alternative Final Cover Evaluation Report ([PowerPoint attached](#)), for Sunshine Canyon Landfill, dated December 13, 2011, submitted to the Regional Water Quality Control Board (Water Board) by Republic Services, Inc. (Republic), on July 11, 2012. The Report provides an evaluation of the performance of a proposed alternative final cover system for the phased closure of the County portion of the Landfill. The Report proposed a four-foot thick monolithic alternative final cover, using native soil available at the site for phased closures at the Landfill. The Report stated that the proposal would afford superior protection against water quality impairment over the prescriptive final cover. The prescriptive cover, as prescribed in the California Code of Regulations, Title 27, Section 21090(a) consists of a two-foot foundation layer, a one-foot low hydraulic conductivity (clay) layer, and a one-foot vegetative layer.

In its October 8, 2012, response letter to Republic, the Water Board commented that the alternative cover must also be compared against the final cover system that was proposed in the 2008 Joint Technical Document, which consisted of a two-foot foundation layer, an optional geocomposite gas drainage layer, a one-foot low hydraulic conductivity (or low permeability layer), a 40-mils low density polyethylene geomembrane, a geocomposite drainage layer, and a one-foot erosion-resistant (or vegetative) layer. Additionally, Title 40 of the Code of Federal Regulations, Part 258, requires a final cover system to have a permeability less than or equal to that of the bottom liner system, or natural subsoil, or a permeability no greater than 1×10^{-5} cm/sec, whichever is less.

Ms. Thompson noted that the existing base liner system at the Landfill is 8-feet thick, consisting of a 2-foot low permeability soil liner, a 60 mils HDPE geomembrane, 1 foot of sand, a geotextile membrane, a 2-foot low permeability soil liner, a 60 mils HDPE geomembrane, a 1-foot leachate drainage layer, and a 2-foot protective soil cover.

In its letter, the Water Board further commented that according to Title 40, the alternative final cover must be less permeable than the existing base liner system. In addition, any alternative final cover proposal needs to be submitted

as part of the final closure and final post-closure maintenance plans in accordance with Title 27. The Water Board also stated that a comprehensive plan for soil treatment that will ensure healthy vegetative coverage upon the alternative final cover system would also need to be included in the final closure and post-closure maintenance plans, and no final cover shall be constructed at the Landfill until such plans are approved by the Water Board.

Mr. Mike Mohajer inquired if Title 40 of the Code of Federal Regulations, Part 258 requires that the final cover have the same permeability as the base layer, and does it have to be 8 feet as in the existing base liner system. Ms. Thompson responded that as long as comparable permeability can be achieved, the Landfill would be in compliance.

Ms. Betsey Landis stated that a one-foot vegetation layer is not enough to establish healthy plant growth at the Landfill, and that a two-foot layer should be the standard for the entire Landfill. Ms. Landis also wanted to know what the foundation layer is as described in the 2008 Joint Technical Document Proposal. Mr. Ruiz said that it provides a protective layer between the low-permeability soil layer and refuse. He further described that on the County side of the Landfill, a Subtitle D liner system was initially used at the bottom of the canyons, while a low-permeability system was used on the slopes. For the City side of the Landfill, and the bridge area, a double Subtitle D liner system was required. Mr. Mohajer pointed out that there is no liner system on the closed portion of the City Landfill.

Ms. Landis asked Ms. Thompson what the next steps are in this review process. Ms. Thompson stated that Republic would need to resubmit their proposed alternative final cover design to the Water Board as part of their final closure and post-closure maintenance plans, and at that time, Public Works will review the proposed cover plans. The Subcommittee asked that staff notify them upon resubmittal of the plans by Republic.

AQMDs Settlement of the Notices of Violation

Ms. Thompson provided an update on AQMDs settlement of the notices of violation with Republic for odor nuisances at the Sunshine Canyon Landfill. In a September 25, 2012, letter to the AQMD, Los Angeles City Councilmember Mitchell Englander expressed his dissatisfaction that the Notices of Violation (NOV's) had been settled by the AQMD, particularly since the odor problems had not yet been resolved. He further stated that appropriate outreach was not made to inform stakeholders, and that he was mainly concerned that the AQMD, through this settlement action, might have considered the odor problem as being solved.

In an October 10, 2012, response letter to Councilmember Englander, the AQMD stated that Republic is still under a Stipulated Order for Abatement. At the time of settlement, the AQMD had issued 60 NOV's. The letter emphasized that the AQMDs District Prosecutor generally does not resolve NOV's until a facility is in compliance. However, the District's attorney determined that it was appropriate to collect a penalty that was close to the maximum penalty allowed by statute to convey the gravity of its violations to Republic. The settlement penalty in the amount of \$467,000 for the 60 NOV's was deemed to be fair and appropriate in light of the statutory framework within which the AQMDs attorneys are required to operate.

Since July 2012, the AQMD issued six additional NOV's with three more pending. The letter concludes that the AQMD does not consider the odor situation at the Landfill to be resolved, will continue to monitor operations, and work with the Local Enforcement Agency (LEA) and other regulatory agencies to explore options for improvements at the Landfill.

Ms. Landis thanked Ms. Thompson for bringing this issue to the Subcommittee, as there has been a lack of notification to the public on this important subject. Mr. Hunter added that he thought stiffer penalties should have been assessed to Republic, or other actions imposed upon Republic until the odor problem has been solved.

Mr. Hunter also informed the Subcommittee that the Sunshine Canyon Landfill Citizen's Advisory Committee will be meeting with AQMD on November 1, 2012, to further discuss these penalties. Ms. Landis asked Mr. Hunter to provide this same information at the Task Force meeting later this afternoon.

IV. SAVAGE CANYON LANDFILL IN THE CITY OF WHITTIER, FINDING OF CONFORMANCE

Mr. Karlo Manalo provided an update on the City of Whittier's application with the LEA for a modified Solid Waste Facility Permit (SWFP) for Savage Canyon Landfill. The modification would provide for an increase in the site capacity and changes in fill elevations in various areas of the Landfill. The LEA previously granted an extension for the City to submit additional information. As of Tuesday, October 16, 2012, the application was still incomplete.

After discussion on whether the project is a modification or revision, and if California Environmental Quality Act documentation is required, the Subcommittee decided to wait until the modified SWFP has been completed

before making a determination regarding whether a Finding of Conformance with the Countywide Siting Element is required.

V. OPEN DISCUSSION/PUBLIC COMMENT

There was no open discussion or public comment.

VI. ADJOURNMENT

The meeting adjourned at 12:25 p.m.