

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

September 19, 2019

Los Angeles County Public Works
900 South Fremont Avenue
Alhambra, CA 91803

SUBCOMMITTEE MEMBERS PRESENT:

Betsey Landis, Chair, Environmental Organization Representative
Mike Mohajer, General Public Representative
Shikari Nakagawa-Ota, rep by Daniel Dela Cruz, County of Los Angeles
Department of Public Health
Carlos Ruiz, Los Angeles County Public Works
Sam Shammass, County Sanitation Districts of Los Angeles County

SUBCOMMITTEE MEMBERS NOT PRESENT:

Reyna Pereira, City of Los Angeles

OTHERS PRESENT:

Martins Aiyetiwa
Maria Carlson, Los Angeles County Public Works
Brenda Eels, Jacobs Engineering Group, Inc.
Gabriel Esparza, Los Angeles County Public Works
Michael Harmon, Los Angeles County Public Works
Wayde Hunter, North Valley Coalition of Concerned Citizens
Gerald Ley, Los Angeles County Public Works
Margarita Quiroz, Los Angeles County Public Works
Ana Rodriguez, Los Angeles County Public Works
Vu Truong, Los Angeles County Public Works
Daniel Wibisono, Los Angeles County Public Works
Dennis Montano, Republic Services

CALL TO ORDER

Ms. Landis called the meeting to order at 11:11 a.m.

I. APPROVAL OF AUGUST 15, 2019 MEETING MINUTES

A motion to approve the Minutes from the August 15, 2019, Subcommittee Meeting, as corrected, was made by Mr. Mohajer and seconded by Mr. Ruiz. Motion passed unanimously.

After the approval of the August 15, 2019 Subcommittee Minutes, Mr. Mohajer had addressed the following:

- Mr. Mohajer requested that on all future Minutes links be provided for any report/documentation submitted to Subcommittee, enabling public to access on website.
- Mr. Mohajer asked for the status of the motion approved last month regarding Public Works holding a public meeting to discuss the development and use of Sunshine Canyon Landfill's (SCL) fill sequencing. Mr. Ruiz responded the subject is being discussed internally. Therefore, the item is pending and will be discussed at a subsequent Subcommittee Meeting.
- At last month's Subcommittee Meeting, Mr. Mohajer suggested that staff find out if an oil well is located on another property owner's land, what the legal process is in going after an owner of an oil well to re-abandon. He asked if staff had followed up and had gotten the information. Mr. Harmon, staff to the Task Force, responded that staff did follow up and it would be presented.
- Mr. Mohajer noted on the August 15, 2019 Task Force Minutes, page 6 stated that he noted the County's CUP for bench marking and erosion control and asked if Public Works was pursuing Republic to build the bench for erosion control, and that staff was going to look into and provide a report to the Subcommittee. Mr. Ruiz responded that the report would be submitted to the Subcommittee today.

II. UPDATE ON SUNSHINE CANYON CITY/COUNTY LANDFILL

Odor Complaints

Mr. Truong provided an update on the (SCL) odor complaints from the South Coast Air Quality Management District (AQMD) for the month of August 2019 ([Link](#)).

- During the month of August 2019, 7 complaints were made to the AQMD hotline and AQMD report listed all 7 of them as No Field Response.
- In comparison to August 2019, the number of complaints received in August unchanged at 7 complaints.
- Compared to August of last year, the number of complaints this August increased from 6 to 7 complaints.
- The total number of complaints received this year is 143.
- As of September 10, 2019, AQMD has not issued any Odor Complaint Notice of Violations (NOV) to SCL for the month of August 2019.

Ms. Landis asked why there was no field response to any of the complaints in the month of August. Mr. Truong indicated that AQMD's report did not provide any reasons for "no field response".

Mr. Mohajer commented hearing from Mr. Hunter that AQMD issued an NOV in September. Mr. Truong responded staff will have more information on the September NOV in October.

Mr. Hunter indicated that the NOV was issued in the early part of September after AQMD received several complaints and that there was one day they received 13 complaints. He also mentioned that the AQMD will have a better response time because the 13 odor complaints that came in one particular day caused the inspector to go out and validate that the odors were resulted from the fresh trash.

Mr. Hunter further stated that there will be a huge jump in the number of odor complaints in the next report. He also pointed out that based on past complaint history, there is a noticeable 200 to 300 percent increase in odor complaints starting in the month of September. June, July, and August are the lowest months for odors due to the prevailing winds and atmospheric conditions.

Perimeter Monitoring Well 205R

Mr. Harmon provided an update on the status of methane readings from perimeter monitoring well 205R.

Staff received the SCL Solid Waste Facility Permit Monthly Local Enforcement Agency (LEA) report dated September 13, 2019, from Republic for the month of August 2019. The Report provides the methane concentration reading for perimeter monitoring well 205R which was taken on August 22, 2019. The highest reading for this perimeter well was 2.6 percent CH₄ by volume and continues to be below the 5 percent CH₄ limit. Staff will continue to monitor the monitoring well methane probe readings.

Additionally, at the last Subcommittee Meeting, the Subcommittee recommended that Staff reach out to the State Department of Conservation – Department of Oil,

Gas and Geothermal Resources (DOGGR), to determine the legal process to pursue the abandonment of an oil well that does not belong to the land owner. Staff reached out and a representative from DOGGR stated that the property owner is advised to consult their legal counsel to determine what rights the land owner has. Property records, deeds, or other records concerning the land title may provide rights or restrictions on the land owner, oil well owner, or the mineral interests owner. For situations where an oil/gas well operator becomes insolvent or no longer exists, DOGGR has an orphaned well program to permanently plug and abandon those wells.

Ms. Landis commented that there was no mention from the property owner (Republic) if any of its property documents mention the mineral rights. Ms. Landis commented according to DOGGR, the property owner must look through every document they can find to see if there is anything that mentions mineral rights. Mr. Harmon stated that DOGGR suggested the land owners seek legal counsel to pursue any course of action for an oil well that they do not own. Mr. Ruiz asked if Republic has established who has the responsibility or authority over well activity. Mr. Montano responded anything within the waste disposal footprint belongs to Republic and that they have been monitoring well 205R, which has not gone over the 5 percent concentration.

Mr. Mohajer stated that the continuing issue with well 205R, which is the Landfill monitoring well, is the existence of methane and the LEA asked Republic to test it and Republic responded that it is not related to the Landfill gas, but that it is from the oil wells. Republic put the findings in writing, which was also provided to the Subcommittee by way of the LEA ([Link](#)). There are some abandoned oil wells within the Landfill property, not the Landfill footprint, and it is unclear to the Subcommittee as to who owns the mineral rights and to who owns the oil wells; in the case of monitoring well 205R, the oil well owner is believed to be Chevron.

Mr. Mohajer made a motion for staff to write a letter to Republic asking them to verify the oil wells within their property and whether they have the mineral rights and, if they do not have the mineral rights, to find out who does. He added Ms. Landis' inclusion of requesting the dates of all wells that were abandoned. Ms. Landis seconded the motion. The motion passed unanimously.

Ms. Landis said it is a difficult situation and that continued testing on the methane levels must be done in order to build a case history that can be valuable. Ms. Landis commented that the action agencies are the Department of Public Health and AQMD and that the Landfill has to prove that the condition of the oil well has become a hazard. The situation is difficult because monitoring well 205R's probes have not exhibited a soil gas reading of at least five percent methane concentration. Mr. Mohajer also suggested to the LEA, representative Mr. Daniel De la Cruz, to follow up with DOGGR if they have not already.

Mr. Shammass asked if there are any DOGGR regulations that once they reach a certain level, a well must be re-abandoned. Mr. Harmon provided the following regarding DOGGR's enforcement actions. DOGGR typically issues one of three types of enforcement orders to an oil well and/or mineral interest owner. There are emergency work orders, remedial work orders, and there is an idle well facility abandonment order. Requirements may differ between the orders, but generally the oil gas well owner and the mineral interest owner will have to mitigate the situation, identify the cause of an oil leak or seep, prepare a workplan to abate the cause, and then the facility will be inspected by DOGGR. Ms. Landis asked if there was a lower limit of exceedance standard. Mr. Harmon replied that it is on an inspection basis for surface expressions of oil or gas so it would be pooling of a liquid on the ground surface.

Update on August 28, 2019 Vegetation Meeting

Ms. Maria Carlson provided an update on the August 28, 2019 Vegetation Meeting. At last month's Subcommittee Meeting update, Republic submitted the Second Quarter 2019 Vegetation Project Status Report on August 1, 2019. On August 28, 2019, a meeting with Republic, UltraSystems, Architerra, and County staff took place to discuss the report and the status of the vegetation areas and to visit the vegetation areas. The following is a summary of the discussion:

Republic stated on Deck C, the landscaping crew at SCL is weeding twice a week. On Deck B, there has been a lot of growth. The County Side Sage Mitigation Area will have straw wattles put in place in September 2019. Republic stated that they are in the City Side Mitigation Area about three times a week and reported seeing deer and butterflies and stated they would like to take more photos to document the wildlife observed. Republic also stated that the areas have not received heavy winds yet.

At the meeting, Ms. Michelle Tollett from UltraSystems provided her recommendation, a methodology for a reference site approach. This methodology involves comparing the County Side Mitigation Area with surrounding topography to determine the success of revegetating the area. Recommendations to the reference site approach included taking soil samples at the top and the bottom of the County Mitigation Area. At the meeting Republic agreed to review the Landfill's conditions and requirements of the County Side Mitigation Area and provide their findings. Republic will also review UltraSystem's methodology and it will be discussed at the next Vegetation Group Meeting.

Ms. Landis stated that the Vegetation Group has been told the reason for the work is to entice vegetation growth and its critters, such as horned lizards and ants. She has been asking Republic why sand is not put in for the horned lizards and ants. She added that in her walk throughs of the area, it is very difficult to tell what the soil is. Mr. Hunter's understanding is that it was a landslide area and they moved

the landslide materials and the underlying ground is mudstone, sandstone, siltstone, and shale and they removed any top soil which is the reason SCL cannot revegetate. Ms. Landis responded that SCL is revegetating nicely on top. She added they have added lots of soil, but there is a mix. The mitigation has turned out quite well, but with some bare spots. The conversation ensued.

Chiquita Canyon Landfill Update

Ms. Carlson provided an update on Chiquita Canyon Landfill (CCL). CCL is an existing Class III landfill located in the unincorporated Los Angeles County area of Castaic.

On July 25, 2017, the Los Angeles County Board of Supervisors approved the CUP for the Landfill, which became effective on July 28, 2017. The new CUP limits the Landfill's amount of all incoming material, including beneficial use, to an average of 8,974 tons per day until the end of 2024. From 2025 through 2047, all the incoming materials, including beneficial use, is limited to an average of 5,769 tons per day. The CUP also includes more stringent mitigation measures and fees than the previous expired permit, which included measures on odor, prohibited materials, operating hours, traffic, out-of-area fees, and end use of the land.

As required by the Countywide Siting Element and Condition No. 100 of the new CUP, the Landfill has applied for a new Finding of Conformance (FOC) was approved on August 14, 2018. Since the effective date of the CUP, the County was served with a lawsuit by environmental and community groups alleging the prepared EIR was inadequate and did not comply with the California Environmental Quality Act on August 24, 2017. A trial occurred on August 23, 2019, and a ruling has not been decided yet.

The Landfill Operator has filed a lawsuit against the County, challenging various conditions in the CUP, specifically on the fees and exactions, tonnage limits, closure requirements, and restrictions on materials and other requirements. The trial date is set for August 23, 2020.

The Landfill has filed another lawsuit against the County for the NOV that was issued to the Landfill on December 11, 2017, for accepting treated auto-shredder, which is a prohibited material under the new CUP, and for not paying the fees as required by the CUP. The trial date for the lawsuit to seeking to overturn the NOV is set for June 25, 2020.

Mr. Mohajer requested a standing item on future FPRS agenda to provide updates on issue related to CCL such as lawsuits, odor complaints, and reports from the LEA. He further commented that as the FPRS is an advisory subcommittee to the Task Force, which provides a forum in which the public, local jurisdictions,

organizations, etc., may collectively address solid waste management issues of public interest, as well as ensure a mechanism through which technical, environmental, and social considerations are taken into account for the benefit of public health and safety and the environment, it may be helpful to invite the members from the newly formed Community Advisory Committee to attend future FPRS meeting to share with the FPRS issues of concern with the operation of the Chiquita Canyon Landfill.

Ms. Landis recommended sending a letter to the CCL Community Advisory Committee (CCL-CAC) to send a representative to the Subcommittee Meetings.

Discussion of FOC Reports

Mr. Daniel Wibisono reported that staff did not receive any FOC reports for this period. Staff will provide FOC updates at the next Subcommittee Meeting.

Conversion Technology

Ms. Carlson provided an update from Republic Services and Waste Connections efforts to promote Conversion Technologies (CT). At last month's Subcommittee Meeting, staff was asked to follow up with Republic Services and Waste Connections for correspondences that would substantiate their efforts done during the second quarter of 2019. The following are their respective responses to an email sent by staff on September 9, 2019:

SCL

On September 12, 2019, Republic responded to the request for more information. Republic is assessing the efforts needed to provide more information and were unable to provide the correspondences by today's Subcommittee Meeting.

CCL

On September 17, 2019, Waste Connections responded to the request that the updates are provided as a courtesy, and that staff's request would be time consuming to comply with. Waste Connections would like to know if there are any initiatives that the Task Force would like Waste Connections to consider joining to meet the requirement of the FOC to "work with the Task Force in promoting conversion technologies." Waste Connections would like to explore the opportunity to be a part of the Alternative Technology Advisory Subcommittee (ATAS) in order to be involved with more conversion technology initiatives.

Lancaster Landfill

To date, there has been no response.

Ms. Landis asked if the ATAS received a request from Waste Connections. Mr. Ruiz responded that the CUP for CCL has a provision that allows a

representative from the permittee to be part of the subcommittee. Ms. Landis asked who makes the decision. Mr. Mohajer responded that the Director of Public Works makes the appointment pursuant to the CUP. Ms. Landis asked if staff has informed the Director. Mr. Ruiz responded the request would be handled.

VI. PUBLIC COMMENTS

No public comment.

IX. ADJOURNMENT

The meeting adjourned at 12:45 p.m. The next meeting is tentatively scheduled for Thursday, October 17, 2019, at 11:00 a.m., in Conference Room B of Public Works Headquarters.